



**Monday , 7<sup>th</sup> February 2022**

<b>REPORT TITLE:</b>	<b>LOCAL AREA SEND INSPECTION UPDATE</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION</b>

## **REPORT SUMMARY**

The report provides members of the Health and Wellbeing Board with an overview of the Wirral local area response to the findings from the joint local area inspection into the effectiveness of the local area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014.

The inspection took place between 27 September 2021 and 1 October 2021, conducted by Ofsted and the Care Quality Commission (CQC). The findings report, in the form of a letter addressed to both the local authority and the Clinical Commissioning Group is attached at appendix A to this report.

As a result of the findings of the inspection, it has been determined that a written statement of action is required to address areas of significant weakness, as identified. This is a joint written statement on behalf of the local authority and clinical commissioning group.

This report provides a summary of the key areas of development identified by the inspection and the local area response in addressing them, which will form the written statement of action required. The report also highlights the action already undertaken to address the concerns raised from the inspection as well as previous progress made to date.

It should be noted that as part of the inspection process, the local area presented a self-evaluation of its effectiveness in implementing the reforms. In this regard, the areas of strengths and the areas for further improvement identified in the findings letter were reflected and acknowledged in the self-evaluation submitted.

This report and the approach taken are aligned to the priorities of Wirral Council's Plan 2021 - 2026. -Brighter futures for all regardless of their background.

This is not a key decision.

This matter affects all wards

## **RECOMMENDATION/S**

The Health and Wellbeing Board is recommended to:

- 1) Consider and comment on the information contained within the report;
- 2) endorse the actions carried out to date and the proposed actions to be included in the development of the Written Statement of Action to be submitted to Ofsted; and,
- 3) request the Director of Children's, Families and Education submit a progress report at the start of the next municipal year.

## SUPPORTING INFORMATION

### 1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 To ensure that all elected members are aware of the findings of the joint local area SEND inspection and the proposed plans and actions to address the areas of weakness identified.
- 1.2 To ensure robust governance and oversight of SEND improvements across the local area.
- 1.3 To ensure that the written statement of action is approved by elected members of the Council.
- 1.4 To set out a clear and transparent transformation programme which will put children and families at the heart, enabling them to shape service change and pathways so that they meet their needs.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options have been considered due to clear need to see swift improvements in the areas identified in the inspection findings.

### 3.0 BACKGROUND INFORMATION

- 3.1 Between 27 September 2021 and 1 October 2021, a joint local area SEND inspection was conducted by Ofsted and the Care Quality Commission (CQC). The findings report, in the form of a letter addressed to both the local authority and the Clinical Commissioning Group, is attached at appendix A to this report.
- 3.2 The inspection analysis was based around the following key questions:
  - How effective is the local area in **identifying** children and young people's special educational needs and/or disabilities?
  - How effective is the local area in **meeting the needs** of children and young people with special educational needs and/or disabilities?
  - How effective is the local area in **improving outcomes** for children and young people with special educational needs and/or disabilities?
- 3.3 In this regard, the inspection findings were based around strengths and weakness relating to these three areas. Evidence was gathered from a range of different sources including discussions with children, young people and their families, professionals from the local authority and NHS. Visits were undertaken to settings and discussions had with key stakeholders in those settings. Information and data were also analysed.

### 3.4 MAIN FINDINGS - STRENGTHS

- 3.5 The main findings of the report are summarised below.
  - Vulnerable children and young people are helped quickly, and their needs identified well. Young people referred to the youth justice service have an

effective multi-agency assessment and their needs are reviewed regularly. A designated SEND social care officer ensures that parents within social care services are contacted and offered support for any identified need.

- Children with physical disabilities are identified early and swift action put in place to support their education. Good packages of support are put in place as they transition to adulthood to ensure they can live independently.
- Early help professionals are well trained and there is good support to identify and meet need in early years.
- The shared care health systems support the tell it once approach, so families only tell their story once.
- The speech and language integrated therapy approach was recognised as ensuring that all children could be supported to target resource to young people with the most complex needs.
- Youth Voice groups were recognised at influencing strategic direction and leading to positive change. The wider offer of youth clubs and activities provided an inclusive community offer for young people.
- The support provided by WIRED and wider third sector networks was well regarded and highlighted as good practice.
- The 0-19 service learning and development approach to practice to support parents better was highlighted as well as the extended offer from the Family Nurse Partnership to support older young people with SEND and their babies.
- Improvements in reduction of fixed term and permanent exclusions and in the progress at Key stage 1 and 4 for children and young people with SEND was recognised
- The post 16 offer, including the flexible offer from providers and the range of opportunities for young people post 16 was identified as a strength as well as education transition arrangements for post-16.

### **3.6 MAIN FINDINGS – AREAS FOR IMPROVEMENT**

- 3.7 The main findings of the report are themed below for the purposes of providing a summary of the areas which require response.

#### **Theme 1: Assessment pathways**

- 3.8 The report identified delays in the completion of Education, Health and Care Plans and the annual review process which had caused parental frustration and dissatisfaction. The process was not inclusive in listening and acknowledging parents and young person views to develop a co-produced and meaningful plan. As a result the quality of plans were poor and not outcome focussed.
- 3.9 In this regard, the report identified a significant weakness in the quality and timeliness of Education Health and Care assessments and annual reviews.

#### **Theme 2: Communication and co-production with parents and carers**

- 3.10 The report identified that parents did not have up to date or useful information to support them and found the current local offer website difficult to navigate.
- 3.11 It stated that parents found it difficult to contact professionals and did not get timely responses and this resulted in high levels of frustration and anxiety amongst families.

Long waiting times to access services further exacerbated stress. This had resulted in more parental complaints, mediations and tribunals.

3.12 The report highlighted that many parents and young people were not involved in assessment and planning processes resulting in poor quality plans and objectives which did not suit the needs or wishes of the child.

3.13 In this regard, the report identified significant weaknesses around:

- High level dissatisfaction with the area's provision
- Poor communication with parents and carers across the area
- The published local offer not being well publicised and not providing parents and carers with the information that they need
- The lack of meaningful co-production
- The fractured relationship between the area and the Parent Carer Partnership Wirral and the impact of this on the area's progress in implementing the reforms

### **Theme 3: Strategic oversight and joint commissioning**

3.14 The report identified several areas where there was not sufficient data or oversight to monitor and drive improvements in performance. It highlighted that there was not system in place to monitor waiting times around child and adolescent mental health services (CAMHs) and neurodevelopmental assessment pathways which meant the local area could not use information to anticipate pressures and demands to plan and commission effectively as a partnership.

3.15 The report also highlighted that the lack of strategic analysis and understand of data meant it was difficult to measure the impact of the area's provision and progress of children and young people.

3.16 In this regard, the report identified significant weaknesses around:

- The lack of joint commissioning of services in the area
- The lack of effective strategic oversight to ensure effectiveness of plans and provision and hold leaders, managers and partners to account
- The lack of accurate, up-to-date and useful information which informs the area's plans and evaluated the impact of their actions

### **Theme 4: Inclusive practice**

3.17 The report highlighted differences in the quality of provision for SEND across the area and the disparity of offer in schools and settings. Lack of robust training and development to support consistent practice had exacerbated inequities and sometimes resulted in escalation of need.

3.18 In this regard, the report identified a significant weakness in the graduated response not being consistently applied across all schools and settings.

### **3.19 LOCAL AREA RESPONSE AND PROGRESS SO FAR**

- 3.20 In the immediate weeks following the verbal feedback from the inspection, a sprint plan and governance approach was outlined. A summary of the main improvement areas is detailed below:
- 3.21 **Workstream 1: Needs analysis and data** – The following high-level actions have been identified, each with several specific sub-actions (not included):
- a) Develop a clear analysis of local area need which provides trajectory for planning and joint commissioning
  - b) Fully embed the governance arrangements for SEND ensuring that data and oversight is provided by a new SEND Transformation Board and relevant sub-groups are operational and providing regular updates.
- 3.22 *Progress so far:* Effective partnership working, and collaboration has resulted in the identification of dedicated resources to support the development of a robust dataset and information spanning across multiple organisations which will form the backbone of a robust and accurate needs analysis for the whole local area.
- 3.23 A productive workshop with the Council for Disabled children has helped to lay the foundations for a holistic outcomes framework that will enable local area leaders to better understand how early identification and meeting needs through inclusive practice is helping to improve outcomes for children and young people with SEND.
- 3.24 **Workstream 2: Assessment and planning** - The following high-level actions are proposed, each with several specific sub-actions:
- a) Review and refine assessment and planning processes so that they are timelier and engage and involve parents and young people at every step of the way.
  - b) Improve the quality of plans so that they are outcomes-focussed, respond and reflect the voice of children and their parents and clearly outline the actions and intervention required.
- 3.25 *Progress so far:* The initial assessment Panel has been disbanded to prevent barriers in accessing assessments. This provides for a much more inclusive approach to support families and settings.
- 3.26 A new inclusive pathway is being designed around the concept of three WAVES of support. Wave 1 would cover a universal offer that is covered by school provision. The local authority is working with school leaders to explore what support training can be offered to school staff to support this. Wave 2 will look at early intervention support for young that schools have identified of needing additional resource. The team supporting this will be identified by the needs of the child that have been identified. Wave 3 will be statutory support; which leads to an EHCP assessment.
- 3.27 Additional support has been brought into the service to assist with demand management and capacity. 6 additional staff members are covering a combination of plan writing, annual reviews and EHCP coordination. Education Psychology assessments are being commissioned and delivered by an external provider, focussing solely on EHCP assessments. This is being extended by 12 months to ensure that advice can be provided within the 6-week timescale.

- 3.28 Workstream 3: Co-production and communication** - The following high-level actions are proposed, each with several specific sub-actions (not included):
- a) Develop a new local offer site which is accessible for parents/carers and contains relevant up to date information, including where to go if they need help and advice.
  - b) Improve communication with parents so that their experiences of SEND assessment and planning are positive and ensure they are fully involved in co-production activity at all levels.
- 3.29 *Progress so far:* A series of face to face and virtual meetings with parents and carers from across Wirral has been held in community settings and online. Parents have been able to share their experiences and receive answers back. There have been a number different sessions held so far with positive feedback from parents and carers.
- 3.30 A SEND Wirral Facebook page has been set up to act as a key conduit with parents and signpost parents to support. Third sector support groups can advertise their offer to parents and carers which has been well received.
- 3.31 A review of the Parent Carer Partnership has been undertaken and new membership identified. Parents and carers have been asked to nominate themselves for strategic roles on key governance workstreams which sit under the SEND Board. At its last meeting in December, five parent/carer representatives attended and contributed. This was considered a significant step forward in improving the relationship between the parent carer forum and the local authority.
- 3.32 Workstream 4: Inclusive education** - The following high-level actions are proposed, each with several specific sub-actions (not included):
- a) Work in partnership with schools to identify where support and intervention required in identification and meeting need and broker improvement support so that children are identified early, and support put in place to reduce escalation
- 3.33 *Progress so far:* A dedicated learning and development event for headteachers and governors took place at the beginning of December and will form part of a wider continued professional development for schools with specific sessions focused on SEND and inclusion.
- 3.34 The commission of school assurance professionals to review and audit school settings will include a focus on SEND and will enable the local authority to analyse evidence around the quality of practice in schools. This will enable intervention and support to be targeted where it is needed.
- 3.35 The Head of SEND has been undertaking regular visits to schools across the borough to build relationships, share learning and understand the quality of offer provided by individual schools.
- 3.36 Workstream 5: Health and care pathways and support** – The following high-level actions have been identified, each with several specific sub-actions (not included):

- a) Reduce the waiting times for young people accessing services and ensure their intervention is timely and outcome focussed
- b) Ensure that vulnerable children are identified early and assessed in a timely way so that their needs

*Progress so far:* COVID renewal funding has been identified to support increased capacity within support services to reduce the backlog of waiting times and support pupils accessing support as earlier as possible.

3.37 **Workstream 6: Joint Commissioning** - The following high-level actions are proposed, each with several specific sub-actions (not included):

- a) Accelerate joint commissioning by utilising needs analysis to inform longer term planning and enabling services to be in place to meet children’s needs.

3.38 *Progress so far:* Partners have agreed to fund a dedicated resource to work on a cross-organisational footing to lead and drive the change service redesign based on collaborative commissioning principles.

3.39 Work has progressed to jointly commission a new Occupational Therapy and Speech and Language offer for children and young people.

#### 4.0 FINANCIAL IMPLICATIONS

4.1 Achieving significant transformation change requires prioritisation and resource. Work has already progressed to secure cross-organisational funding to facilitate resource across different workstreams. This has included (although not exclusive to):

Resource area	Funding allocated
The appointment of a Joint Commissioning Lead for Children and Young people	Circa £100k - joint funded by the CCG/LA
Dedicated funding from CCG and local authority to progress data lead role	Circa £50k
Additionality into the SEND assessment and planning services	Funding allocation to be reviewed
Additionality into Education Psychology assessments	Funding allocation to be reviewed
Additionality to support co-production/parent/carer engagement	Funding allocation to be reviewed
Programme management resource	Circa £70k – funded by the LA

4.2 Whilst it should be recognised that this is a positive start in providing the additional capacity needed to deliver the Transformation programme required, further investment will be required. During the programme additional investment identified.

4.3 This maybe challenging considering the budget pressures in the local authority and current health system.

#### 5.0 LEGAL IMPLICATIONS



- 5.1 The report recognises and responds to the requirements set out in the Children and Families Act 2014 and the statutory responsibilities on local authorities regarding how services and support are delivered for children and young people with special education needs and disabilities.
- 5.2 The local authority/CCG are likely to face legal challenges if we do not meet our statutory duty.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 The WSOA will reference a broad range of activity delivered in the context of SEND on Wirral. As part of the SEND improvement journey, the SEND Transformation Board will retain an overview of any changes to structures and activities that may impact on service delivery.
- 6.2 Changes to any structures in relation to SEND on Wirral will only be undertaken through report and approval to the SEND transformation Board, taking into account local need, cost benefit and considering other options.

## **7.0 RELEVANT RISKS**

- 7.1 The pace required to accelerate change is significant. Progress will be monitored regularly by the Department for Education and escalated if swift action is not taken, and tangible outcomes identified. Ofsted will return for a re-inspection within 18 months' time, meaning that timescales are challenging for the scale and pace required. Partners across the local area must work quickly to prioritise, resource and drive change to provide both assurance of progress and be able to evidence improvement within the timescale.
- 7.2 The Council is required to make significant financial changes within the next year to provide assurance to the Department for Levelling Up, Housing and Communities that budget deficits will be addressed. Whilst statutory services will be protected, the need for investment in services which support children and young people with Special Education Needs and Disabilities should not be discounted. Failure to appropriate resource the improvement required may impact on the ability of the local area to effectively address the weaknesses outlined in the inspection report.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Senior partners from across the local area have committed to the improvements needed and the prioritisation required. Leaders from across the education, health and care sector have been identified to sit on the new SEND Transformation Board to monitor and oversee progress on the changes required.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact

Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

- 9.2 This report does not require an EIA, but the associated actions will need and an EIA. These will be completed and reported back in the next update in relation to SEND.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 There are no direct environment and climate implications arising from the report.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 There are no community wealth implications at this time.

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## **APPENDICES**

[Appendix A Joint local area SEND inspection letter](#)

## **BACKGROUND PAPERS**

[SEND Strategy 2020-2024](#)

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
Children, Young People and Education Committee	14th June 2021
Children, Young People and Education Committee	28th January 2021
Children, Young People and Education Committee	1st December 2020
Children and Families Overview and Scrutiny Committee	28th January 2020