

Freedom of Information – Response – 27198

Freedom of Information Request

I am conducting comparative research on local authority performance in relation to statutory SEND functions across England. The same request is being submitted to all local authorities with SEND responsibilities, so that responses can be compared on a consistent basis. The questions have been drafted to be proportionate, to minimise the need for clarification, and to avoid asking for any information that would require the creation of new data.

Headline EHCP timeliness statistics, and the total numbers of EHC needs assessment requests and refusals, are already published by the Department for Education via the Explore Education Statistics platform. I do not seek those figures. The questions below relate only to information that is not available through the published DfE dataset.

Questions

1. Compliance with phase transfer deadlines

Regulation 18 of the SEND Regulations 2014 requires local authorities to review and, where necessary, amend a child or young person's EHCP before specific dates in the calendar year of their transfer between phases of education:

31 March in the case of transfer from secondary school to a post-16 institution, and 15 February in any other case.

For each of the past six years:

(a) the total number of EHCPs your authority was required to review under Regulation 18 in respect of phase transfer to a post-16 institution by the 31 March deadline, and the number for which the review was completed and the final plan was issued or confirmed by that deadline;

A – Suffolk County Council only holds data for the last five years. This is because new online recording processes were introduced and the previous system did not record these outcomes. Since 2022 the LA have also been sharing this data with regional partners as part of national data collection.

	2022	2023	2024	2025	2026
Total Year 11 Phase Transfer Cohort	446	452	525	683	893
Year 11 Phase Transfer Cohort Finalised by 31 March	142	242	382	616	806
Year 11 Phase Transfer Cohort Finalised %	31.8%	53.5%	72.8%	90.2%	90.3%

(b) the total number of EHCPs your authority was required to review under Regulation 18 in respect of phase transfer at all other phase boundaries by the 15 February deadline, and the number for which the review was completed and the final plan was issued or confirmed by that deadline.

A –

	2022	2023	2024	2025	2026
Total Non Year 11 Phase Transfer Cohort	366	397	411	573	802
Non Year 11 Phase Transfer Cohort Finalised by 15 February	300	369	407	566	801
Non Year 11 Phase Transfer Cohort Finalised %	82%	93%	99%	98.8%	99.9%

2. Outcomes of challenges to refusal-to-assess decisions

For each of the past six years:

(a) the number of refusal-to-assess decisions subsequently challenged by parents through statutory mediation;

A – Suffolk County Council can only provide data from 2023 owing to a change in recording systems.

2023	2024	2025
253 (part data from April 2023);	134	221

(b) the number of refusal-to-assess decisions subsequently challenged by parents through appeal to the First-tier Tribunal (Special Educational Needs and Disability);

A – Suffolk County Council can only provide data from 2023 owing to a change in recording systems.

2023	2024	2025
25 (part data from April 2023);	13	21

(c) of the challenges at (a) and (b), the number where your authority subsequently agreed to conduct the assessment, whether by agreement at mediation, by conceding the appeal before hearing, or by Tribunal order;

A – Suffolk County Council can only provide data from 2023 owing to a change in recording systems.

2023	2024	2025
218 (part data from April 2023);	97	170

(d) where available, the average time in weeks between the original refusal decision and the decision to proceed with the assessment following a successful challenge.

A – Suffolk County Council do not record this information.

3. Educational Psychology advice — timeliness and provenance

For each of the past six years:

(a) the total number of requests for statutory EP advice made by your authority as part of EHC needs assessments;

Financial Year	
20-21	618
21-22	828
22-23	1012
23-24	1431
24-25	2975
25-26	2266

(b) the number of those requests returned within six weeks, in accordance with Regulation 8(1) of the SEND Regulations 2014;

Financial Year	
20-21	473
21-22	318
22-23	56
23-24	325
24-25	1016
25-26	1389

(c) of EHCPs issued within the statutory 20-week timescale, the number where the statutory EP advice was produced by your authority's in-house EP service, and the number where it was produced by an external EP commissioned by your authority;

A – Suffolk County Council do not record this.

(d) the number of statutory EP advice requests referred to external EPs in each year, and whether your authority has a standing arrangement for commissioning external EP advice when in-house capacity is insufficient.

Financial Year	
20-21	105
21-22	168
22-23	421
23-24	915
24-25	2327
25-26	1635

External EP advice is commissioned when in-house capacity is insufficient.

4. Annual review completion rates

For each of the past six years:

(a) the total number of EHCPs due for annual review within the year;

A – Suffolk County Council can only provide the number of reviews completed for each of the years listed below owing to a change in recording systems.

2023 (Apr-Dec only) – 3,200

2024- 5,724

2025- 7,610

(b) the number of those reviews completed within 12 months of the previous review, in accordance with section 44(1) of the Children and Families Act 2014;

A – Suffolk County Council can only provide the number of reviews completed for each of the years listed below owing to a change in recording systems.

2023 (Apr-Dec only) – 1,204

2024 – 2,943

2025 – 4,378

(c) the number of annual reviews that resulted in an amendment to the EHCP;

A – Suffolk County Council can only provide the number of reviews completed for each of the years listed below owing to a change in recording systems.

2023 (Apr-Dec only) – 2,173

2024 – 4,104

2025 – 6,028

(d) the number of annual reviews that resulted in a decision to cease to maintain the EHCP.

A – Suffolk County Council can only provide the number of reviews completed for each of the years listed below owing to a change in recording systems.

2023 (Apr-Dec only) – 52

2024 – 120

2025 – 176

5. SEND Tribunal appeals and concessions

For each of the past six years:

(a) the total number of appeals registered against decisions of your authority at the First-tier Tribunal (Special Educational Needs and Disability);

A – Suffolk County Council do not hold data in a reportable format prior to 2023 due to a change in recording systems.

2023	2024	2025
199	286	478

(b) the number of those appeals conceded by your authority before final hearing;

A – Suffolk County Council do not hold this information as we do not distinguish in our reporting which ones were outcome at hearing and which were pre-hearing.

(c) the categories of decision appealed, if recorded — specifically, the number of appeals relating to: (i) refusal to assess; (ii) refusal to issue a plan; (iii) content of a plan; (iv) school or institution named in a plan; (v) decision to cease to maintain a plan.

Suffolk County Council do not hold data in a reportable format prior to 2023 due to a change in recording systems.

	RTA	RTI	Content	Placement only	CTM
2023 (part)	3		14	86	0
2024	15	9	171	65	0
2025	21	31	102	289	0

6. SEND complaints and Ombudsman outcomes

For each of the past six years:

(a) the total number of formal corporate complaints received by your authority classified as relating to SEND services;

A – We can confirm that Suffolk County Council holds this information. However, the information is readily accessible to you, as it is already in the public domain.

Section 21 of the FOIA states that a public authority does not need to provide information under section 1 of the Act if that information is reasonably accessible to the applicant by other means.

The information requested can be found in the Annual Report of Compliments, Comments and Complaints taken to Audit Committee annually in September. Further information can also be found in the Minutes from each meeting. The Report and the minutes can be found via the following link:

[Committee Documents - Committee Minutes](#)

(b) the number upheld or partially upheld at any stage of your complaints procedure;

(c) the number of decisions issued by the Local Government and Social Care Ombudsman against your authority in relation to SEND matters;

(d) the total value of financial remedies recommended by the LGSCO in those decisions.

A – See above (6a)

7. SEND team staffing and caseloads

As at the most recent date for which data is available:

(a) the total number of SEND caseworkers or EHCP coordinators employed by your authority (full-time equivalent), excluding administrative support staff;

A – Please note this data includes staff at Grade 4, 5 and 6 case workers with the job

titles Assistant Coordinator, Coordinator, Lead Coordinator, Assessment Coordinator and Assessment Lead (EHCNA Lead).

March 2026 85 FTE

(b) the total number of EHCPs maintained by your authority at that date;

A – March 2026 11,983

(c) the resulting caseload ratio (EHCPs per caseworker FTE);

A – As of Feb 2026 the average caseload is 340 for review teams and 45 in the assessment team.

(d) the number of SEND caseworker vacancies at that date, if recorded;

A – March 2026 5 FTE

(e) the total number of Educational Psychologists employed by your authority (full-time equivalent) in your in-house EP service.

A – 28 FTE Educational Psychologists (EPs) currently in post across the in-house EP service

8. Education Otherwise Than At School (EOTAS) provision

For each of the past six years:

A- Please note for questions 8 a, b and c, Suffolk County Council (SCC) can confirm that this information is held however, it is being withheld under s.12 of the Freedom of Information Act 2000 (FOIA.) s.12 allows a public authority to refuse a request where it is estimated that complying with it would exceed the appropriate limit (£450 calculated at 18 hours of staff time charged at £25 per hour.

Whilst we do hold the information you have requested it is not held in a reportable format and would require an individual employee to review each EHCP's manually to locate and extract the relevant information.

We can however provide you with a snapshot at a particular point in time and this is below.

(a) the total number of children and young people with EHCPs for whom your authority arranged Education Otherwise Than At School provision under section 61 of the Children and Families Act 2014;

A – January 2026 32 pupils as Section 61

(b) the total number of EOTAS packages active at the end of each year;

A – March 2026 – 32

(c) the total annual expenditure by your authority on EOTAS provision;

A – March £1,316,025

(d) the number of requests received by your authority for an EOTAS personal budget, the number agreed, and the total value of EOTAS personal budgets agreed in each year.

Suffolk County Council do not hold data in a reportable format prior to 2022/2023 academic year, due to a change in recording systems.

	2022/2023	2023/2024	2024/2025
Agreed	267	302	412
Value	£767,122	£1,085,770	£1,698,686

9. Non-maintained and independent placement expenditure, monitoring, and terminations
For each of the past six years:

(a) the total number of children and young people with EHCPs placed by your authority at non-maintained independent schools or independent specialist providers;

	Academic Year 2025-26 (To Date)	Academic Year 2024-25	Academic Year 2023-24	Academic Year 2022-23	Academic Year 2021-22	Academic Year 2020-21
Total	809	662	537	406	454	305

(b) the total annual expenditure on those placements;

	Academic Year 2025-26 (To Date)	Academic Year 2024-25	Academic Year 2023-24	Academic Year 2022-23	Academic Year 2021-22	Academic Year 2020-21
Total	£44,704,686.83	£38,119,260.58	£31,155,505.03	£20,743,317.71	£20,162,123.51	£15,029,963.89

(c) the average annual cost per non-maintained independent placement;

	Academic Year 2025-26 (To Date)	Academic Year 2024-25	Academic Year 2023-24	Academic Year 2022-23	Academic Year 2021-22	Academic Year 2020-21
Total	£55,259.19	£57,581.96	£58,017.70	£51,091.92	£44,409.96	£49,278.57

(d) the number of those placements made following a SEND Tribunal order or conceded during Tribunal proceedings, as distinct from placements made by your authority's own decision;

A – Suffolk County Council do not hold this information.

(e) whether your authority has a formal process for monitoring the delivery of provision specified in Section F of EHCPs at non-maintained independent placements, and if so, the frequency and method of that monitoring;

A – This is through annual review

(f) the number of non-maintained independent placements terminated at the provider's initiative in each year, and the average time taken to secure an alternative placement following such a termination.

A – Suffolk County Council do not hold this information.

10. Non-maintained independent placement refusals

For each of the past six years:

(a) the number of cases where your authority approached a non-maintained independent school or independent specialist provider to request a placement for a child or young person with an EHCP, and the provider declined to offer a place;

(b) where recorded, the primary category of special educational need of the child or young person in each case where a placement was declined, using the DfE SEN2 categories (for example, Autism Spectrum Disorder, Social Emotional and Mental Health, Severe Learning Difficulty);

A- Suffolk County Council (SCC) can confirm that this information is held however, it is being withheld under s.12 of the Freedom of Information Act 2000 (FOIA.) s.12 allows a public authority to refuse a request where it is estimated that complying with it would exceed the appropriate limit (£450 calculated at 18 hours of staff time charged at £25 per hour.

Whilst we do hold the information you have requested it is not held in a reportable format and would require an individual employee to review each of the 12,072 EHCP's manually to locate and extract the relevant information.

(c) the number of cases where a non-maintained independent placement was named in a final EHCP or ordered by the SEND Tribunal, and the provider subsequently declined to admit the child or young person;

A – 0

(d) in cases where a placement was declined, the average time in weeks taken to identify and secure an alternative placement.

A – Suffolk County Council do not hold this information.

11. Reduced timetables and alternative provision for children and young people with EHCPs

For each of the past six years:

A- Please note the attendance code (C2) which allows SCC to capture reduced timetables only came into being in September 2024. Therefore, SCC is unable to provide the information prior to this date.

(a) the total number of children and young people with EHCPs known to your authority who were on a reduced timetable at any point during the year;

A –

2024/2025	2025/2026 up to April 17th
1588	1245

(b) the total number of children and young people with EHCPs known to your authority who were placed in alternative provision at any point during the year;

A – Due to the way in which alternative provision data is recorded on our system we cannot provide you with information for the full time period. We have however provided you with 3 years of data.

Please see attached spreadsheet.

(c) of the children and young people at (a), the number for whom the reduced timetable was in place for more than one school term;

(d) of the children and young people at (a) and (b), the number for whom the arrangement was recorded as agreed with the parent or young person in writing.

A – The information requested is not held in a reportable format and would require a manual review of individual child records in order to identify, extract and validate the relevant information.

For the periods requested, this would involve reviewing approximately 1,588 records for 2024/25 and 1,245 records for 2025/26. Given the need to examine each case individually, the Council estimates that the cost of compliance would exceed the appropriate limit set out under Section 12 of the Freedom of Information Act 2000.

The request is therefore refused under Section 12(1) of the Act, as complying with the request would require disproportionate manual retrieval and analysis of information.