



CHILDREN, YOUNG PEOPLE & EDUCATION COMMITTEE

Wednesday, 19 July 2023

REPORT TITLE:	SEND TRANSFORMATION PROGRAMME UPDATE
REPORT OF:	DIRECTOR FOR CHILDREN, FAMILIES & 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 of the SEND Transformation Programme.

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, WSoA to address the ten areas of improvement which had been identified. This was approved by Ofsted on behalf of the CQC on 28th March 2022.

The SEND Transformation Board has overseen WSoA activity since April 2022, with monitoring provided by the Department for Education and NHS England. In June 2022, a series of 'deep dive' workshops took place with each of the six workstreams to evaluate progress and develop a current self-assessment.

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 requested to:

1. Review and scrutinise the information contained within the report.
2. Note the findings of the position statement; and updated.
3. 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 and SEND Transformation Programme, to be able to hold senior officers to be 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

Local Area SEND Inspection

- 3.1 In April 2023 a new Local Area SEND Inspection Framework was published the link is provided in the Background Documents. Devised jointly by Ofsted and the Care Quality Commission, CQC, the revised arrangements have been implemented with immediate effect and have implications for Wirral Local Area. The framework sets out the purpose and principles of inspection and its statutory basis, along with the inspection approach, model, frequency, and timing. The handbook sets out the evaluation criteria that inspectors use to make judgements, and examples of the kinds of evidence they gather and activities they carry out to evaluate the local area's arrangements for children and young people with SEND.
- 3.2 The change to Local Area SEND inspection arrangements means that Wirral will not be subject to a 're-inspection' against the old framework, which would have focused solely on progress against the WSoA. Instead, there will be a full inspection of the Local Area using the new framework. When the inspection takes place, the WSoA will be submitted as part of the evidence in advance and it will be tested by the inspection team, however, this will only be one part of the full inspection programme. This means that the Local Area must continue to deliver the WSoA and ensure improvement in all areas as detailed in the new framework.
- 3.3 The SEND Transformation Board will continue to have strategic oversight of the WSoA, whilst the SEND Strategic Board has responsibility for business-as-usual, including inspection readiness.

3.4 To understand our progress since the September 2021 Local Area SEND inspection, a position statement has been developed, involving all stakeholders working on the WSoA and its six workstreams. 'Deep Dive' workshops were held on Tuesday 6th, Wednesday 7th, and Thursday 8th June to agree our position, detail evidence of progress, and identify areas for further focus. A consistent approach was taken in each workshop as follows:

1. Recap on the Local Area Inspection findings.
2. Discussion on current position.
3. Discussion on what we have done to get to the current position.
4. Discussion on what we know about the impact those actions are having.
5. Recap on the desired outcomes as described in the WSoA.
6. Discussion on activity planned to meet those desired outcomes; and,
7. Discussion on how we plan to evidence the change.

These Deep Dives led to completion of a full position statement which can be seen in Appendix 1.

3.5 Under each Workstream area, the 'Headline Findings' and 'Detailed Findings' from the Local Area SEND Inspection in September 2021 are listed. This is then followed by a local assessment, agreed by stakeholders, on the area's 'Current Position'. These statements, which provide a form of self-assessment, seeking to define progress against the findings with consideration of the desired outcomes.

3.6 The self-assessment sections contain the following headings:

1. What we have delivered from the WSoA.
2. What we have delivered in addition to the WSoA.
3. What difference this has made.
4. What our challenges have been.
5. What we still need to do; and,
6. Evidence.

3.7 It is important to note that significant activity has been delivered in 'addition to the WSoA' which supports improvement in SEND support and services. Whilst the WSoA is a comprehensive document, it was devised between October 2021 and March 2022, and needs to be regularly re-evaluated to ensure that appropriate and relevant action is taken. Stakeholders across the Local Area have worked proactively to ensure that any issues arising or related to the SEND improvement programme, which are not detailed in the WSoA, are responded to.

3.8 The Position Statement has been reported to the WSoA Performance Group, which has membership of both Department for Education and NHS England Advisors. This provides those monitoring Wirral's progress with further evidence of activity to improve support and services for children and young people with special educational needs and/or disabilities. The Position Statement will also be presented to the SEND Strategic Board to support inspection readiness. A further review of the position statement will be made at the point of inspection, or in 6-months' time, whichever is first to occur.

Monitoring Progress Against the Written Statement of Action

3.9 Following the Deep Dive workshops, the WSoA has been fully updated found in Appendix 2. There are 106 actions within the WSoA, with 57 fully achieved by June 2023. An overview of completed actions is as follows:

Workstream	Total Actions	Complete Actions	% Completion	Actions Awaiting Success Measure Achievement	Actions Requiring Further Activity
1	15	12	80%	2	1
2	28	13	46%	11	4
3	20	11	55%	8	1
4	13	4	31%	4	5
5	20	11	55%	1	8
6	10	6	60%	0	4
Overall	106	57	54%	26	23

3.10 Forty-nine actions are yet to be completed across the six workstream areas. These can be separated into two categories:

1. Those described as 'actions awaiting success measure achievement' means that the activity has been completed but performance rates have not yet reached those specified as the 'success measure' in the WSoA.
2. Those described as 'actions requiring further activity' means that there are further tasks needing to be delivered by the Workstream.

3.11 This analysis is helpful for the workstreams and SEND Transformation Board as it demonstrates where additional focus on performance improvement needs to be happening. Monthly performance monitoring will be increased in both Workstream 2, Education, Health, and Care Plans, and Workstream 3, Co-production, Communication, and Relationships, to support achievement of the success measures.

3.12 Across the partnership capacity for improvement activity will be focused around Workstreams 4, Inclusive Practice, and 5, Local Provision and Strategic Oversight, to ensure that actions requiring further activity are completed as soon as practicable.

3.13 Progress of the WSoA continues to be monitored through the WSoA Performance Group and the SEND Transformation Board. To ensure momentum is not lost, senior leaders have re-engaged with a broad range of strategic leaders across the Local Area partnership and services provided through the Integrated Care Board, ICB. Commitment from Chief Executive level has been re-affirmed and the ICB have appointed a Head of SEND for Cheshire and Merseyside, who is actively supporting the SEND Transformation Programme in Wirral.

- 3.14 The parent carer forum contract with Parent Carer Participation Wirral, PCPW, has been renewed for the 2023-24 financial year, with their steering group members continuing to play an important role in the improvement work and contributing significant time and resource to activities.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are financial pressures due to an increase in Education Health and Care Plans and the need to transport the pupils to school. Whilst some has been built into the budget there is likely to be higher numbers than expected. There has also been an increase in the demand for EHCP assessments and this has led to a backlog building up and some assessments not being completed within the 20-week statutory timescale. These pressures are proposed to be mitigated by additional budget of £0.350m being allocated to SEND resources and £0.450m to Assisted Travel costs.

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.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 Delivering the WSoA requires 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 has been a requirement to develop new ICT infrastructure, for example, to capture and share data better across health, education and local authority partners. There have been 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 and Care Quality Commission are likely to return within the next 12 months, meaning that timescales are challenging for the scale and pace required. Partners across the local area are working 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.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 There is parent carer and young person's representation for the SEND Transformation Board and its workstreams. Regular engagement with the parent carer forum's Steering Group and the SEND Youth Voice Group is taking place.

9.0 EQUALITY IMPLICATIONS

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

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

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 1- Written Statement of Action Position Statement June 2023
Appendix 2- Written Statement of Action Update June 2023

BACKGROUND PAPERS

SEND Joint local area inspection report <https://files.ofsted.gov.uk/v1/file/50173702>

Local Area SEND Inspection Framework and Handbook
<https://www.gov.uk/government/publications/area-send-framework-and-handbook/area-send-inspections-framework-and-handbook>

SEND Code of Practice <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

TERMS OF REFERENCE

This report is being considered by the Children, Young People and Education Committee in accordance with section a of its Terms of Reference:

1. exercising management, oversight and delivery of services to children and young people in relation to their care, wellbeing, education or health, with the exception of any powers reserved to full Council.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Children, Young People and Education Committee	7 th March 2023
Children, Young People and Education Committee	12 th October 2022
Children, Young People and Education Committee	21 st June 2022
Children, Young People and Education Committee	31st 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