

Corporate Review Committee – Thursday 10 June 2021

Conclusions of the Special Educational Needs and Disabilities (SEND) Working Group

Recommendation(s)

I recommend that:

- a. The Corporate Review Committee notes the work undertaken by the SEND Working Group and agrees to regular reports on the implementation of the Written Statement of Actions and any subsequent Ofsted and the Care Quality Commission inspections being considered at the Safeguarding Overview and Scrutiny Committee (previously Safe and Strong Select Committee).

Report of Councillor John Francis, Chairman, SEND Working Group

Summary

What is the Select Committee being asked to do and why?

1. The Corporate Review Committee is asked to consider the progress that has been made so far in scrutinising the Written Statement of Action (WSOA) and other actions and to make any suggestions for improvement.
2. Decide to conclude the work of the SEND Working Group and in its place agree to regular update reports on activity and progress being considered by the Safe and Strong Select Committee.

Report

Background

3. Ofsted and the Care Quality Commission undertook a joint local area inspection of Special Educational Needs and Disabilities in Staffordshire between 12 November and 16 November 2018 to judge the effectiveness of the area in implementing the special educational needs and disability (SEND) reforms as set out in the Children and Families Act 2014.
4. Due to the findings of this inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) determined that a Written Statement of Action (WSOA) was required because of significant areas of weakness in the local area's practice. HMCI also determined that the local authority and the area's Clinical Commissioning Group (CCG) were jointly responsible for submitting the written statement to Ofsted.

5. Details of the main findings from the inspection, including some areas of strength and further improvement were given in the inspection report. These have been transferred into a WSOA that was signed off by both the County Council and the CCG. The WSOA was submitted to Ofsted in April 2019.

6. Members, at that time, were most concerned to read of the findings in the report. It was agreed on 24 January 2019 at a meeting of the Scrutiny Chairs Forum that a small Working Group (WG) of the relevant Select Committees (Healthy Staffordshire, Safe and Strong Communities and Prosperous Staffordshire) members be formed with the Chairman of Safe and Strong Communities taking the lead. The Members of the Working Group were nominated by the Chairs of the relevant Select Committee and are as follows:

- Healthy Staffordshire Select Committee: Charlotte Atkins, Ann Edgeller, Phil Hewitt,
- Prosperous Staffordshire Select Committee: Alistair Little (replaced Julia Jessel when she joined the Cabinet), Bryan Jones, Kyle Robinson
- Safe and Strong Communities Select Committee: John Francis, Paul Snape, Bob Spencer.
- The Cabinet Member for Children and Young People, Mark Sutton attended earlier meetings of the WG along with Jonathan Price, now Cabinet member for Education (including SEND).

(NB Committee changes have taken place since the time of Members' appointment to these Committees, but the SEND Working Group membership has remained as above).

7. The Working Groups Terms of Reference were to monitor the development and implementation of the WSoA, which was produced to address concerns raised by the Joint Local Area SEND Inspection report produced by Ofsted and the Care Quality Commission (CQC) following their inspection in November 2018.

8. Corporate Review at its meeting on the 10 September 2019 felt that it was appropriate to continue with the current Working Group arrangements and that the group should continue to monitor the action plan and report to the Corporate Review Select Committee.

9. The Working Group have met on a number of occasions and have undertaken the following:

29 March 2019	<p>The Joint Local Area SEND Inspection report produced by Ofsted and the Care Quality Commission (CQC) following their inspection in November 2018 was considered.</p> <p>At the meeting members had the opportunity to go through the draft WSOA line by line and ask questions of the Cabinet Member and officers. The Committee made a broad range of observations. The Cabinet Member agreed to take these on board.</p>
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	<p>WG requested action: Comments of the working group added to the WSoA. When the Action Plan was approved by Ofsted, more detailed plans to support each focus area would be developed and would be reported to the WG.</p>
21 June 2019	<p>The WG gave consideration of the WSoA (submitted to Ofsted in April) and its 8 priority areas contained in the action plan.</p> <p>Members main concerns were around partnership involvement in the commissioning process (including with parents/guardians); the quality and time taken to complete Education Health and Care Plans and the shortage of Educational Psychologists, nationally and locally; the resources required to implement the actions in the WSOA at a time of financial pressure and the challenging timescales set out in the plan.</p> <p>WG requested action: A copy of the Performance framework was requested prior to the next meeting. Members of the WG to visit a pilot Hubs.</p>
September to December 2019	<p>WG Members visited the Pilot Hubs to see how they worked.</p>
23 January 2020	<p>Unfortunately, the Performance framework was being reviewed and was not available at the meeting. Progress on the 8 priority areas was considered.</p> <p>Members discussed the purpose of the Working Group and agreed that without the Performance Framework information they were not in a position to access if the WSoA was being implemented or what, if any, the problem areas were or if changes were due to be carried out on time.</p> <p>Lack of communication between partners/services was still considered to be an issue.</p> <p>WG requested action: That the Performance Framework be circulated to the Working Group as soon as possible and that at the next meeting the ‘delayed or problem areas’ of the action plan should be considered.</p>
25 February 2020	<p>(WSoA) and the Performance Framework detailing the work undertaken on the priority areas. The main areas of concern were practitioners talking to schools and parents at an earlier stage and the Education, Health and Care Plans (EHCP) back log being addressed. Hubs challenging each other to ensure appropriate performance and level of support offered.</p>

	WG requested action: More information on work on priority areas to next meeting.
7 July 2020	The Transformation plan was formally considered by the Safe and Strong Select Committee . The impact of the pandemic was considered alongside the implementation of the plan. The SEND working Group were invited to the meeting to participate in the debate.
27 July 2020	The SEND Partnership status report and WSoA were considered by the WG along with the main three priority areas: <ul style="list-style-type: none"> i. Timeliness and quality of Education Health and Care Plans (EHCPs) and reviews ii. Rollout of the Inclusion and SEND District Hubs iii. Multiagency working/co-production WG requested action: Further meeting to monitor the 'next steps' outlined in the partnership status report.
12 November 2020	Draft SEND Strategy was considered by the Prosperous Staffordshire Select Committee . The SEND Working Group were invited to the meeting to consider and commented on the draft.
26 January 2021	The Working Group received an update on the Strategy which they had previously been involved in developing via the Prosperous Staffordshire Select Committee in November 2020. The consultation process was explained. Responses had been used to develop the draft strategy. The WSoA was 2 years on from the original inspection. Re-inspection was due shortly. WG requested action: The Working Group discussed the need to complete their work and report their findings back to Corporate Review Committee. The Group agreed that the Chairman produce the report and request that regular updates be provided to the Safe and Strong Select Committee.

10. At its meeting on 26 January, the Working Group felt that as the service was due to be re-inspected, it would be appropriate and timely to conclude their work and for further reports to be considered by either the Prosperous Select Committee or the Safe and Strong Select Committee.

11. No further meeting of the Working Group have been arranged.

Link to Strategic Plan

12. This work links to the priority 'Improve Education and Skills provision in our schools, colleges and universities so that more people gain the training and qualifications they need to succeed'.

Link to Other Overview and Scrutiny Activity

13. See paragraph 11 above.

List of Background Documents/Appendices:

Joint local area SEND inspection in Staffordshire November 2018.

<https://files.api.ofsted.gov.uk/v1/file/50050510>

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