

HEALTH AND WELL-BEING BOARD 24 SEPTEMBER 2019

SEND IMPROVEMENT PROGRAMME

Board Sponsor

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Author

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Priorities

Mental health & well-being

(Please click below
then on down arrow)

Yes

Being Active

No

Reducing harm from Alcohol

No

Other (specify below)

Safeguarding

Impact on Safeguarding Children

Yes

Inspectors identified potential safeguarding concerns and the Written Statement of Action provides the vehicle to improve outcomes for children, young people and their families.

Impact on Safeguarding Adults

No

If yes please give details

Item for Decision, Consideration or Information

Information and assurance

Recommendation

- 1. The Health and Well-being Board is asked to:**
 - a) note the steps taken to address the key concerns identified in the Local Area¹ SEND inspection in particular in relation to Local Area Leadership; and**
 - b) agree whether it would wish to make any comments to the SEND Improvement Board prior to the next meeting on 14 October 2019.**

Background

- 2. 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) were jointly responsible for submitting the written statement to Ofsted and CQC.

3. The inspection of the Local Area¹ involved an evaluation of how effectively the needs of children and young people with SEND are identified, assessed and provided for, and how effectively this leads to improved outcomes for children and young people. This involved reaching a judgement about local area strategic oversight and leadership, and the priority given by leaders to the SEND Reforms. Local area leadership relates to the work of the Council and the CCG. The findings of the Inspection were published on 16 May 2018 (Appendix 1).

4. The written statement of action was required to explain how the local area will tackle the following 12 areas of significant weakness:

- a) Safeguarding concerns around: children and young people from London boroughs who are housed locally;
- b) the use of long-term part-time timetables;
- c) children taken off roll and missing education;
- d) the CCG's' lack of strategic leadership in implementing the SEND reforms
- e) the current poor quality of the existing SEND Strategy action plan the lack of joint commissioning arrangements;
- f) the variation in the skills and commitment of some mainstream schools to provide effective support for children who have SEN and/or disabilities;
- g) the lack of suitable specialist provision to meet the identified needs of children and young people;
- h) the fragile relationships with parents and carers and the lack of meaningful engagement and co-production and collaboration;
- i) the poor quality of EHC plans including the limited contributions from health and social care and the processes to check and review the quality of EHC plans;
- j) the lack of systems to track outcomes for children and young people who have SEN and/or disabilities in special schools, post-16 provision, young people who are NEET and youth offenders effectively;
- k) the disproportionate numbers of children and young people who have SEN and/or disabilities who have been permanently excluded from school;
- l) the quality of the Local Offer; and
- m) academic outcomes, behaviours and attendance of children and young people who have SEN and/or disabilities.

The Written Statement of Action

5. The WSoA (Appendix 2) 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.

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 the SEND Improvement (Strategic) Board,

¹ The 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.

HWBB, ICEOG, CCG Gov Body and Cabinet updates. Appendix 3 details a summary of the five workstreams, outcomes, leads and objectives.

7. We are now twelve months on from WSoA being approved and we are entering the phase where a re-inspection is due. The Local Area is beginning to prepare for the re-inspection, ensuring that evidence of progress and the impact being made are recorded.

Governance / Monitoring

8. Workstream leads meetings are held monthly where leads discuss actions, updates (evidence), reporting, co-production, dependencies and risks/issues. Updates are provided from all workstream leads with support and challenge provided from the Project Sponsor. Monthly highlight reports are produced for review by CFC Directorate Leadership Team, and feedback and challenge provided to the Project Sponsor.

9. The SEND Improvement Board has been held monthly since the Peer Review in December 2017 and the development of the SEND Strategy. 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, Youth Justice, SENDIASS and officers from the SEND Services within the Council

- The DfE / NHSE have completed quarterly monitoring visits since the Inspection in March 2018, the next visit is planned for 17 October with Charlie Palmer (DfE SEND Advisor) and Emma Thompson (NHSE SEND Local Office Lead). They attend a SEND Improvement Board meeting to hear from key officers and parent/carers representatives' key actions, impact evidence and next steps, focusing on the areas of weakness identified. Feedback from our Advisors at the last monitoring visit in March 2019 included:
 - 'significant positive progress from where we were during the Inspection.....heartening that you know what needs to be done'. (Sue Nicholls, NHSE)
 - 'really impressedsense of momentum through the programme.....need to share the messages'. (Charlie Palmer, DfE); and
 - 'Good to see the appropriate people coming together. Parent carer forum has now been set up which will have a major impact. Clear that Impact work underway and is good. Strongly urge the need to evidence that impact, this will be valuable for the services as well'. (Anne Porter, DfE)

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Local Area Leadership

10. The lack of strategic leadership in implementing the SEND reforms was one of the key areas of concern identified in the Inspection. The lack of joint commissioning arrangements was also highlighted as a weakness. The objective for Workstream 4 – Joint Commissioning and Leadership is to establish effective partnerships and achieve a joint understanding of need, our shared responsibilities and to know how we will judge the impact of the way in which we lead, monitor, review and invest. Local Area leaders and officers are working together to achieve a better understanding of interdependencies in commissioning and impact of resources. We are developing more diverse and creative use of resources for example the Community Short Breaks provision (increased access). Executive and non-executive leads and clinical SEND champions have been identified. Primary care staff have reported a better understanding and knowledge of SEND and Local Offer and better equipped to support and signpost their patients. Additional investment has been allocated to improve access to and reduce waiting times for Mental Health, Autism Spectrum Disorder assessment services. Fran Kelsey, Lead Commissioner for Learning Difficulties, will be working 1.5 days a week with WCF to optimise the offer for young people with SEND up to the age of 25, in particular focusing on promoting independence and preparation for adulthood.

Implementing Change across the Local Area

11. Key progress activity across the SEND Improvement plan includes a focus on addressing the key concerns by:

- a) Rebalancing the system of provision – building capacity in mainstream
- b) Valuing Co-production with children, young people and families for example the development of the Local Offer and the improved EHCP process
- c) Improving Assessment of Needs in a timely way e.g. EHCP process
- d) Raising the SEND profile, it is everybody's business for example through SEND Champions
- e) Using and understanding our SEND data
- f) Increasing and improving collaborative working; and
- g) Embedding information on SEND e.g. on the SEND Local Offer.

12. Clear examples of change are recognised and can be identified by partners. Recommendations are being formed to ensure Co-production becomes best business practice across all partners.

13. SENCo Seminars now take place across the County every term, with a SEND Improvement focus, this supports collaborative working between schools and other services across the Local Area, leading to improving outcomes for children and young people with SEND across Worcestershire.

14. A set of SEND Key Performance Indicators (KPIs) across Education, Health and Social care to drive SEND improvement and demonstrate high aspirations and expectations of the Local Area has been developed. Data is collected on a quarterly and annual basis and shared at the quarterly monitoring visits with the DfE and NHSE

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Advisors. Appendix 4 includes the latest SEND Data report presented at the last monitoring visit in July 2019.

15. As a result of the Council's investment in 2019/20, growth in SEND Team, this has resulted in capacity to respond in a more timely way to EHCP Assessment requests.

Legal, Financial and HR Implications

16. Local Area partners have committed to allocate resource across all workstreams to deliver the improvement activity needed. Workstream leads across the partners including parent/carer representation have driven the improvement activity thus far. There is now a requirement to review the resource requirements across the workstreams as some WCC staff move into Worcestershire Children First or move onto new roles in other organisations. The SEND Team have increased their staffing resource following additional growth funding for staff, this has had a positive impact upon the timeliness of EHCP Assessments.

17. HWBB members may already be aware of the pressures on the High Needs Block of the Dedicated Schools Grant (DSG), which is an allocation specifically to fund those children and young people with special educational needs and disabilities. A High Needs recovery plan is being drafted which includes six building blocks for recovery, these are:

- a) A system and structure that is able to manage demand through:
 - i. engagement with parents and carers and schools and settings.
 - ii. Decision making that enables the robust implementation of the Graduated Response
- b) An overt and co-ordinated approach to build capacity and skills in mainstream schools for more complex needs and in particular social and emotional / mental health and autism. This includes making available specialist advice through educational psychologists and specialist teachers in a way that targets the reduction of exclusions, and the impact of Graduated Response arrangements at school level.
- c) A continuum of provision for Autism Education to reduce increasing reliance on Independent school provision
- d) An embedded, resourced and coherent 19 – 25 Education Offer for those students who need educational provision beyond participation age.
- e) An approach that enables revenue and capital funding to work together to develop provision that meets the needs of CYP who are unable to be placed in Worcestershire special schools because of accommodation / environment limitations, and those who are currently attending NMISS because of these factors
- f) A much more focused and targeted approach to placement and EHC Plan review, so that futures planning is more robust and emerging placement risks can be quickly dealt with.

18. The High Needs Recovery Plan will be presented to the School Forum on 26 September.

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Impact Assessments

19. An Information Risk & Privacy Impact Screening has been carried out in respect of the activity in the Written Statement of Action. It identified that further equality impact analysis will be required to identify how any of the actions may affect individuals and their personal data, and what needs to be considered and implemented to ensure actions are acceptable and compliant with the Data Protection and Human Rights Acts. The information and privacy implications are being considered through the work streams.

20. A Public Health Impact Screening has been carried out in respect to the activity in the Written Statement of Action, to identify and predict the health implications on a population of implementing the plan, policy, programme or project, and in so doing aid decision-making. The Public Health Impact Screening aims to enhance the potential positive aspects of a proposal through assessment while avoiding or minimising any negative impacts, with particular emphasis on disadvantaged sections of communities that might be affected. Any Health implications are being considered through the workstreams.

21. An Equality Impact screening has been carried out in respect of the activity in the Written Statement of Action. This identified potential impact for children and young people with SEND but the overarching nature of the action plan means that it contains both numerous and varied objectives and insufficient detail at this stage for effective equality analysis. The Council's approach is to carry out equality analysis for individual workstreams as appropriate.

Contact Points

County Council Contact Points

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Worcestershire Hub: 01905 765765

Specific Contact Points for this report

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Supporting Information

- Appendix 1 - Joint Local Area SEND Inspection by Ofsted and the Care Quality Commission Outcome Letter www.worcestershire.gov.uk/SENDupdates
- Appendix 2 - Written Statement of Action (Action Plan) www.worcestershire.gov.uk/SENDupdates
- Appendix 3 – WSoA Overview
- Appendix 4 – SEND Data report – July 2019 – Available on-line

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Background Papers

In the opinion of the proper officer (in this case the Director of Children's Services) the following are the background papers relating to the subject matter of this report:

- [Cabinet 12 July 2018](#) - Joint Local Area Special Educational Needs And Disability (SEND) Inspection - Local Area Action Plan
- [Cabinet Member Decision 8 October 2018](#) – Special Educational Needs and Disability Written Statement of Action Amendments
- [Cabinet Member Decision 9 August 2018](#) – Special Educational Needs and Disability Written Statement of Action
- Worcestershire Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) 2017-2021
http://www.worcestershire.gov.uk/info/20541/we_are_listening/1616/our_send_strategy
- Local Government Association - Peer Review
www.worcestershire.gov.uk/SENDupdates

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