

Report to : EDUCATION ATTAINMENT IMPROVEMENT BOARD

Date : 27 June 2017

Reporting Officer: Bob Berry, Assistant Executive Director, Education

Subject : AN UPDATE ON SEND IN THE LOCAL AREA, AND INSPECTION PREPARATION

Report Summary : This report provides an update on SEND in the Local Area, and inspection preparation.

Recommendations : That members note the content of the report.

Links to Sustainable Community Strategy : The report supports three elements of the Community Strategy - Prosperous, Learning and Supportive Tameside.

Policy Implications : A poor outcome in a Local Area SEND inspection may result in reputational damage for the council.

Financial Implications : There are no direct financial implications arising from this report. However, it should be noted that any additional cost implications arising from any developed proposals will need to be funded from existing revenue funding, including any one off SEND specific grants received by the Council..

(Authorised by the Section 151 Officer)

Legal Implications : The implementation of the 2014 SEND Code of Practice 0-25 Years is a statutory obligation for the Local Authority.

(Authorised by the Borough Solicitor)

Risk Management : There are significant reputational risks to the Council if it does not monitor and challenge schools' performance and standards effectively, and intervene where appropriate.

Access to Information : The background papers relating to this report can be inspected by contacting Bob Berry, Assistant Executive Director, Education



Telephone:0161 342 2050



e-mail: bob.berry@tameside.gov.uk

1. CONTEXT

- 1.1 Inspections of Local Areas with respect to Special Educational needs and Disability [SEND] began a year ago, and legislation relating to this can be found in the two key 2016 documents, the Framework and the Handbook 'For the Inspection of Local Area's Effectiveness In Identifying and Meeting the Needs of Young People Who Have Special Educational Needs and/or Disabilities.' It is designed to see the extent to which the SEND Code of Practice 0-25 Years [2014] has been embedded within a locality.
- 1.2 Although both documents are highly detailed, there are three key questions that underpin the process, namely [1] How effectively does the local area identify children and young people who have special educational needs and/or disabilities? [2] How effectively does the local area assess and meet the needs of children and young people who have special needs and/or disabilities?, and [3] How effectively does the local area improve outcomes for children and young people with special needs and/or disabilities? [These in turn can be further distilled to Identify/Meet Need/Improve?].
- 1.3 Although this report will focus on SEND from a school perspective, another key feature of a Local Area inspection is its breadth, as it looks at any service that makes a contribution to the SEND agenda – education, adult services, children's services, the youth offending team, etc... Its remit is very wide, which explains the need for both Ofsted and CQC inspectors in the inspection team. In addition, the extent to which this range of services both plans and delivers collaboratively and strategically plays an important part in the final judgements.

2. WHAT SYSTEMS AND GOVERNANCE ENSURE FORWARD MOMENTUM IN SEND TO ENSURE DELIVERY OF THE CODE OF PRACTICE?

- 2.1 The Education Service has engaged the services of a highly respected and experienced practitioner who is also a serving Ofsted inspector for Local Area SEND inspections, Lesley Cheshire. She has worked with the LA now for some six months. She was tasked with [a] writing a SEF, [b] writing a summary SEF, [c] collaborating with the LA on an action plan, and [d] formulating a vision for SEND in the borough. At the time of writing the LA has Version 4 of the summary SEF, the first draft of the Detailed SEF is complete – and is over one hundred pages long – and work has started on an action plan. In addition a Vision Statement has been passed to key stakeholders for discussion with the groups that they represent. A Steering Group, comprised of practitioners from all the key areas, has been meeting regularly since last September, and an Executive Group has met twice. Terms of reference for this group have been agreed and it is anticipated that, over time, the Steering Group will disband. [The function of the Steering Group has been in effect to 'kickstart' the deeper implementation of the SEND reforms and the process of collaborative working. Once this has become standard practice and there are established routines for feeding data and reports into the Executive Group, there is no longer a need for the Steering Group to exist.]
- 2.2 The Executive Group is chaired by Cllr. Lynn Travis and Dr. Christina Greenhough, and there are representatives from Tameside primary, secondary, and special school headteachers. Since last September there has been considerable progress in terms of our understanding of the quality of our current practice and having secure data sets for all aspects of SEND; the LA now has extensive, and easily accessible data sets for education and health, but the understanding and interpretation of this data – in other words what it all means – is not yet embedded. The infrastructure to ensure that this happens though, and then plan strategically to address the issues, is now in place.

3. WHAT DO WE KNOW ABOUT THE QUALITY OF OUR PRACTICE CURRENTLY?

- 3.1 Lesley Cheshire has identified five areas where, in her view, the Local Area is making the most progress. They are –
- (i) Identifying and meeting needs in Early Years
 - (ii) Preparation for Adulthood
 - (iii) Children’s Emotional Health and Wellbeing
 - (iv) The Delivery of the Healthy Child Programme
 - (v) The Needs of Young People in the Youth Justice System
- 3.2 There are eight areas that have been identified where less progress is being made –
- (i) There has been insufficient oversight and governance by senior leaders of the implementation of the SEND reforms.
 - (ii) Joint commissioning and strategic planning across the Local Area are as yet underdeveloped.
 - (iii) Outcomes for SEND children and young people with SEND are not improving.
 - (iv) Whilst leaders acknowledge high levels of parental dissatisfaction within the Local Area, there has been insufficient progress in bringing about the necessary cultural change.
 - (v) Likewise there has been insufficient progress in engaging with young people with SEND.
 - (vi) The engagement of Children’s Social Care with the SEND reform agenda has been limited.
 - (vii) The percentage of EHC plans completed within statutory timescales remains well below the national average, and not all agencies are contributing fully to the process.
 - (viii) Crisis management for children and young people with SEND, particularly within Education, is not yet effective.

4. WHAT ARE THE AREAS THAT REQUIRE URGENT ATTENTION WITHIN THE EDUCATION SERVICE, AND WHAT IS BEING DONE TO ADDRESS THOSE CONCERNS?

- 4.1 The urgent priority is to address the issue of [a] the proportion of children and young people who have an EHCP in the Local Area, and [b] the effectiveness of systems to produce those plans within an acceptable timeframe, with contributions from all relevant professionals. In short, when compared to other Local Areas or our statistical neighbours, not enough children and young people have a plan. As a consequence needs are not being met and, in some instances, may not even have been identified.
- 4.2 In response to these concerns the following actions are already underway –
- The recruitment of three additional professionals to work on the EHCP process.
 - A review of processes within the Inclusion Service to speed up the process of assessment for an EHCP
 - A service re-design is currently underway and in the consultation phase. If implemented, a new leadership and management structure will be in place for SEND from September 1 2017. The system will be substantially more cohesive and will ensure significantly greater collaborative practice. Systems will be simpler, quicker, and more ‘user-friendly’ to parents, carers, children and young people. Staff working in SEND within the Education Service will receive appropriate training and access to best practice to support them in their new ways of working.
- 4.3 The data relating to the completion of EHCPs appears – both the transfer of ‘Statements’ to EHCPs, and the creation of new ECHPs - on a monthly basis, and it is anticipated that the impact of the above strategies will be immediate. In addition to this one month ago the ‘Local Offer’ – the parent/carers/cyp guide to Tameside MBC services in this area – was

rewritten and made substantially more user-friendly. In tandem with this a social media campaign was launched with a local family used a best-practice case study.

- 4.4 The issue relating to Crisis Management [as mentioned at 3.2.8] are entwined with issues relating to EHCP matters outlined above. As a Local Area there has been too much focus on process rather than finding ways of meeting the urgent needs of a child or young person. Both the processes as well as the mindset that have slowed down the EHCP procedures will, when resolved, also resolve the issue of crisis management. It can come as no surprise that when a 'normal' EHCP application can become bogged down, the capacity of the system to move swiftly when the need arises is inevitably compromised.
- 4.5 As was detailed in the last EAIB report cf. SEND, academic outcomes for SEND students at EYFS, KS1 and KS2 do not compare well, although things improve at the end of KS4. Improvement in outcomes will take longer as three things need to happen simultaneously –
- (i) The improvement in Local Area Systems outlined above, which will result in –
 - (ii) Improved collaboration and a sense of shared purpose between the Local Area and schools, which will in turn necessitate –
 - (iii) Improved practice within schools, where improved SEND outcomes will result as a consequence of SEND being seen as a feature of good teaching, rather than a separate, specialised activity.
- 4.6 This is a substantial change in culture which will require the active engagement of leaders across both the Local Area and our schools. [Moreover, if the EHCP process improves as planned there will be more children/young people with a plan than ever before in our schools, so practice will have to improve in any case.] The foundations for this change in culture are already happening. The Director has spoken frankly to headteachers/principals about the need for the Local area to improve its practice, and this honesty was appreciated. It is the process of applying for an EHCP that, in the main, defines the relationship between schools and the Local Area; if this begins to work well a number of other things start to fall into place. It should also be recognised that frustrations with this aspect of the Local Area has made some schools reluctant to even engage in the process, which in turn has resulted in unmet needs. These unmet needs may then result in poor behaviour, which then result in exclusions, both fixed-term and permanent. It is a classic vicious circle. Work has already begun in terms of scrutinising and streamlining these processes.
- 4.7 In tandem to the work undertaken by Lesley Cheshire a second consultant has been commissioned to do in-depth work in our primary and secondary schools to establish what the issues are from their perspective, and the robustness of their own practice. [This includes such things as the use of data, quality assurance, governor involvement, training related to SEND, the capacity of the SENCO, etc...] This work is not yet complete and therefore not yet collated/analysed, but some interesting trends are already emerging.
- 4.8 There is clearly excellent practice to be seen in both the primary and secondary sectors, but it is also clear that there are worrying gaps in knowledge. Similarly it appears that there are a number of very talented and committed young SENCOs in the borough, but they may not have the voice they need at a strategic level. There is also some good collaborative practice within the primary sector but this is less developed with our secondary schools, though it must be said that transition at every phase – nursery/primary/secondary/tertiary – is in need of improvement. The need for training is urgent. To this end a Tameside SENCO conference is taking place at Discovery Academy on June 23, and the Local Authority's School Improvement bid which will be submitted this September will incorporate a substantial SEND element. The academic year 2017/18 will have a number of training events with SEND as the focus. Finally, one of our primary headteachers has been shortlisted for the Primary Headteacher of the Year for the MEN School Awards, on the basis of her school's work with children with SEND, which is outstanding.

- 4.9 There are no definitions of 'Outstanding' or 'Good' along the lines of the Ofsted Framework for Schools for a Local Area SEND inspection, but if there were to be a definition of 'Outstanding/Good' with the respect to the issues outlined above it might read as follows. 'Parents/carers of children and young people with SEND report that they find the systems in the Local Area to be clearly articulated and easy to access. When fully engaging with the system they assert that they feel that not only are they listened to, but that the Local Area acts upon what they have said. Young people also feel that their contributions are valued, in formal panel situations and also in their educational settings. EHCPs are completed within the statutory timeframes and, when required, the Local Area responds very promptly to urgent and perhaps unforeseen needs. The system is made to work for the benefit of the child/young person and the Local Area demonstrates its capacity to think 'outside the box'. Outcomes for SEND children and young people are similar and in some cases better than their non-SEND peers; adults working in their schools have a comprehensive understanding of their needs and the relevant strategies are adopted. As a consequence, over time, there has been a reduction in the number of fixed-term and permanent exclusions in schools as learning needs have been identified at an early stage, and have not been misdiagnosed as 'behavioural' issues. The relationship between schools and the Local Area is focused on the needs of the children and young people, and communication is of a high quality; professionals are talking a common language. The processes for sharing information are efficient between phases, formal panels have simple and non-bureaucratic structures, and as a consequence schools are willing to engage with the process. Schools and the Local Area work closely to identify training needs, and schools report that the training is of high quality. The wider workforce is becoming ever more skilled. The SEND Executive Board oversees high quality strategic planning between schools and Local Area, and this strategy is effectively communicated to all stakeholders'. This is what Tameside is aiming for.

5. CONCLUSION

- 5.1 In conclusion, the Director is both confident and optimistic about the direction of travel with SEND in Tameside. A relationship of trust has been established over the years which will then improve even further when the improvements in the EHCP process start to become apparent. Ultimately this will come about from the collective leadership of the Local Authority and nearly one hundred headteachers/principals. Some will seek to make improvements in their practice because of the potential benefits at the point of an Ofsted inspection; the great majority however will do it as a consequence of their moral purpose and their desire to improve the life chances of potentially the most disadvantaged group of young people in their schools.

6. RECOMMENDATIONS

- 6.1 That members note the content of the report.