

Improvement Notice

To: Wirral Metropolitan Borough Council ('the council')
2 Alice Ker Square
Birkenhead
Wirral
CH41 2AB

This Improvement Notice is issued to Wirral Metropolitan Borough Council on 15 May 2024 as a result of poor progress against the actions and deliverables in the Special Educational Needs and Disability Written Statement of Action (WSOA) produced by Wirral local area SEND partnership in response to the Ofsted and CQC SEND inspection published on 9 December 2021.

1. This notice is given to address the ten areas of significant concern identified in the report of the inspection published on 9 December 2021.
2. To comply with this notice, the following actions are required of the Council, working with the Integrated Care Board (ICB) and its other partner agencies ("partners"), as set out in section 28(2) of the Children and Families Act 2014.

Improvement plan

3. The Council's revised improvement plans should deliver appropriate and sustainable improvement, taking account of the views of parents, children and young people, school and education leaders and wherever possible, putting co-production at the centre of improvement activity. These revised plans must cover the areas of significant concern identified in the Ofsted and CQC inspection report of 9 December 2021, including revised activity to:
 - strengthen the quality and timeliness of EHC assessments and annual reviews,
 - embed meaningful co-production with parents and carers,
 - increase parent satisfaction with the area's provision,
 - improve the use and utility of the published local offer,
 - improve communication with parents and carers across the area,
 - improve the relationship between the Local Area Partnership and the Parent Carer Partnership Wirral,
 - increase joint commissioning of services in the area,
 - embed effective strategic oversight to ensure effectiveness of plans and provision and hold leaders, managers and partners to account,
 - address the lack of accurate, up-to-date and useful information informing the area's plans and the impact of these actions,
 - embed the graduated response consistently across all schools and settings.
4. The Secretary of State has chosen to appoint a Specialist SEND Adviser ("DfE Adviser") to provide advice to the Department and the council. The

council will work with the DfE Adviser until some such time that the Secretary of State is satisfied this is no longer required.

5. To ensure there is clear evidence of progression:
 - a. the Council must ensure there is an Improvement Board, which the partnership are responsible for. The Chair is to be agreed by the Department and the Board attended by key leaders across Education, Health and Care services, including the Chief Executives of the Council and the ICB, the Children Services Accountable Officer, the ICB Accountable Officer and appropriate Elected Members of the Council to a timetable agreed with the Department;
 - b. the Improvement Board must have clearly assigned accountabilities for all actions agreed, along with clear and measurable targets covering the areas of significant concern identified in the Ofsted and CQC report;
 - c. those accountable for the actions in the improvement plans must keep the content up to date, with a risk register and mitigation plan updated in line with the meeting cycle and provided to the Improvement Board in advance;
 - d. reports to the Improvement Board should include data, analysis and evidence of the impact of improvements on the lived experience of children and families;
 - e. the Improvement Board should maintain an action and impact log which is updated at each meeting, highlighting objectives which are slow to progress and where contributions need to be strengthened.
6. Invitations to Improvement Board meetings must be sent on each occasion to the appointed DfE Adviser, NHS England Adviser and to the Department's case lead.

Improvement against the above measures will be assessed as follows:

7. The DfE Adviser and NHS Advisers will provide regular updates to the Department of progress or concern against the areas set out in this notice; improvement against the Ofsted and CQC requirements; and any other such information relevant to the improvement journey.

Department for Education Stocktake Reviews

8. Officials or advisers from the Department will undertake reviews of progress against the improvement agenda at least every six months and more regularly where appropriate.
9. Reviews, including areas of priority action deep dives, may cover but are not exclusive to: leadership; governance; co-production; quality of workforce training and support; multi-agency arrangements including joint

commissioning, Education, Health, and Social Care provision; the timeliness and quality of EHC plans and engagement with children, young people, families and carers.

10. Prior to any reviews, the Council should provide to the Department its own assessment of improvement. This may include, but is not limited to:
 - a. progress against improvement plan objectives;
 - b. feedback from parents and carers;
 - c. clear information about local accountability and governance structure;
 - d. the documentary evidence used to plan, track and evaluate the impact of actions. This may include:
 - I. A progress update against each area of priority action and improvement area;
 - II. A dashboard of performance measures showing whether targets and milestones are being met in a timely manner; any slippage; evidence of impact and whether the local area is on track to meet the next set of milestones.
 - III. Evidence that key partners, including children and young people, families and schools are playing an active role in improving services.
11. From time to time, the Department may require that a diagnostic review or assessment is undertaken by a party agreed with the Department.
12. For any review or assessment, the Council must provide the person(s) conducting it with:
 - a. access to, and time with, staff and leadership;
 - b. accurate and up to date data on performance and quality;
 - c. facilities to carry out the reviews; and
 - d. access to minutes of meetings or any other relevant information.

Timescales:

13. The Council should aim for the impact measures set out in the Improvement Plan to be evidenced by the agreed target dates. The Council should also aim for actions included in the improvement plan to be delivered by the end of October 2025 or sooner. However, the Improvement Notice will not be stepped down until sufficient progress has been evidenced, and the Minister agrees.

Failure to comply with this Improvement Notice by the assessment dates or poor progress:

14. Should the Council be unwilling or unable to comply with this Improvement Notice or should the Secretary of State not be satisfied with the Council's progress at any stage, they may choose to invoke their statutory powers of intervention (s497A Education Act 1996) to direct the Council to take any

further actions deemed necessary to secure the improvements required in SEND services.

Signed:

A handwritten signature in black ink, consisting of several loops and a long, sweeping tail that extends upwards and to the right.

Date: 07/05/2024

Mark Taylor

Senior Civil Servant in Department for Education