

13 July 2021		ITEM: 9
Children's Services Overview and Scrutiny Committee		
SEND Inspection Outcome - Written Statement of Action Update		
Wards and communities affected: All	Key Decision: Non Key	
Report of: Michele Lucas, Assistant Director, Education and Skills		
Accountable Assistant Director: Michele Lucas, Assistant Director, Education and Skills		
Accountable Director: Sheila Murphy, Corporate Director of Children's Services		
This report is Public		

Executive Summary

This report outlines the progress on the work identified within the Special Educational Needs and Disabilities (SEND) Written Statement of Action, which was agreed by Ofsted in October 2019. It includes an update against the key areas identified in Appendix One.

The reporting period for this report is mid-January 2021 to 31st May 2021

This report will outline the progress between mid-January 2021 and 31st May 2021. This area of children's services has remained a key priority for Children's Overview & Scrutiny during the last municipal year and progress reports are scheduled for the coming municipal year. As reported at the February meeting an external review has been undertaken by the department of education regional SEND lead and feedback on that review is provided in this report.

Outlined below are the Ofsted WSoA areas for development:-

- Action 1: Inaccurate and incomplete records and ineffective oversight means that leaders did not know the whereabouts of some children and young people and what provision they have.
- Action 2: Quality assurance is not rigorous enough to ensure effective governance and oversight across the provision and services for 0 to 25-year-olds with SEND. Leaders are reliant on working relationships rather than processes. Leaders are over reliant on the limited information given to them by educational providers about the quality of the provision they purchase.

- Action 3, is about the quality of Education and Health Care (EHC) plans and Annual Reviews and is broken down into the following strands:
 - Strand 1: EHC plans and the annual review process are of poor quality. The local authority has no system in place to make sure that relevant professionals and services are notified when EHC plans need reviewing or updating.
 - Strand 2: Professionals are not routinely informed of requests to submit written information within specified timescales.
 - Strand 3: Too often, EHC plans are out of date and do not accurately reflect the needs or views of children and young people, or the views of the families.
 - Strand 4: The information from EHC plans and annual reviews is not used to inform the commissioning of services, particularly, but not exclusively, for young people between the ages of 19 and 25 years.

1. Recommendation(s)

1.1 O&S to scrutinise the work that has been undertaken during the period outlined in the report and offer support and challenge.

2. Introduction and Background

- 2.1 The report presented to committee continues to build on the work that has been presented to O&S in previous committee meetings. Detailed progress against the WSoA's action plan is provided in Appendix One.
- 2.2 The SEND Improvement Board, chaired by the Corporate Director of Children's Services, is overseeing both the WSoA and the wider system change related to our services to SEND children & young people. The SEND Improvement Board is a multi-agency partnership which is working to ensure our SEND children and young people make good progress with focussed work around key transition phases.
- 2.3 The SEND Operational Group chaired by the Assistant Director of Education & Skills provides regular updates to the SEND Improvement Board which, in turn, reports back to Children's Overview & Scrutiny. Feedback provided by both O&S and the SEND Improvement Board is outlined in appendix One. We have reported some delays as a result of the global pandemic the revised timelines approved by the SEND Improvement Board have been met.
- 2.4 Ofsted have commenced the SEND re-inspection programme and we have received feedback from other LA's who have recently been re-inspected. As reported in the February Children's Overview & Scrutiny Committee the LA requested that the Ofsted Regional Lead for SEND undertake a review of the progress against the WSoA. Outlined below are the key findings from the review.

3. WSoA - Area One - Key Findings from External Review

- 3.1 (i) the local area has a management information system that could provide the data at short notice,
(i) staff are trained and use the database,
(ii) the local area has conducted an exercise that ensures the data contained on the system is accurate and up to date, and
(iii) measures are in place to ensure any changes are quickly entered so that the data remains accurate and up to date; placement information is updated at least weekly.
- 3.2 A separate work stream relates to post 16, the formation of the Preparing for Adult (PfA) team of advisers has also improved the capacity to track all those over 16 with EHCPs, their whereabouts and the provision made – this addresses the weakness around the accuracy of data at post 16.
- 3.3. An overview of the information from the management information system is reported to the SEND Board to ensure leaders know what provision is being made for children and young people with EHCPs. This has led to improvement in the offer for post 16 learners and good performance both regionally and nationally around post 16 SEND learners in education employment or training.
- 3.4 Improvements have been made in the post 16 offer and young people are engaging in a range of programmes including the Kick Start programme and supported internships.

4. WSoA - Area Two – Key Findings

4.1 Quality Assurance of Providers

The WSOA included a number of measures to address the over-reliance on information from providers, the following outlines actions to address this:

- (i) Improvements to quality assurance arrangements for children and young people places in out of authority independent and non-maintained schools;
- (ii) Improvements to quality assurance arrangements for specialist resource bases in mainstream schools;
- (iii) QA in post 16 provision developed in partnerships with post 16 providers;
- (iv) The engagement of children, young people and families.

- 4.2 The review also identified Improvements to quality assurance arrangements for children and young people places in out of authority independent and non-maintained schools. The quality assurance framework has been developed containing a comprehensive range of performance indicators. The pandemic has impacted on face-to-face visits but they have been conducted using digital solutions. At present the framework does not include discussions with parents before the visit or feedback after the visit which is a requirement in statutory guidance issued by the government. As a result of this feedback we have introduced a discussion with both parents and young people.
- 4.3 Overview & Scrutiny have been made aware of some of the challenges around the development of the new parent/carer forum – however a new group has been established and have recently supported with the refreshed SEND strategic priorities. The parent/carer forum and the SEND senior management team including our wider stakeholders is working together on the development of an implementation plan which will be monitored and supported by the parent/carer forum.

5. WoSA - Area Three - Key findings:

- 5.1
- expansion of the capacity of the team including Preparing for Adulthood advisers;
 - training for caseworkers, SENCOs and health staff;
 - improvements to management information systems that facilitate better management and organisation of EHCP preparation and their review;
 - the development of practice standards;
 - the introduction of quality standards for EHCPs and quality assurance process with accompanying actions to address issues the audit process identified;
 - an increase in annual reviews completed from 73 in 2018 to 514 in 2020;
 - Thurrock should be in a position by September 2021 to ensure all EHCPs are reviewed within statutory timescales;
 - improvement in timescales for finalising new EHCPs;
 - Improved feedback from parents of children who have received new EHCPs.

6. Issues, Options and Analysis of Options

- 6.1 The Council has a statutory duty to support children and young people with additional needs and, as such, we are working with a range of partners including health, social care and schools/colleges to ensure that we use a whole system approach to ensure smooth transition pathways.
- 6.2 Appendix One gives an update around the key objectives within the WSoA, including the impact of the work and progress against those actions. These have been RAG rated to clearly show our improvement journey.

- 6.3 The newly refreshed local offer has gone live on the Council website. This has a greater scope for additional features including the uploading of videos. Feedback from parents/carers has informed the development of the newly refreshed local offer.
- 6.4 We continue to focus on the voice of the child/young person and a number of engagement events have been held with young people. As reported previously, we have developed a youth provision called the 'Hang Out'. Members of the senior management team have taken the opportunity to visit the provision – young people discussed the potential for volunteering opportunities as a result the staff member responsible for the Duke of Edinburgh awards scheme did a presentation – the outcome of this was that six young people have signed up to undertake the programme.
- 6.5 The Annual Review Process – the LA has identified additional capacity for annual reviews and we have seen significant improvement in this area. We are aiming to ensure that all annual reviews due in the current academic year are completed by the end of this academic year. This area of practice has been monitored closely due to the potential impact as a result of Covid and key partners' availability.
- 6.6 The quality of EHC plans is an area that we are working hard to address. The Local Authority's commitment to supporting with this area has seen a new post being created to lead on Quality Assurance (QA). We have a strong QA process in place which involves a range of partners. The QA of EHCP's is undertaken on a monthly basis and reports are provided to the SEND Improvement Board.

7. Reason for Recommendation

- 7.1 Children's Overview and Scrutiny have a clear and accountable governance and responsibility around supporting children with additional needs – the standing agenda item will enable committee members to be reassured of the progress and provide scrutiny in ensuring we are meeting the objectives outlined in the WSOA. We would ask committee members to consider how they would like us to report back on progress.

8. CONSULTATION (including Overview and Scrutiny, if applicable)

- 8.1 Children's Overview and Scrutiny Committee

9. IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT

- 9.1 This report contributes to the following corporate priorities:

Create a great place for learning and opportunity.

10. IMPLICATIONS

10.1 Financial

Implications verified by: **David May**
Strategic Lead Finance

Further additional resources have been identified to ensure that we implement the change programme that is being developed to support children and young people with SEND. This will be monitored alongside the Written Statement of Action to ensure that they have been targeted in the appropriate place to see improved outcomes for children and young people.

In addition, the Dedicated Schools Grant has prioritised resources to support the improvement plan and respond to the increased demand in EHC plans.

10.2 Legal

Implications verified by: **Judith Knight**
Interim Deputy Head of Legal
(Social Care and Education)

The Council is subject to various duties under the Children and Families Act 2014 in relation to children with special educational needs. These duties are set out in more detail in The Special Educational Needs and Disability Regulations 2014 SI 2014/1530. The regulations set out various timescales for particular steps such as decisions to make and review EHC plans.

10.3 Diversity and Equality

Implications verified by: **Becky Lee**
Team Manager, Community Development and
Equalities

Supporting our children and young people who have special educational needs and disabilities is a key strategic priority for Thurrock Council. The service continues to promote practice to achieve equality, inclusion and diversity, and will carry out its duties in accordance with the Equality Act 2010 and related Codes of Practice and Anti-discriminatory policy. We have recently redesigned our work around how we engage with children young people and parents/carers who require additional support. To support with this work we have recruited an Inclusion Support Officer who will be working with local stakeholders to enable us to gain feedback on service delivery and how we can ensure it is linked to service transformation.

10.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

None

11. APPENDICES TO THIS REPORT:

Appendix 1 - Written Statement of Action – progress update – Mid-January 2021 – End June 2021

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