



CHILDREN, YOUNG PEOPLE & EDUCATION COMMITTEE

Tuesday, 21 June 2022

REPORT TITLE:	PROGRESS REPORT 1: WIRRAL STATEMENT OF ACTION FOR SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND)
REPORT OF:	DIRECTOR OF CHILDREN, FAMILIES AND EDUCATION

REPORT SUMMARY

The purpose of the report is to provide members of the Children, Young People and Education Committee with an update on progress towards the Wirral Statement of Action (WSoA).

In September 2021, the local area's services for children and young people with Special Educational Needs and Disabilities (SEND) was inspected by Ofsted and the Care Quality Commission (CQC). As a result of the inspection, the local area was required to submit a Written Statement of Action to address the areas of improvement which had been identified.

Attached at appendix A is the final version of the Written Statement of Action. This was approved by Ofsted on behalf of the CQC on 28th March 2022. The WSoA identifies six workstreams which will guide the improvement plan for SEND, each with a dedicated workstream lead from the local authority (adults and children's services) and the Clinical Commissioning Group.

Aligned with the reporting and monitoring arrangements outlined with the WSoA, this report is brought to the Children, Young People and Education Committee to provide the first formal monitoring report on progress.

Delivering the Wirral Statement of Action and the SEND transformation programme is aligned to the Wirral Plan 2021-2026 priority "Brighter Futures" and the Children's Services Business priority to 'create a culture of inclusion and aspiration'.

This is not a key decision.

RECOMMENDATIONS

The Children, Young People and Education Committee is recommended to:

- a) Review and scrutinise the information contained within the report.
- b) Subject to comments, approve the progress made to date on the actions in the Wirral Statement of Action; and,
- c) Agree to receive a further monitoring report at a future date.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATIONS

- 1.1 To ensure that elected Members have oversight of the Wirral Statement of Action, to be able to hold senior officers to account and to be assured that progress is being made and outcomes improving.
- 1.2 To ensure there are clear lines of accountability, and that the reporting framework is adhered to, and governance and monitoring arrangements are robust.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Reporting to a single, separate accountable body: This report will sit alongside several update reports to Health and Wellbeing Board, Adults Social Care and Public Health Committee and other governance bodies across health. The option of reporting into one single governance body was discounted given the multiple responsibilities and cross-cutting themes relating to services for children and young people with SEND.
- 2.2 Do nothing: good governance and accountability will help to ensure strong oversight and monitoring of the Wirral Statement of Action. It is important, as part of any improvement programme, to effectively report on progress, highlight risks and provide assurance to elected Members and wider stakeholders.

3.0 BACKGROUND INFORMATION

- 3.1 In October 2021, a joint local area SEND inspection was conducted by Ofsted and the Care Quality Commission (CQC). Following the inspection, the local area was required to submit a Written Statement of Action in response to the findings and 'areas of significant weakness' as outlined in the inspection report.
- 3.2 Between December 21, and February 2022, workshops and engagement sessions were held with partners, stakeholders, parents and carers and young people to consider and discuss the actions that were needed to improve services and address the development areas, as identified. A final version of the Wirral Statement of Action was submitted to the Department for Education in March. A detailed breakdown of activity and events is provided within section 4 of the WSoA, attached at appendix A. On 28th March, a joint letter was received from the CQC and Ofsted confirming that the WSoA had been approved.

3.3 Wirral Statement of Action Overview

- 3.4 In order to develop a meaningful and manageable transformation programme, six workstreams were identified to structure the improvement plan. They are:
 - **Workstream1: Data analysis and joint commissioning.** Led by the Assistant Director, Care and Health and Commissioning for People, this workstream

intends to address the lack of accurate, up to date and useful information which informs the area's plans and evaluated the impact of their actions, and the lack of joint commissioning of the services in the area.

- **Workstream 2: Education Health and Care (EHC) Plans and Annual Reviews.** Led by the Assistant Director for Strategy and Partnerships (People), this workstream seeks to address the weaknesses in the quality and timeliness of Education Health Care (EHC) assessments and annual reviews.
- **Workstream 3: Co-production, Communication and Relationships.** Led by the interim Deputy Director for Children's Services, this workstream seeks to address:
 - The lack of meaningful co-production with parents and carers
 - The fractured relationships between the area and the Parent Care Participation Wirral and the impact of this on the area's progress in implementing the reforms
 - Poor communication with parents and carers across the area
- **Workstream 4: Inclusive practices.** Led by the Assistant Director for Education, this workstream seeks to address the weakness of the graduated response not being consistently applied across all schools and settings.
- **Workstream 5: Local Provision and Strategic oversight.** Led by the Deputy Director of Patient Safety and Quality, this workstream addresses the high level of parental dissatisfaction with the area's provision and the lack of effective strategic oversight to ensure effectiveness of plans and provision and hold leaders, managers and partners to account.
- **Workstream 6: Local Officer.** Led by the Director for Communication from Wirral CCG, this workstream seeks to address the issue of the Local Offer not being well publicised and not providing parents and carers with the information that they need.

3.5 Each workstream has outcomes and actions as detailed within the Plan. Success measures are integral to evidencing improvement. These will provide the foundation which members can assess whether delivery of actions is making a difference.

3.6 Governance and reporting arrangements

3.7 The WSoA will be owned and delivered by a SEND Transformation Board. A review of the current governance arrangements has led to a streamlined membership of the Transformation Board, with it retaining strategic directors, parents and carers and workstream leads. The SEND Strategic Board will be re-established with a refreshed terms of reference and membership. A full overview of the governance arrangements is attached at appendix B.

3.8 The local area will be subject to formal monitoring by the Department for Education as part of the improvement requirement. This will be underpinned by a monitoring report submitted one week in advance of the formal meeting. Monitoring meetings have been scheduled quarterly and aligned to reporting to the Transformation Board. The next monitoring meeting is scheduled for July.

3.9 Progress reporting period 1

3.10 Attached at appendix C is a copy of the report submitted to the Department for Education for the first formal monitoring. In summary, progress outlined at this stage includes:

3.11 Workstream 1: Data analysis and joint commissioning

3.12 An audit of available data is being undertaken to understand where data is currently captured. This will feed into a report which identifying where data is currently held and where there is opportunity for greater data sharing through systems, platforms and processes.

3.13 Five key indicators have been identified to provide consistency of information and ensure it is meaningful. Services will have their own indicators which will feed into a new strategic dashboard and inform plans and actions.

3.14 A draft Joint Strategic Needs Assessment (JSNA) has been produced and is currently out for consultation and review. A strategic Joint Commissioner for Children and Young People has been appointed and joined Wirral on 9th May.

3.15 A project plan to develop two new joint commissions of Occupational Therapy Services and Speech and Language Therapy Services has been developed. Youth Justice colleague have been engaged to contribute to the design of the specification as well as health.

3.16 Workstream 2: EHCP's and Annual Reviews

3.17 An Education, Health and Care Plan (EHCP) compliance checklist and quality standards have been produced and are being reviewed across the Service area. An audit tool is being implemented across statutory assessment and planning to help quality assure Education Health and Care Plans.

3.18 A new pathway has been designed to support the graduated response and provide a more robust early help offer to try to reduce demand for statutory assessments. Further capacity has been brought into the SEND Service to enhance management oversight.

3.19 Workstream 3: Co-production, relationships and communication

3.20 Representatives from Parent Carer Participation Wirral (PCPW) have been identified as members of the Transformation Board in line with the action identified. The workstream lead will be the single point of contact with the PCPW and is meeting weekly with them.

3.21 There has been increased face to face engagement with parents/carers with events being held in schools across Wirral at various times to suit the needs of families.

3.22 Workstream 4: Inclusive Practices

3.23 A new early intervention team has been established to enhance the universal and early intervention offer in schools. This team will work collaboratively with teams across the Early Help and Prevention Service and with new key workers in early years settings.

3.24 Headteachers across Wirral have been engaged in a review of the training and development needs of their staff and SENCOs to improve support for children and young people with SEND.

3.25 Workstream 5: Local provision and strategic oversight

3.26 An initial audit has commenced to understand the complaints that originate from the EHCP processes and subsequently progress into tribunals. The audit will review 20 cases to seek an understanding of the common issues which will feed into the improvement plan.

3.27 Four inclusion bases have been commissioned to support children and young people with Social Emotional Mental Health and Autistic Spectrum Condition. All schools were invited to submit bids for the provision.

3.28 A new strategic dashboard is being developed to enable senior leaders, officers and managers to have better understanding of the risks and issues across planning, provision and outcomes.

3.29 Workstream 6: Local Offer

3.30 Research of other local offer sites has commenced, and sub-group members identified to help shape the development of the site in line with the actions.

4.0 FINANCIAL IMPLICATIONS

4.1 There has been agreement for a reserve to be established from the 21/22 underspend specifically for this purpose which currently stands at £1.051m. So far, allocation of the reserve has been identified for:

Improvement programme spend	Expected contribution
Additional investment in SEND Service to manage the backlog of demand e.g. reviews and assessments	£200,000
Additional investment in senior management to assist in improved oversight and provide direction	£200,000
External commission of REED to help reduce backlog of outstanding Education Psychology assessments	£200,000
Project management and Business Intelligence functions	£50,000
	£650,000

4.2 The use of the reserve will be monitored regularly, and a more detailed position statement provided in the next reporting period. The Department of Education and

CQC advisors have encouraged investment of this nature to support the improvement plan and change programme.

5.0 LEGAL IMPLICATIONS

- 5.1 The Children and Families Act 2014 sets out the statutory requirements and responsibilities for the local authority and partners in providing support and services for children, young people and families with SEND. This legislation is underpinned by statutory guidance: the SEND Code of Practice. The Council has a legal duty to fulfil the requirements and expectations as set out.
- 5.2 Delivering on the Wirral Statement of Action will ensure that the local authority and health and education partners will meet their legal duties.
- 5.3 It should be noted that a recent government review of SEND has resulted in the development of a green paper before Government. It is expected that there will be legislative changes on the horizon in the wake of the review and green paper. In this regard, the local authority will be required to adhere to the new legal framework as set out.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Delivering the Wirral Statement of Action will require resources from staff, ICT and Assets. Since the local area inspection, senior managers, officers and operational staff have been required to take on additional responsibilities to support the transformation programme. Additional staff have been required at both strategic and operational levels and this may be needed further to ensure the transformation programme can be delivered.
- 6.2 There may be a requirements to develop new ICT infrastructure, for example, to capture and share data better across health, education and local authority partners. There may also be requirements for Assets to assist in the establishment of inclusion bases or infrastructure projects which relate to securing improved provision across the local area.

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 Failure to invest in the improvement programme carries a risk that the relevant improvements will not be made. The £1 million improvement funding (as referenced in section 4 of the report) will assist in supporting the change programme and mitigating the risk.

8.0 ENGAGEMENT/CONSULTATION

8.1 The Wirral Statement of Action has been shaped and developed through a series of workshops and engagement sessions with parents and carers, education leaders, local authority officers, health officers, community organisation partners, children and young people. A timeline of activity to support production of the WSoA is included within section 4 within appendix A.

9.0 EQUALITY IMPLICATIONS

9.1 An Equality Impact Assessment has been carried out and is available here.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 The content and recommendations contained within this report are expected to have no impact on emissions of Greenhouse Gases.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 There are no community wealth implications arising from the report.

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APPENDICES

Appendix A Wirral Statement of Action March 2022
Appendix B Governance arrangements for SEND
Appendix C Department for Education Monitoring report

BACKGROUND PAPERS

SEND Joint local area inspection report

SEND Government review and green paper

SEND Code of Practice

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Children, Young People and Education Committee	31 st January 2022
Children, Young People and Education Committee	4th 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