

**CHILDREN, YOUNG PEOPLE AND EDUCATION COMMITTEE****7<sup>TH</sup> MARCH 2023**

<b>REPORT TITLE:</b>	<b>SEND TRANSFORMATION PROGRAMME UPDATE</b>
<b>REPORT OF:</b>	<b>SIMONE WHITE, DIRECTOR FOR CHILDREN, FAMILIES AND EDUCATION</b>

**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. At the most recent Monitoring Meeting, held on 16<sup>th</sup> November 2022, progress was reviewed and agreement for a 'check-in' to be undertaken with stakeholders to ensure that activity is correctly prioritised for the coming 12 months. This report provides an update on SEND Transformation Programme activity, an overview of the *check-in* with stakeholders and details of the Priority Plan 2023 for the SEND Transformation Programme.

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 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**

#### **SEND Transformation Programme Update**

- 3.1 In September 2022, the SEND Service implemented a refreshed Education Health and Care (EHC) Needs Assessment to Annual Review process, which included revised decision making processes, increased capacity within the team, a new model for working with parent carers and families, and more rigorous performance oversight. Throughout quarter 3 (September to December 2022) the SEND Service has focused on improving service compliance, communication, and quality.
- 3.2 At the end of Quarter 3, compliance of the 20-week completion timescale for Education, Health and Care Plans (EHCP) was 38%. Whilst this is an improvement on the previous year, which was 22%, it is significantly below the 58% target set in the WSoA. There are two critical factors impacting on the EHCP compliance rate: volume and provision of advice.
- 3.3 In 2021, there were 809 requests for a EHC Needs Assessment. This rose to 1,128 requests in 2022, an increase of almost 40%. The improvement in compliance from 2021 to 2022 within the context of increasing demand demonstrates improvement in process and capacity of the EHC Team. This is also apparent in the number of plans issued during the 12-month period, which increased from 317 in 2021, to 718 in 2022.

- 3.4 Whilst 38% of EHCPs are completed within the 20-week timeframe, 61% were completed within 30 weeks and 88% completed within 52 weeks. It should be noted that the 20-week compliance measure, while an important performance indicator, does not illustrate the volume of activity or output from the EHC Team. Every plan finalised outside of the 20-week timeframe negatively affects the percentage compliance rate, however, delivering a final plan to support the child or young person takes priority over performance data.
- 3.5 Issuing an EHCP involves completing five key stages:
1. Deciding to undertake an EHC Needs Assessment
  2. Gathering Advice from social care, health, education, educational psychologists, parent carers and/or young person
  3. Drafting the EHC Plan
  4. Consulting on the draft EHC Plan with parent carers and/or young person, and education settings
  5. Finalising the EHC Plan
- 3.6 Due to shortages in Educational Psychology provision, over 90% of EHC Plans exceed the 20-week deadline before completing stage 2. In the majority of cases where stage 2 is completed within timeframe the EHC Plan is successfully delivered within the 20-week period. Shortage of Educational Psychologists is a national issue. In Wirral, the core team of Educational Psychologists has been supplemented by spot purchasing agency workers, facilitating schools to commission private reports, and entering into a contract with an employment agency to provide a small team. These strategies have enabled over 300 Educational Psychologist advices to be provided, but is not meeting current demand at the desired rate.
- 3.7 Further strategies, including utilising co-production meetings to gain Educational Psychologist Advice and introducing Assistant Educational Psychologists to the core team, will be implemented as part of the Priority Plan 2023.
- 3.8 The SEND Service reset in September 2022 included introducing 6.0 FTE Annual Review Officers. Annual Reviews were identified as an area of weakness in the Local Area SEND Inspection, and the additional capacity of dedicated officers has had a positive impact in quarter 3. The immediate priority for the Annual Review Officers has been undertaking reviews for those children in Year 6 with an EHCP, to ensure an appropriate transition to secondary education. Local Authority Annual Review Officers attended 96% of reviews for year 6 pupils. Working alongside EHC Co-ordinators, EHC Plans have been updated to ensure that secondary school consultations have been conducted effectively. The additional capacity provided through the Annual Review Officers has meant that the Local Authority is providing a more timely response to requests for Interim Reviews.
- 3.9 Tribunal data provides a useful indication of service improvement. In 2022, 68 appeals were lodged, which is a decrease of 15% from the 80 made in 2021. Of those 68 appeals, 21 (approximately 30%) related to year 7 transition outcomes, with parental dissatisfaction in the provision offered. Of the 68 appeals lodged, 25 (approximately 37%) were either withdrawn or resolved through a Consent Order,

which demonstrates positive working between the EHC Team and parent carers, with the support of mediation services.

- 3.10 The Written Statement of Action set a target of 100% of Year 6 EHCPs to be reviewed and finalised, with a named school for Year 7, by 15<sup>th</sup> February 2023. There are 274 children currently in Year 6 with an EHCP, for whom this applies. The target of 100% completion by 15<sup>th</sup> February was achieved, with 269 children having a named school and 5 children having the type of school named in their plan. For the 269 with a named school, 231 (86%) were allocated in a place which was parental preference.
- 3.11 In January 2023, the SEND Transformation Board approved the revised SEND Co-production Charter, following a series of engagement workshops with stakeholders. The charter has been published on the Local Offer website and will underpin how, as a partnership, we work together with children, young people, and parent carers. Working with the Children with Disabilities Council (CDC), a local co-production training package has been developed and delivered as a pilot to 67 practitioners (against a target of 60). This training will be delivered to 400 staff during 2023. The success of the co-production training package was recognised by CDC, who invited representatives from Wirral SEND Service to present at the National Online Event, *Putting Voice at the Heart of Strategic Commissioning*.

### **Monitoring Progress Against the Written Statement of Action**

- 3.11 Since reporting to the Children, Young People and Education Committee in October 2022, the SEND Transformation Board has met twice, on 31<sup>st</sup> October 2022 and 9<sup>th</sup> January 2023. During the same period there has been one Monitoring Meeting with Department for Education and NHS England, on 16<sup>th</sup> November 2022. Workstreams have continued to meet on a regular basis.
- 3.12 The WSoA, which commenced in April 2022, contains 106 actions. At the Monitoring Meeting in November 2022, 45 of the actions were complete, 30 in progress and 31 had missed their deadlines. In order to understand the slippage and address issues preventing progress, it was agreed with Department for Education and NHS England to take the opportunity, as a partnership, to engage with stakeholders through a *check-in* process and develop a Priority Plan for 2023 to supplement the existing WSoA.
- 3.13 It was agreed that the *check in* should provide a shared understanding of the *big ticket items* which would make the biggest difference to children, young people and their families. With these identified, a Priority Plan for 2023 would be produced to make explicit where efforts would be focused, by whom and for what purpose.
- 3.14 The *check-in* was completed between 25<sup>th</sup> November-16<sup>th</sup> December 2022. This involved 114 parent carers, 56 young people with SEND, and 142 staff/practitioners taking part in focus groups and surveys, to identify the areas which stakeholders would like the SEND Transformation Board to prioritise over the next 12 months. These are:

- (i) **Timeliness**- reducing waiting times for EHC Needs Assessment, access to Speech and Language Therapy (SaLT), Child and Mental Health Services (CAMHS) and Educational Psychology Advice/Assessment
- (ii) **Communication**- improving direct communication with parent carers across all public services including Children's Services, education settings, health and care services
- (iii) **Multi-agency working**- creating more opportunities to bring practitioners together, with parents carers and young people where appropriate, to jointly assess and plan support
- (iv) **Confident practice**- increasing consistency and provision of training for professionals to identify need and then to provide support, including specialist training for those in specialist roles
- (v) **Access to information**- improving information on the Local Offer and education setting websites, which are easier to navigate
- (vi) **Earlier intervention**- increasing consistency in application of the Graduated Response, with clear pathways to early support
- (vii) **Provision**- providing education places, therapeutic intervention, and support based on known need and demand, with a clear strategy and provision map
- (viii) **Transitions**- improving the experience and outcomes for children and young people at key transition points (F1 to F2, Year 6 to 7, and post-16)
- (iv) **Understanding**- improving relationships by listening to parents, valuing their expertise, and considering the daily-lived experience of children and families.

- 3.15 Having understood the immediate priorities for stakeholders, a Priority Plan for 2023 has been agreed (Appendix 1) by the SEND Transformation Board which seeks to distil a complex and broad programme of work into a simple and direct plan. The format of the Priority Plan 2023 is deliberately short, with only 12 pages of text in comparison to the existing WSoA which is 28 pages in length. Two pages are dedicated to each of the Workstreams, capturing what the purpose of each Workstream is, the activity to be completed, and making explicit the improvements to be achieved. Bringing the metrics and evidence together into a one-page record will enable greater clarity on progress and assist stakeholders to see where improvements are being made.
- 3.16 A monthly updated Priority Plan 2023 will provide a succinct report on progress for parent carers and wider stakeholders. Internally, a delivery plan is in place for each activity detailing named leads, responsible groups, timescales and deadlines. The delivery plan, and therefore Priority Plan 2023, will be monitored through a new WSoA Performance Group, which will be led by the Vice Chair of the SEND Transformation Board. It is intended that the Priority Plan 2023 and discreet performance group will lead to improved progress with the WSoA, with increased transparency for stakeholders.
- 3.17 At the midpoint of each month, an updated Priority Plan 2023 will be published on the Local Offer website. On a quarterly basis, the WSoA will be updated for the Monitoring Meetings with Department for Education and NHS England.

- 3.18 Undertaking the *check in* and developing the Priority Plan 2023 has led to a review of the existing delivery structures. Important changes to the workstreams have been made to ensure that as a partnership we are appropriately organised to deliver the plan. Where workstreams have had a broad remit they have been reviewed to address more specific issues. For example, Workstream 1 will establish a Joint Commissioning Forum and the WSoA Performance Group, and Workstream 2, which led on the EHCP and Annual Review process, will be replaced with a SEND Quality Assurance Group and SEND Training Group.
- 3.19 In reviewing the groups which facilitate the WSoA, a broader range of stakeholders are now involved in the SEND Transformation Programme than during 2022. With increased engagement from Headteachers, Special Educational Needs Co-ordinators (SENCOs), Children's Services staff, community organisations, health services, and parent carers, it is anticipated that broader reach at a faster pace will be achieved.
- 3.20 The *check in* process has provided an opportunity to stop and reflect on the progress made in 2022 and to reconvene with renewed energy and focus.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 A reserve fund of £1.051m from 2021/22 underspend, was allocated to the SEND Transformation Programme and has been allocated to support improvement activity and increase capacity. 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.

#### **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 may be 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 will return for a re-inspection within 12 months' time, 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. The £1 million improvement funding (as referenced in section 4 of the report) is assisting in supporting the change programme and mitigating the risk.

## **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](#).

## **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- Priority Plan 2023

## BACKGROUND PAPERS

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

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

Wirral Co-production Charter <https://localofferwirral.org>

## 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:

(a) 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	12 <sup>th</sup> October 2022
Children, Young People and Education Committee	21 <sup>st</sup> 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