



Health and Wellbeing Board

18th July 2024

REPORT TITLE:	SEND IMPROVEMENT
REPORT OF:	ELIZABETH HARTLEY, DIRECTOR FOR CHILDREN, FAMILIES AND EDUCATION

REPORT SUMMARY

This report introduces members of the Health and Wellbeing Board to the improvement programme for Special Educational Needs and Disabilities (SEND) for the Local Area in Wirral. The Local Authority, Cheshire and Merseyside Integrated Care Board, education settings, parent carer forum, and other relevant stakeholders are considered members of the Local Area in relation to SEND.

A Local Area SEND Partnership Board, representing those stakeholders, was established in April 2024, which is accountable to the Health and Wellbeing Board for delivery of the Written Statement of Action (WSOA) and SEND Improvement Plan as agreed following the Improvement Notice for SEND, which was issued to Wirral Council by the Minister for Children, Families and Wellbeing on 15th May 2024.

The Local Area SEND Partnership Board will report to the Health and Wellbeing Board via the Director for Children, Families and Education, who is the Senior Responsible Officer for the improvement programme. This first report explains the rationale for establishing the Local Area SEND Improvement Board, its purpose, how that is delivered, and provides an update on activity and progress to date.

RECOMMENDATION/S

The Health and Wellbeing Board is requested to:

- (i) Exercise oversight of SEND improvement work delivered through the Local Area SEND Partnership Board

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 It has been agreed with DfE and NHS England through the revised Terms of Reference for the Local Area SEND Partnership Board that the Health and Wellbeing Board is the appropriate forum to provide oversight of SEND improvement activity in Wirral, ensuring that the Written Statement of Action (WSoA) is fully delivered by October 2025.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 No other options have been considered. The Local Area SEND Partnership Board will provide updates for information to Wirral Place Based Partnership Board, the Children, Young People and Education Committee, the Adult Social Care and Public Health Committee, and Wirral Safeguarding Children Partnership.

3.0 BACKGROUND INFORMATION

- 3.1 In December 2021, findings of the Local Area SEND Inspection for Wirral were published identifying ten areas for priority action. The Local Area's Written Statement of Action (WSoA) was published in March 2022, responding to each of the priority areas, with the SEND Transformation Board being established to oversee delivery of the WSoA.
- 3.2 In January 2024, the governance arrangements for the WSoA went under review. Working in partnership with the Department for Education (DfE) and NHS England, Local Area representatives agreed new governance arrangements to strengthen the oversight of improvement work and ensure accountability of stakeholders. The refreshed arrangements were implemented in April 2024 with the introduction of the Local Area SEND Partnership Board (LASPB) with its revised Terms of Reference (Appendix 2).
- 3.3 On 15th May 2024, the Minister for Children, Families and Wellbeing, issued Wirral Council with an Improvement Notice for SEND due to poor progress against the WSoA. The Improvement Notice (Appendix 1) outlines the Minister's expectations for improvement across all ten Written Statement of Action areas, which must be delivered by October 2025 at the latest. It lists the parameters to be put in place including, continued monthly monitoring by DfE and NHS England Officials, six-monthly progress reviews, refreshing the improvement plan, and robust scrutiny arrangements.
- 3.4 The Department for Education agreed that the refreshed governance arrangements for the Local Area SEND Partnership Board, which included Wirral Council Chief Executive as Chair, membership of the Leader of the Council, Lead Member for Children's Services, and Chair of the Health and Wellbeing Board, met the expectations of the Improvement Notice. It was agreed that the Director for Children, Families and Education, as Senior Responsible Officer for SEND, would Chair the

WSoA Impact Group and report to the Health and Wellbeing Board on behalf of the LASPB.

- 3.5 The LASPB has met on a monthly basis, with DfE and NHS England Advisers in attendance at each meeting to monitor progress. Meetings have taken place on 29th April 2024, 21st May 2024, and 25th June 2024. All members of the LASPB have benefitted from an induction to the board and to SEND.
- 3.6 In accordance with the Improvement Notice, the Local Area submitted a revised SEND Improvement Plan to DfE, addressing the ten areas for priority action (Appendix 3).
- 3.7 The WSoA Impact Group is monitoring progress of the SEND Improvement Plan through monthly meetings using the WSoA Impact Group Tracker (Appendix 4) to highlight performance, update on progress and make necessary recommendations to LASPB for further action or decisions.
- 3.8 Since its first meeting in April 2024, the LASPB has:
 - Approved an EHCP Recovery Plan
 - Approved the Delivering Better Value in SEND Plan 2024-25
 - Approved the Educational Psychology Service re-design
 - Approved the SEND Sufficiency 2-Year Plan
 - Agreed to co-produce a local Continuing Care Protocol
 - Agreed to co-produce a new SEND Strategy for Wirral
- 3.9 LASPB members have participated in a Deep Dive for EHCPs on 18th June 2024 and a Neurodevelopmental Pathway Event on 10th June 2024. These workshop sessions have brought key stakeholders together to increase understanding of barriers in key parts of the SEND system, with the aim to agreeing means for improvement.
- 3.10 The LASPB holds a Risk and Issues log which is reviewed at each meeting and is closely monitoring its Action Log, keeping account of decisions reached, action taken, and items successfully completed within the agreed timescales. These records are demonstrating the effectiveness of the board, which will be reviewed in partnership with DfE and NHS England in October 2024.
- 3.11 Over recent months, all stakeholders for the LASPB have been working together to form a Local Area SEND self-assessment, which will inform the new SEND Strategy. The self-assessment is a key document for the partnership and is required for the upcoming Local Area SEND and Alternative Provision inspection. The DfE SEND Adviser has been working alongside services to develop it.
- 3.12 The LASPB is committed to ensuring that there is transparency on all activity and improvement work. The local offer website, SENDLO, is publishing all documentation for the meetings to ensure that the parent carer community, stakeholders, and residents are fully informed.

3.13 The WSoA Impact Group Tracker (Appendix 4) will be among those documents published on a monthly basis. It provides an account of progress, performance data and recommendations to the LASPB.

3.14 The WSoA Impact Group Tracker for May 2024 highlights the following:

3.14.a Strengthening EHCP quality and timeliness continues, as anticipated, to be an area of significant pressure. With timeliness slightly increasing from 14% to 17% this remains significantly below the target level. It should be noted that the volume of EHC Plans being issued is very high, with 260 plans completed since January 2024. The rate of EHC Plans per 10,000 in Wirral is 117.2 putting the borough well above the regional average of 62.1 per 10,000 population. Wirral is at the top of the regional group, with Knowsley following at a rate of 84.2 per 10,000.

3.14.b Parent carer satisfaction rates remain low, measured through surveys, complaints and tribunals. Established work to improve EHCP quality and timeliness, SaLT waiting times and provision, Neurodevelopmental Offer, and development of more resource provision will improve parental satisfaction rates, however, it is anticipated that it will be several more months before the impact of this work will be evident in performance data.

3.14.c Communication can be considered in two forms, that from the Local Area on improvement work and within case work. Communication between the Local 37 Area and stakeholders is improving. There are more updates, communications, and publications being made through SENDLO, newsletters, and briefings. This will be further improved through the SEND Improvement Communication Strategy to be presented to LASPB on 25th June 2024. Communication within case work continues to be poor and is highlighted through PCPW, complaints, informal contacts, and in meetings. A specific set of issues has been highlighted in the Tracker for action to be taken by the Head of SEND, Director for Children, Families and Education, and Organisational Development at Wirral Council.

3.14.d Co-production and engagement to develop a parent-led SEND Offer through Wirral's Family Hubs is noted as a strength. Working with PCPW, VCF Reference Group, Positivitree, SENDIASS, Koala NW, and individual parents, the Local Authority Lead for Family Hubs has established an initial SEND Offer across the hubs.

3.14.e The local offer website, SENDLO, continues to strengthen its profile and engagement with stakeholders. News updates and content have significantly increased, as has the number of people using the site which is now regularly above 12-13,000 per month. Compared against the average monthly figure of 2-3,000 per month, this is a significant improvement. Data shows that a substantial number of users are from the Wirral area and they are taking advantage of the 'Get in Touch' feature to request further information and give feedback.

3.15 The LASPB has noted the WSoA Impact Group Tracker report, agreeing its recommendations for further improvement activity.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no direct resource implications arising from this report. The LASPB have considered those arising from improvement work on an individual basis and have agreed the necessary arrangements, as is documented in the board's minutes and action log.

5.0 LEGAL IMPLICATIONS

- 5.1 The Council, working with the Integrated Care Board (ICB) and its other partner agencies must comply with the Improvement Notice and the actions it contains, as set out in Section 28 (2) of the Children and Families Act 2014. Failure to comply would lead to further intervention from the Minister for Children, Families and Wellbeing.
- 5.2 Provision of Education, Health and Care Needs assessments and plans are statutory responsibilities under the Children and Families Act 2014.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT, ASSETS

- 6.1 There are no direct resource implications arising from this report. The LASPB have considered those arising from improvement work on an individual basis and have agreed the necessary arrangements, as is documented in the board's minutes and action log.

7.0 RELEVANT RISKS

- 7.1 A risk and issues log is maintained and reviewed by the LASPB at each meeting. The LASPB Executive Group meets twice monthly to add additional oversight to risk management.
- 7.2 Should the Local Area SEND Partnership Board not deliver the improvement required as set out in the notice and Written Statement of Action further intervention under Section 497A of the Education Act 1996 would be invoked, thereby directing the Council to take further action to improve SEND services.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 The Department for Education funds, via third sector organisation Contact, a parent carer forum for the local area. In Wirral, Parent Carer Participation Wirral (PCPW) are the designated group to represent the voice and experience of local families. PCPW are represented at the LASPB and its subgroups. The Participation & Engagement subgroup of the LASPB is Chaired by the Chair of PCPW.
- 8.2 On 17th May 2024, the Council Leader, Council Chief Executive and Director for Children, Families and Education met with the PCPW Steering Group to discuss parent experience, the LASPB and SEND improvement. The Chair of the Health & Wellbeing Board and Lead Member for Children's Services will be meeting with PCPW Steering Group post-purdah.

9.0 EQUALITY IMPLICATIONS

9.1 Wirral Council and NHS Cheshire and Merseyside have a legal requirement to make sure their policies, and the way they carry out their work, do not discriminate against anyone. The Council and NHS Cheshire and Merseyside work in partnership with local and regional partners to develop arrangements necessary to deliver improved outcomes in population health by tackling health inequality which are pertinent to special educational needs and disabilities.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 Wirral Council and NHS Cheshire and Merseyside and partners are committed to carrying out their work in an environmentally responsible manner.

11.0 COMMUNITY WEALTH IMPLICATIONS

11.1 Community Wealth Building in Wirral focusses on partnerships and collaboration. These partnerships are led by Wirral Council with external partners and stakeholders, including residents. NHS Cheshire and Merseyside will support the Council in community wealth building by ensuring health and care organisations in the borough have a focus on reducing health inequalities and contribute to the development of a resilient and inclusive economy for Wirral.

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APPENDICES

Appendix 1- Improvement Notice (15th May 2024)
Appendix 2- Local Area SEND Partnership Board Terms of Reference
Appendix 3- SEND Improvement Plan
Appendix 4- WSoA Impact Group Tracker May 2024

BACKGROUND PAPERS

The Local Area SEND and Alternative Provision Framework [Area SEND inspections: framework and handbook - GOV.UK \(www.gov.uk\)](#)

TERMS OF REFERENCE

This report is being considered by the Health and Wellbeing Board in accordance with section a of its Terms of Reference:

(c) To provide a local governance structure for local planning and accountability of health and wellbeing related outcomes

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Not applicable	Not applicable