

Contact Officer: Helen Kilroy

KIRKLEES COUNCIL

CHILDREN'S SCRUTINY PANEL

Thursday 11th December 2025

Present: Councillor Itrat Ali (Chair)
Councillor Aafaq Butt
Councillor Tanisha Bramwell
Councillor Hannah McKerchar

In attendance: Jo-Anne Sanders, Service Director - Learning and Early Support
Vicky Metheringham, Service Director – Child Protection and Family Support
Theresa Racz, Head of Service for Contextual Safeguarding and Youth Justice
Councillor Jane Rylah, Cabinet Member for Education
Councillor Viv Kendrick, Cabinet Member for Children's Services

- 34 Membership of the Panel**
No apologies were received.
- 35 Minutes of the Previous Meeting**
RESOLVED –
That the Minutes of the meeting held on 17th October 2025 be approved as a correct record.
- 36 Declaration of Interests**
No interests were declared.
- 37 Admission of the Public**
All agenda items were considered in public session.
- 38 Deputations/Petitions**
No deputations or petitions were received
- 39 Public Question Time**
No public questions were received.
- 40 Update on the anticipated 'Schools White Paper' in relation to national reforms to the SEND system**
The Panel considered a report and presentation regarding an update on the anticipated 'Schools White Paper' in relation to national reforms to the SEND

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system, which was presented by name Jo-Anne Sanders, Service Director for Learning and Early Support.

Jo-Anne Sanders gave context to the report and highlighted the following key points:

- A White Paper had been expected in Autumn 2025, however this had been delayed and was expected in early 2026 after an extended period of co-creation with families, teachers and other experts.
- In a letter to the Chair of the Education Select Committee, the Secretary of State for Education had outlined the five principles on which SEND reform should be based.
- These five principles aligned with those in Kirklees; that support should be provided early, locally, fairly, effectively and delivered by partnerships through shared working.
- Early help was being enabled through the cluster working, new Additional Resourced Provisions (ARPs) and additional specialist provision were in the process of being developed and built to enable children to attend school closer to home, and the recent Inspecting Local Authorities Children's Services (ILACS) inspection highlighted strength in partnership working.
- Plans were underway to provide opportunities for partners to discuss the White Paper which would allow partners to reflect on how the White Paper complemented strengths within the service offered in Kirklees and how it could underpin areas for improvement.
- The Children's Scrutiny Panel were invited to participate in these engagement sessions.

In response to questions, the Panel was informed that:

- The whole partnership would be involved in discussions when the White Paper was published, to include young people's and their families' voices. A DfE advisor would be available to support during the process.
- The co-creation that had been underway included webinars hosted by the DfE. Kirklees representatives had attended a session about Additional Resourced Provisions (ARPs) and more events, some of them in-person, were planned.
- Events were available to book on EventBrite and the suggestion of these being signposted on the Local Offer site was welcomed.
- Changes and improvements within the next 12 months would include those set out in the Big Plan 3, which include improvements to Preparation for Adulthood, Communication and Education, Health and Care Plans. Sufficiency of learning places, waiting lists and the healthy child programme would be a priority, and Best Start Hubs would provide new opportunities.

RESOLVED –

1. That the report be noted and officers thanked for their contributions.
2. That the engagement events could be signposted on the Local Offer site.
3. That the Children's Scrutiny Panel be invited to participate in future engagement sessions with Partners to discuss the White Paper.

41 Education Health and Care Plans - Compliance, Mediation, Tribunals and Complaints and Compliments

The Panel considered a report and presentation on Education Health and Care Plans - Compliance, Mediation, Tribunals and Complaints and Compliments, which was presented by Jo-Anne Sanders, Service Director for Learning and Early Support.

The Panel were informed that the report referenced statistical information from the 2024 SEND2 return (a person centred census around special educational needs and disabilities) which was completed by all local authorities to allow for performance benchmarking. Data was being collected now for 2025. Jo-Anne Sanders acknowledged that the system was complicated, causing challenges for many families and that reform was welcomed.

Jo-Anne Sanders highlighted the following key points:

- Last year the number of EHCP needs assessments completed outside the 20 weeks statutory timescale was significant.
- There had been sustained month-on-month improvement to a current cumulative figure of 58% compliance, which was above previous years' national averages.
- At the end of 2022 the number of EHCPs maintained by the local authority was 4,125, at the end of 2023 there were 4,475 and latest figures indicated there would be in excess of 5,030 by the end of 2025.
- The EHCP team had worked hard to ensure that they were operating in line with the SEND Code of Practice and the Children and Families Act, to ensure that children's statutory rights were being met.
- Shared understanding of the sections in EHCPs had been promoted.
- The quality of plans was important, as well as compliance with timescales, and investment in an audit tool had been made to evaluate each section.
- Colleagues in the NHS and the DfE advisor were supporting work with practitioners where necessary to improve EHCP quality.
- At the end of October there were 35 live complaints, less than 1% of the 5,000+ EHCPs held by the Authority.
- Each complaint was important and the service strove to look into each case and provide timely responses.
- Learning from complaints was actively incorporated into improvements in practice, and compliments were received from the many families whose needs were being met across the education, health and care system.
- Wherever possible the Authority tried to find resolution of complaints, however where this was not possible mediation took place.

The Panel was advised on the latest information around mediation and tribunals. Jo-Anne Sanders informed the Panel that local authority input into the mediation process had required some improvement, therefore feedback had been taken and

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analysis carried out to determine how the mediation process could be better supported. The Panel was advised that wherever possible, issues were resolved outside of a legal process but parents had the right to exercise a mediation and a tribunal route. The report presented set out expectations around mediation and some of the reasons why mediation was requested. Some mediations involved challenges to decisions not to assess for an EHCP, which were sometimes resolved at mediation due to additional information becoming available. Other reasons for mediation included challenges over the decision not to issue a plan, to cease a plan, or around the content of a plan.

The Panel was informed there was a wait of 12 to 15 months for a tribunal to be heard, and this was of great concern. Once the tribunal process had started work could continue with the family to seek a resolution, however once the formal process had begun there were procedures to follow. Nationally there was a rise in tribunals and mediations and this was also the case in Kirklees, with 2% of EHCPs being subject to mediation or tribunal.

In answer to questions from the Panel, Jo-Anne Sanders advised that:

- A request for an EHCP did not automatically translate into a plan, parents could challenge this and exercise their right to mediation. Information from EHC Needs Assessments was reviewed and if there was not enough information the Panel could take the decision not to undertake an assessment. Where the decision was taken to assess, professionals including Educational Psychologists, Therapy Services and Social Care were asked for advice depending on specific needs. A Panel met weekly to decide whether to issue a plan. If need could be met by a graduated approach, the plan may not be issued but each request was looked at in detail and decisions were based on evidence. If additional information was brought forward, there was scope for the decision to assess or issue to be changed.
- The data on the percentage of children in Kirklees who had an EHCP was not available to provide a benchmark with other authorities, but this would be explored.
- The upward trajectory of plans being issued within statutory timescales was being continued, and the cumulative performance was already better than last year's national average of 45.9%, at just under 58%. The ambition was to reach 100% of plans being issued within the 20 weeks, but it was a complex system and dealing with spikes in numbers of requests was challenging.
- Where tribunal appeals could be reduced, by timely response to complaints, attendance at mediation and increasing sufficiency of specialist places was underway. Where possible, resolution was always sought, however, it was recognised that where agreement was not reached, it was a parent's right to go to tribunal.
- There had been challenges in accessing Educational Psychologist (EP) support, so capacity had been bolstered by using locum EPs to ensure quality and compliance. Health Partners were also involved in the improvement journey as a vital part of the EHCP process.
- Mediation was offered to every family prior to tribunal, through Global Mediation. Capacity issues had resulted in mediation not always being

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attended in previous years, however this had improved and positive results were being reported back through PCAN and from the Panel.

- Whilst the tribunal process was ongoing, there were opportunities for resolution outside that process which could minimise the scope of the tribunal.
- The proportion of cases overturned by tribunal were not currently published but would be in future for transparency. Sometimes tribunals were partially overturned, so it was not always straightforward.
- The cost of tribunals was difficult to quantify as each case was different in terms of staffing required. The small, experienced team that focused on complaints, mediations and tribunals had made improvements to the process and was able to call on other legal and senior colleagues where necessary.

During questions, the Panel expressed confidence in the teams involved in this work, and acknowledged the efforts of the service to improve, specifically noting improvements in compliance figures, commitment to mediation, improved communication and responsiveness, and the development of a focused and effective team.

RESOLVED –

1. That the report be noted and officers thanked for their contributions.
2. That officers explore whether data showing the percentage of children in Kirklees who had an EHCP could be provided to give a benchmark with other Local Authorities.
3. That Officers inform teams of the feedback from the Panel who had expressed confidence in the teams involved in this work and acknowledged the efforts of the service to improve.

42 Performance Data (Children's Services) - verbal update on highlights

Vicky Metheringham, Service Director – Child Protection & Family Support gave an update on performance data in response to questions from the Panel:

- Child Protection Review (CPR) Conferences - There had been a decline of 5% in performance from August to October around timescales for CPR Conferences, with October's data showing 92% compliance. The service conducted 75 CPR Conferences in July 2025, as some were brought forward from August to ensure that enough agencies attended, and that meetings would be quorate. 18 CPR Conferences were held in August 2025, and 54 in October 2025. 4 of the 54 cases were out of timescales in October 2025. These were rescheduled either due to the lack of availability of partners, an interpreter or because parents needed an alternative date. CPR reviews were scheduled at initial or repeat Child Protection Conferences to maximise the possibility of attendance but on rare occasions availability of participants caused delays in timeliness.
- Care Leavers – 56% of Care Leavers were engaged in education, training and employment (rising to 63% if those not engaging due to illness or caring responsibilities were not included in the figures). These percentages were above national averages and statistical neighbours but ambitions remained high for care leavers in Kirklees. Opportunities were being maximised

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through apprenticeships, high rates of keeping in touch (96.8%) and the support being provided at Number 11 and Number 12.

- Children at Risk of Exploitation – 142 children were at risk of sexual or criminal exploitation, down from 159 the previous month, and 8 assessments were overdue. The average length of overdue assessments was 25 days, with the longest being overdue by two months. All the children at risk had an allocated worker who saw them regularly and frequently and there was good oversight of all the children through weekly performance meetings with service managers and heads of service, daily risk, exploitation and missing meetings, and a monthly exploitation screening panel.

Jo-Anne Sanders presented highlights on November data and answered questions from the Panel:

- EHCP compliance - At the end of October this was 57.4% and last year's national average was 45.9%. There were spikes in requests to assess in June and July again this year, just before the summer holidays for schools and ways of managing this next year were being considered, as it was likely to impact on timeliness compliance in early 2026.
- There were issues with the data regarding information on exclusions, elective home education, and part-time timetables as a result of glitches in the system, however they were all being monitored closely.
- Exclusions - these were monitored on a fortnightly basis by SLT and work was ongoing in putting support around excluded young people. At the end of November there had been 46 notifications of permanent exclusions, of which five were withdrawn, so the total number of excluded youngsters was 41, an increase compared to the same period last year.
- Analysis was being undertaken to see what could be put in place, particularly with regard to day six provision, to ensure that children had their educational needs met from the 6th day of exclusion. Work would be undertaken with headteachers across Yorkshire and the Humber on sector led improvement in association with the University of Oxford to look at a range of solution-focused strategies for inclusion in schools.
- Elective Home Education - The number of children electively home-educated at some point in the academic year 2024/2025 was 1320. On 10th December there were 920, as many had returned to education or moved out of the area. Some children and families were being supported by the Child Missing in Education team to try and secure a school place, this was actively monitored in line with statutory duties.
- Part-time Timetables/Reduced Timetables – These were used by schools to facilitate the reintegration of pupils after a period of absence, and schools were now required to record these, allowing benchmarking locally and nationally. 171 notifications were received in October 2025, compared to 175 in October 2024, so there had been no large increases and checks were made with schools to ensure these were put in place appropriately.
- When electively home educated students moved area they were followed up by the Child Missing in Education team at Kirklees to ensure that they were handed across appropriately. There were reciprocal arrangements with other local authorities.

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RESOLVED –

That the verbal reports be noted and officers thanked for their contributions.

43 Pre-decision scrutiny - Cabinet decisions on the horizon

Councillor Rylah, Cabinet Member for Education, advised the Panel that the forthcoming Schools White Paper would be a major focus over the coming months.

44 Feedback from Panel Members on issues considered by Kirklees Parenting Board

Councillor Viv Kendrick, Cabinet Member for Children's Services, informed the Panel that a meeting of the Kirklees Parenting Board had taken place on the 26th November 2025. It had been a "take-over" event planned and delivered by care leavers and looked after young people. The timing of the meeting had been altered to later in the day, so that young people who attended college, school or work could attend. An ice-breaker facilitated discussion between attendees and the young people gave presentations about their involvement in activities, and on training that they were developing for the benefit of members of the Council. Attendees worked in groups to discuss what more could be done, what could be offered, how challenges could be addressed and changes made. The meeting finished with the attendees being asking for pledges. It was a very vibrant and useful session.

The Panel were advised that Board Minutes were no longer publicly available on the website it had been agreed at Annual Council on 22nd May 2024 that the Board would be a closed partnership meeting and that the terms of reference would be revised.

RESOLVED:

That the updates from the Kirklees Parenting Board be noted.

45 Work Programme and Agenda Plan for 2025/26

Three visits were being organised for the New Year, dates and times were in the process of being arranged and the Panel would be updated on these.

RESOLVED –

That the Work Programme and Agenda Plan for 2025/26 be noted.