



Reference Number: FOI-101004839023

Response provided under: Freedom of Information Act 2000

Request and response:

- 1. How many First-tier Tribunal (Special Educational Needs and Disability) cases have been instituted in each calendar year (1st September – 31st August) from 2014 to 2019 inclusive?**

Please see table below

- 2. Of these Tribunal cases, how many in each year were settled between you and the appellant prior to the tribunal date, for the above years?**

Please see table below

- 3. Of all instituted SEND First Tier Tribunal cases, how many related to:**
- Refusal to secure an Education Health and Care Plan assessment?**
 - Content of the Education Health and Care Plan**

Year	Total number of appeals lodged with SEND Tribunal	Refusal to carry out an EHC needs assessment	Refusal to make a statement of SEN	Refusal to reassess SEN	Refusal to issue an EHC plan	Changes to the statement of SEN or EHC plan	Refusal to maintain the statement of SEN or EHC plan	Settled before the tribunal date
September 2015 - September 2016	22	6	0	0	5	11	0	Data Not available

September 2016 - September 2017	29	9	0	0	4	16	0	ALL
September 2017 – September 2018	22	6	0	0	1	15	0	18
September 2018 – September 2019	21	5	0	0	3	13	0	18
September 2019 – September 2020	8	7	0	0	0	1	0	8

4. How many SEND mediation cases were held during the calendar years (1st September - 31st August) 2013-2019 inclusive?

2013/4 - 1
2014/5 - 12
2015/6 - 11
2016/7 - 2
2017/8 - 0
2018/9 - 0
2019 to current - 0

5. How many SEND mediation cases resulted in financial legal settlements and/or re-location fees made to parents/guardians of children and young people with SEND during the years 2013-2019 inclusive?

I can confirm that Cornwall Council holds information falling within the description specified in your request. However, we estimate that the cost of complying with your request would exceed the appropriate limit of £450 as it would take over 18 hours to locate, retrieve and collate the information. This is due to the way the data is held.

To determine whether there were any financial consequences for the mediations which occurred in each of the years preceding 2017/18, significant time would be required to identify the specific cases, locate and retrieve the specific information from archived sources, investigate the facts of each case and cross check with various departments the extent of any such financial settlement whether directly or indirectly linked to the mediations which took place.

6. What was the total cost of financial legal settlements and/or re-location fees, resulting from SEND mediation cases, made to parents/guardians of children and young people with SEND during the calendar years (1st September - 31st August) 2013-2019 inclusive?

I can confirm that Cornwall Council holds information falling within the description specified in your request. However, we estimate that the cost of complying with your request would exceed the appropriate limit of £450 as it would take over 18 hours to locate, retrieve and collate the information. This is due to the way the data is held.

To determine whether there were any financial consequences for the mediations which occurred in each of the years preceding 2017/18, significant time would be required to identify the specific cases, locate and retrieve the specific information from archived sources, investigate the facts of each case and cross check with various departments the extent of any such financial settlement whether directly or indirectly linked to the mediations which took place.

Information provided by: Together for Families

Date of response: 16th April 2020