

CHILDREN AND FAMILIES OVERVIEW AND SCRUTINY PANEL 06 MARCH 2019

PROGRESS UPDATE ON JOINT LOCAL AREA SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) WRITTEN STATEMENT OF ACTION / IMPROVEMENT PLAN

Summary

1. Following the local area¹ inspection in March 2018, a Written Statement of Action (WSoA) was published in August 2018. The final draft WSoA was reviewed by the Children and Families Overview and Scrutiny Panel on 8 August 2018, this provided useful questioning and feedback prior to the submission to Ofsted.
2. Since the publication of the WSoA, progress has taken place throughout the SEND Improvement Programme by all involved partners including Local Authority officers, Worcestershire Health and Care Trust staff, Babcock staff, and Families in Partnership members. Overview and Scrutiny and Cabinet requested 6 monthly progress reports, this report coincides with the update report tabled for Cabinet on the 14 March, therefore the draft Cabinet report is provided as the update to Overview and Scrutiny at Appendix 1.

Background

3. In March 2018, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Worcestershire to judge the effectiveness of the area in implementing the special educational needs and disability (SEND) reforms as set out in the Children and Families Act 2014. As a result of the findings of this inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) determined that a Written Statement of Action (WSoA) was required because of significant areas of weakness in the local area's practice. The local authority and the area's clinical commissioning group (CCG) are jointly responsible for submitting the written statement to Ofsted.
4. The WSoA was prepared together with Health colleagues, parents and carers, head teachers and other key stakeholders. The WSoA is outcome and objective based addressing the 'so what difference will this make?' question in a way that is both deliverable (in stages) and measurable (so it is reportable through agreed governance routes and also to the DfE, NHSE and OFSTED). The Action Plan is the Written Statement of Action prepared jointly by the local authority and CCG to address the significant areas of weakness identified in the inspection.
5. In July 2018, Cabinet was asked to acknowledge that progress was underway on the Written Statement of Action (Action Plan) and authorise the Cabinet Member with Responsibility (CMR) for Education and Skills to approve the Action Plan on behalf of

¹The local area includes the local authority, clinical commissioning groups (CCGs), public health, NHS England for specialist services, early years settings, schools and further education providers.

the Council for sending to Ofsted/CQC. The WSoA was submitted to OFSTED on Monday 20th August – 70 working days after receipt of the SEND Local Area Inspection report. On Friday 14 September, Ofsted confirmed that the WSoA was fit for purpose subject to some minor alterations. The amendments were made by Local Area partners. The CMR approved the amended WSoA on 8 October. The CCG Board met to consider the amended WSoA on 24th Oct and confirmed approval.

Statement of Action

6. The WSoA has five workstreams each led jointly by representatives from WCC, Health and Partners – it has a detailed reporting and governance process to ensure accountability at all levels including SEND Improvement (Strategic) Board, Health and Wellbeing Board, ICEOG, CCG Governing Body and Cabinet updates. The WSoA is published on all partners websites including the Local Offer website at www.worcestershire.gov.uk/SENDImprovement

Governance

7. CFC Directorate Leadership Team received monthly highlight reports detailing progress on activity, issues, risks, next steps, changes and decisions required.

8. The SEND Improvement Board is a key element in the monitoring, reporting and governance for the progression of action to improve. It is a stakeholder Board, and includes representation from the CCGs, Families in Partnerships, Special Schools, Worcestershire Health and Care Trust (WH&CT), Babcock, Ourway Advocacy (children and young people representatives), Youth Justice, SENDIASS and officers from the SEND Services within the Council. The Board is held monthly and provides constructive feedback on progress, issues and next steps.

Department of Education and NHS England Monitoring

9. Advisers hold quarterly joint monitoring visits to discuss progress on delivering the WSOA. These monitoring visits have taken place in June 2018 (Qtr1), September 2018 (Qtr2) and December (Qtr3). Where possible they have coincided with the SEND Improvement Board meetings. The Quarter 4 monitoring visit is planned at the March SEND Improvement Board on 12th March 2019. Conclusions and feedback has been positive with recognition of the amount of work still to do. Further details are provided within the draft Cabinet report (appendix 1).

Local Area Re-visit

10. Supplementary guidance was published by Ofsted in November 2018 regarding '[Re-visits to local areas issued with a written statement of action](#)'. Ofsted and the Care Quality Commission (CQC) do not carry out monitoring inspections of a local area. The sole purpose of the re-visit is to determine whether the local area has made sufficient progress in addressing the areas of significant weakness detailed in the WSOA. Ofsted and CQC re-visit local areas under section 20(1) of the Children Act 2004. Ofsted and CQC will usually re-visit a local area within 18 months of the WSOA being declared fit for purpose. Worcestershire WSoA was declared fit for purpose on 24th August 2018; therefore a re-visit is likely to take place before February 2020.

11. Each re-visit will focus on the weaknesses that caused us to require the WSOA. These are detailed in the WSOA. However, if any other serious weaknesses are identified during the re-visit, we will refer to these in the re-visit letter. This information may be used when determining the timing of the local area's next review under any new LA SEND framework. Any new significant weaknesses identified will not lead to a requirement for a new WSOA being produced because the re-visit is not a new inspection.

Purpose of the Meeting

12. The Children and Families Overview and Scrutiny Panel is asked to:

- note and consider the draft update report prepared for Cabinet on 14 March 2019 detailing progress, risks, issues and implications;
- note the guidance regarding 'Re-visits to local areas issued with a written statement of action';
- determine whether it would wish to carry out any further scrutiny, and
- agree whether it would wish to make any comments to the Cabinet Member with Responsibility for Children and Families prior to the Cabinet meeting on 14 March 2019.

Supporting Information

- Appendix 1 – Draft Cabinet Report – 14 March 2019: Progress Update on Joint Local Area Special Educational Needs and Disability (Send) Written Statement of Action/Improvement Plan

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Background Papers

In the opinion of the proper officer (in this case the Head of Legal and Democratic Services) there background papers relating to the subject matter of this report are:

- [Children & Families Overview & Scrutiny panel Wednesday 16th May 2018](#)
- [Children & Families Overview and Scrutiny panel Wednesday 8th August 2018](#)
- [Cabinet Thursday 12th July 2018](#)

[All agendas and minutes are available on the Council's website here.](#)