

Report	SEND Governance arrangements
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CC	Simone White, Chair of Transformation Board, Director of Children, Families and Education
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1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to outline the governance arrangements for the strategic leadership for SEND, including the arrangements for delivery of the Wirral Statement of Action (WSOA).
- 1.2 Members of the Transformation Board are requested to consider the information contained the report and endorse the proposed arrangements, as set out.

2.0 BACKGROUND

- 2.1 The local area SEND inspection highlighted 10 areas of significant weakness for Wirral. This required a statement of action to be submitted to Ofsted and the CQC which outlined plans to address the areas as outlined in the inspection findings report.
- 2.2 After the inspection, it was agreed that a Transformation Board would be set up to own and drive the improvement programme based on the findings identified in the inspection report. In specific terms, this would mean owning the development and delivery of the Wirral Statement of Action (WSOA), as required by Ofsted and CQC to demonstrate a clear improvement plan which addressed the areas of significant weakness identified.
- 2.3 It was agreed that, as a temporary measure, the Transformation Board would replace the existing SEND Strategic Board with a review of membership and Terms of Reference. New workstream sub-groups would be required aligned to the workstreams in the Wirral Statement of Action. Some existing sub-groups would remain, given that these were making progress on wider areas of improvement (not covered by the statement of action) such as transition arrangements.
- 2.4 In March, following a review of the proposed governance arrangements, it was proposed that the SEND Strategic Board be re-instated, and the membership of the Transformation Board be streamlined further to act as the engine room for the Wirral Statement of Action. This report presents the proposed governance arrangements for the Board to review and approve.

3.0 PROPOSED GOVERNANCE ARRANGEMENTS

3.1 SEND Transformation Board

The draft Terms of Reference for the SEND Transformation Board are attached at appendix A.

The Board will consist of the workstream leads, plus the Head of SEND, Parent Carer Participation Wirral (PCPW) and Strategic Directors from local authority Children's Services and Wirral CCG. The new Place Director, Simon Banks will be a member to ensure consistency once the transition of CCG to new Integrated Care Partnership arrangements.

3.2 Workstream governance arrangements

Each workstream lead will be responsible for defining their own arrangements for the delivery of the actions within the WSoA. A summary of this is set out below and detail on memberships attached at Appendix B.

Workstream 1: Data Analysis and Joint Commissioning – Jason Oxley

- Data analysis sub-group – this will replace the previous measurement sub-group under SEND Strategic Board
- Joint commissioning sub-group

Workstream 2: EHCPs and Annual Reviews – Carly Brown

- EHCPs and Annual reviews sub-group – this will replace the Operational Group previously in place under the SEND Strategic Board

Workstream 3: Co-production, relationships and communication – Elizabeth Hartley

No new sub-group will be established for this workstream given that it transcends all pieces of work. The Transformation Board will play a role in ensuring that the actions within this workstream are delivered across all other workstreams and sub-groups which exist. The workstream lead will also attend the Local Offer sub-group.

Workstream 4: Inclusive Practice – James Backhouse

- Inclusive practice sub-group

Workstream 5: Local Provision and Strategic Oversight – Richard Crockford

No new sub-groups will be set up for this workstream. The following existing sub-groups under the SEND Strategic Board will be the deliverers of the WSoA actions.

- Tribunal sub-group
- Health partners sub-group

Workstream 6: The Local Offer – Mike Chantler

- Local offer sub-group

New sub-groups will have Terms of Reference (ToR) aligned to the ToR of the Transformation Board.

3.3 Parents and carer involvement

3.4 Parent and carer involvement remains essential in new governance and accountability arrangements moving forward with their voice and influence fundamental in driving change and transformation. Parent and carers will be equal partners in the transformation programme and have an equal voice as integral members of the Board.

3.5 Confidentiality agreement

3.4 There will also be an underpinning framework for the conduct and expectations of members of the sub-groups. As part of this, members of the Board are requested to agree to adopt the confidentiality agreement attached at appendix C.

3.5 SEND Strategic Board

3.6 The Wirral SEND Strategic Board will be responsible for setting the strategic vision for the future delivery of support to children and young people with Special Educational Needs and

Disability. The Board will play a key role in supporting the reforms required in line with the Special Educational Needs Code of Practice and in development of the Wirral SEND Strategy. A copy of the revised Terms of Reference for the SEND Strategic Board is attached at appendix D.

3.6 SEND Strategic Board sub-groups

3.7 The following sub-groups will report into the SEND Strategic Board:

- Health partners sub-group
- Tribunal sub-group
- Transitions sub-group
- Early identification sub-group

3.8 The following sub-groups will be disestablished and transition into new arrangements:

- Measurement sub-group – this will transition to new Data Analysis Sub-Group under workstream 1
- Operational Sub-Group – this will transition to the new EHCP and Annual Reviews sub-group under workstream 2

4.0 STRATEGIC LINKAGES: WIRRAL PLAN 2020 – 2026

4.1 The Wirral Plan sets out a vision and priority for Brighter futures for all children and young people. Good governance and accountability are imperative in ensuring that Wirral can lead a robust improvement programme to assist in achieving the vision and priorities for the borough.

5.0 'ASKS' OF SEND TRANSFORMATION BOARD

5.1 Members of the SEND Transformation Board are requested to:

- a) Consider and approve the governance arrangements as set out in the report.
- b) Endorse the proposed Confidentiality agreement and agree it be signed by all members of the SEND Transformation and Strategic Board and relating sub-groups.
- c) Approve the Terms of Reference for the SEND Strategic Board as attached at Appendix C

6.0 NEXT STEPS

6.1 If the proposed arrangements are approved by the Transformation Board, the following actions will be undertaken:

- the report and information will be shared with key stakeholders including parent carer partnership Wirral, senior managers from the local authority, Clinical Commissioning Group and education.
- The Deputy Director for Patient Safety and Quality and Assistant Director – Education will arrange for the SEND Strategic Board meetings to be established.
- The confidentiality agreement will be circulated for all members of Board/Sub-groups to sign.

6.2 A communication plan on the Transformation Programme will be brought to the next meeting as well as programme management arrangements.

7.0 APPENDICES

Appendix A Transformation Board Terms of Reference (draft)

Appendix B SEND governance arrangements overview

Appendix C SEND Transformation Programme Confidentiality Agreement

Appendix D Strategic Board Terms of Reference



SEND Transformation Board

Terms of Reference

April 2022

Purpose of the SEND Transformation Board

The Special Educational Needs and Disabilities (SEND) Transformation Board is part of Wirral Local Area governance arrangements for Wirral's Written Statement of Action.

The board's role is to direct and hold to account Workstream Leads, supported by their respective subgroups, leading activity set out in the Written Statement of Action (WSOA) resulting from the Local Area SEND Inspection of September 2020. The board will also hold and track progress against the WSOA and ensure that the agreement between Wirral Local Area and the Department for Education (DfE) is upheld throughout the term of the board.

Who sits on the SEND Transformation Board?

The SEND Transformation Board consists of the strategic workstream leads, identified from across children and adult services in education, health and social care; the Chair and Deputy Chair; and representatives from the SEND Service and Parent Carer Wirral Partnership. It has administrative support and board meetings will be attended by the Chair's personal assistant.

The members of the SEND Transformation Board will be:

Chair	Simone White, Director, Children, Families & Education, Wirral Council
Deputy Chair	Elizabeth Hartley, Assistant Director, Early Help and Prevention, Wirral Council
Place Director	Simon Banks, Place Director (Wirral)
PCPW Chair	Cath Griffiths, Chair of the Parent Carer Partnership Wirral
PCPW representative	Louise Johnson, Parent Carer Partnership Wirral representative

Workstream Leads

Workstream 1	Jason Oxley, Assistant Director, Care and Health and Commissioning for People, Wirral Council
Workstream 2	Carly Brown, Assistant Director, Strategy and Partnerships, Wirral Council
Workstream 3	Elizabeth Hartley, Assistant Director, Early Help and Prevention, Wirral Council
Workstream 4	James Backhouse, Assistant Director, Education, Wirral Council
Workstream 5	Richard Crockford, Deputy Director, Patient Safety and Quality, Wirral CCG
Workstream 6	Mike Chantler, Assistant Director, Communication, Wirral CCG

The Department for Education Advisor and CQC Advisor will be invited to attend meetings as observers.

Frequency of Meetings and Duration of Board

The board will meet bi-monthly for the duration of the WSOA, which is 18 months from the point of approval by the Dept for Education. That is from 28th March 2022 through to end of September 2023. There were several board meetings established immediately following publication of the Inspection outcomes letter by Ofsted and Care Quality Commission (CQC), which have been followed by a cycle of bi-monthly meetings from April 2022.

Board meetings will be held within term-time to support parents and carers in their attendance and to maximise attendance from officers.

The Chair and Deputy Chair may call other meetings, which may be ad hoc meetings or briefings, to deal with any critical issue or risks that arise between scheduled meetings.

Meeting Agendas and Papers

The Chair will agree the agenda for each board meeting in consultation with Board members. The agenda and any associated papers will be circulated by email 5 working days in advance of the meeting. Minutes will be circulated no later than 10 working days after the meeting and will be published on Wirral Local Offer site no later than 14 working days after the board meeting.

Code of Conduct

The Chair will set out housekeeping for each board meeting which are likely to be a hybrid of remote and onsite meetings for the duration of the Board's existence. It is expected that microphones for remote meetings via Microsoft Teams will be muted, for all but the speaker. Attendees must indicate they wish to speak via raising their hand. Those attending must log into the secure meeting invite via their own device. Information shared as part of the Board meeting cannot be shared on without consent of the Chair. There will be no acceptance of late reports, other than at the Chair's discretion. Board members must not invite others to join in the meeting, where they are not members of the Board and have not received an invitation to attend.

Roles and Responsibilities of Board Members

The board will ensure that progress is made and remains on track for actions agreed in each workstream, against approved timescales for action. Workstream leads will report to the board using a consistent monitoring format, evidencing the work completed and progress made towards outcomes identified in the WSOA. Where there are signs that progress is behind stated timescales, or has stalled, the monitoring reports must set out the reasons why and the actions taken to address the delay and bring the workstream back to order.

All members of the SEND Transformation Board will be expected to attend each meeting. If members cannot attend, they will be expected to send apologies in advance of the meeting and may choose to send a designated deputy, who can act on their behalf with decision making powers.

There may be times when representatives of the Parent Carer Participation Wirral will seek wider views from its members. Where possible this will seek to prevent delay over progress but is integral to ensuring that the wider views and options of parents and carers is considered.

Confidentiality Statement

Workstream leads will require of all those supporting Wirral's Written Statement of Action that they agree to a Confidentiality Agreement, protecting the sensitive and confidential nature of information shared at Board meetings and in related workstreams and subgroups.

Reporting Arrangements & Accountability

The SEND Transformation Board reports to the following:

- Parent Carer Forum Wirral – PCPW
- SEND Voice Youth Group
- HealthWatch

In addition, there are close links between the SEND Strategic Board and the specific work of the SEND Transformation Board, set up specifically to oversee the Written Statement of Action.

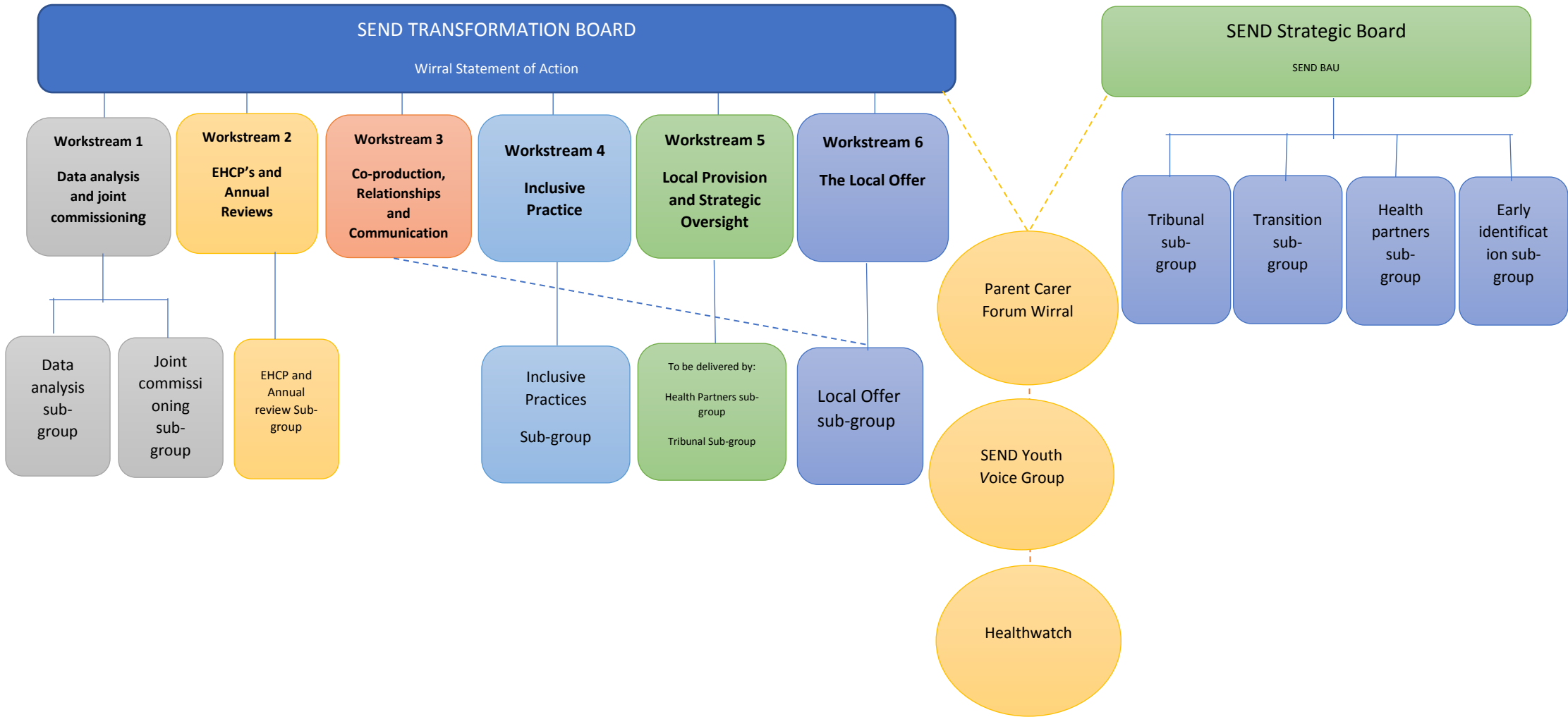
The board will report to the following:

- Children, Young People and Education Committee
- Adult Social Care and Public Health Committee
- Health and Wellbeing Board
- Joint Health and Care Commissioning Executive Group
- Schools Forum
- Transition Committee

Review of Terms of Reference

The Board will keep its Terms of Reference under regular review. There will be a formal review of Terms of Reference annually. The next review is due in **April 2023**.

Appendix B SEND Governance arrangements overview



Appendix C SEND Transformation Programme Confidentiality Agreement

Confidentiality Agreement

Wirral Local Area

SEND Transformation Programme Confidentiality Agreement

To

In return for Wirral Local Area providing information to me in the course of my engagement in the Written Statement of Action workstreams and associated subgroups, and attendance at related meetings,

I,

promise to do the following in relation to information given to me or obtained by me in the course of my engagement.

I promise to hold the information shared with me in the strictest confidence, and to ensure that any printed documents are kept in a safe and secure place when not in use, and that access to online content is via a trusted and secure platform recognised by Wirral local area

I promise to use the information solely for the purpose of the work for which I have been given such information

I promise not to disclose any information to a third party, or to discuss sensitive information outside of the perimeters of the meetings or activity established to progress the SEND transformation work, or to log in to meetings via other people's accounts or user names

I promise not to use this information for personal gain, for litigation or to advance a cause that is separate to the business in hand.

I agree that any breach of this undertaking by me, or any third party to whom I release information, may result in legal proceedings being commenced against me, including but not limited to a claim for recovery of losses, damages, costs and expenses suffered or incurred by Wirral Local Area as a result of that breach.

Signed by

Print name

Dated

Appendix D SEND Strategic Board Terms of Reference



Wirral Special Educational Needs and Disability (SEND) Strategic Board

Terms of Reference

Purpose

The Wirral SEND Strategic Board is responsible for setting the strategic vision for the future delivery of support to Children and Young People with Special Educational Needs and Disability.

The board has been in place for several years and has had a key role in supporting the reforms required in line with the Special Educational Needs Code of Practice and in development of the Wirral SEND Strategy.

In September 2021 the local area SEND inspection was completed and identified several areas of significant weakness. In response the local area has established a Written Statement of Action and a Transformational Board to have oversight of delivery. As there has been significant overlap between the Strategic Priorities and the Areas of Significant Weakness the Transformational Board will assume some of the Strategic Board functions during this improvement period.

Aims

- To plan and deliver the future vision for SEND support through the Wirral SEND Strategy.
- To provide tripartite system leadership to SEND.
- To undertake that SEND support becomes high quality and meets the needs of the Wirral population.
- To provide assurance of high-quality support and compliance with the Code of Practice to the Wirral Council Children, Families and Education Committee and the CCG Quality and Performance Committee.

Objectives

- To deliver the Wirral SEND Strategic Priorities.
- To have oversight of the progress against the local area Written Statement of Action and support the longer-term stabilisation of the improvements.

Accountability

The Wirral SEND Strategic Board has dual accountability to Wirral Council and NHS Wirral CCG. The local area priorities will be delivered through the Written Statement of Action with oversight of the Transformational Board. The governance oversight during the period up to reinspection will focus on the delivery by the Transformational Board.

The Strategic Board will remain accountable to both Wirral Council and NHS Wirral CCG, however reporting lines will resume post-delivery of the Written Statement of Action. Immediate escalations of risk outside of the Written Statement of Action will remain with the Strategic Board.

Interdependencies

The Wirral SEND Strategic Board will remain interdependent with the SEND Transformational Board during the period to reinspection. The Strategic Priorities and the areas of significant weakness are largely consistent.

The Strategic Board will maintain oversight of priorities outside of the areas of significant weakness and establish longer term oversight of improvements.

Membership

Members of the Wirral SEND Strategic Board will remain accountable to their employing organisations, however, will be Senior Decision Makers able to act on behalf of their organisations to facilitate effective partnership working.

- Assistant Director – Education, Wirral Council (Chair)
- Deputy Director of Quality and Safety, Wirral CCG
- Deputy Director for Children and Families, Wirral Council
- Head of Special Educational Needs and Disabilities (SEND), Wirral Council
- Head of Inclusion, Wirral Council
- Designated Clinical Officer, Wirral CCG
- Designated Social Care Officer for SEND, Wirral Council
- Head of Service, Integrated Skills, Learning and Employment, Wirral Council
- Head of Early Childhood Services, Wirral Council
- Senior Public Health Manager, Wirral Council

- Lead Commissioner for All Age Independence, Wirral Council
- Performance and Improvement Manger - Improvement, Wirral Council
- Divisional Manager, Integrated Children’s Division, Wirral Community Health and Care
- Service Director Social Care, Wirral Community Health and Care
- Divisional Director Women and Children, Wirral University Teaching Hospital
- Senior Manager – Social Work, Cheshire and Wirral Partnership
- Clinical Lead – Children and Young People Learning Disability Service, Cheshire and Wirral Partnership
- Head Teacher Representative
- Parent Care Representative – Early Years
- Parent Care Representative – Older Children
- Parent Care Representative – Youth to Adulthood
- Child / Young Person Representative (To be Recruited)

Frequency and Quoracy

The Wirral SEND Strategic Group will meet quarterly whilst the Transformational Board is operational. All members will be expected to maintain at least 50% attendance.

Quoracy will require representation from each tripartite member; Education, Health and Care and each statutory body; Wirral Council and Wirral CCG.

Timings

Meetings will be planned at least 3 months in advance; however extraordinary meetings can be convened by the chair with at least 48 hours’ notice.

Meeting agendas will be circulated to all members at least 48 hours prior to the start of each meeting. All items to be included within the agenda must be available a 1 week in advance of the meeting.

Approval

Date of approval:

Date of Review: