

Request

I am writing to you under the Freedom of Information Act 2000 to request the following information from your Local Education Authority. Please may you provide me with:

- 1) The number of students attending primary schools in your local authority area who currently have an Education, Health and Care Plan (EHCP), where mental health is listed on their EHCP, broken down by academic year, since 2010.
- 2) The number of students attending secondary schools in your local authority area who currently have an Education, Health and Care Plan (EHCP), where mental health is listed on their EHCP, broken down by academic year, since 2010.
- 3) The total number of students attending primary schools in your local authority area, broken down by academic year, since 2010.
- 4) The total number of students attending secondary schools in your local authority area, broken down by academic year, since 2010.

Response

Q1 and Q2

We do not hold the information that you have requested in an easily retrievable format. Section 12 of the Freedom of Information Act 2000 (FoIA) relieves a public authority from the obligation to comply with a request for information where the estimated time required to locate, review and extract the information exceeds a certain threshold set out in Regulations.

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (SI 2004/3244) set out the rules in relation to the cost limit (otherwise called the "appropriate limit"). These Regulations are published by the Office of Public Sector Information (OPSI) and are viewable on their web site from this link: http://www.opsi.gov.uk/si/si2004/uksi_20043244_en.pdf

The Regulations set out the cost limit for Government departments and for other public authorities. For local government, Regulation 3 states that the cost limit is £450 and Regulation 4(4) states that the prescribed hourly rate is £25. Regulation 4(4) further provides that where the local authority estimates the time taken to gather the information would exceed this limit (which based on the prescribed hourly rate, equates to 18 officer hours), it may refuse the request under section 12 of FoIA. I am satisfied the cost limit applies to your request and will explain why this is the case.

To respond to Q1 and Q2 of your request would require a manual trawl of each EHCP. For example at January 2022 census 494 children and young people had EHCPs with the category SEMH (Social, Emotional Mental Health). We would need to read each plan to establish whether a mental health need was noted at a minimum of 15 minutes that is 4 plans an hour. 494 will take 123.5 hours to read.

In addition although children and young people with SEMH as a primary or secondary category of need would be recorded as such, children with other categories of need may also have mental health noted.

The number of EHCPs by year (please note that the number is not static and that EHCPs will be disapplied so although a percentage will remain the same each year this will need to be ascertained):

Date	Number of EHCP	
January 2022	2337	Time to read 584 hours 15 mins
January 2021	2111	
January 2020	1930	
January 2019	1804	
January 2018	1680	
January 2017	1534	
January 2016	1371	
January 2015	1262	
January 2014	1277	
January 2013	1276	

Q3 and Q4

Year	Primary	Secondary
2022	26479	19498
2021	26562	19218
2020	22949	18814
2019	26861	18218
2018	26647	17854
2017	26533	17033
2016	26297	16927
2015	25731	17125
2014	25210	17411
2013	24189	18033
2012	24149	18304
2011	23967	18631
2010	23889	18905