

<b>Report to:</b>	<b>JOINT MEETING OF OVERVIEW/EXECUTIVE CABINET</b>
<b>Date:</b>	9 February 2022
<b>Executive Member:</b>	Councillor Leanne Feeley – Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
<b>Reporting Officer:</b>	Tim Bowman, Director of Education
<b>Subject:</b>	<b>SEND UPDATE</b>
<b>Report Summary:</b>	<p>Between 18 and 22 October 2021, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Tameside to judge the effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014.</p> <p>We have now received the findings report (published 11 January 2022) which is published and available publically. A link to the report is available <a href="#">here</a> and from our <a href="#">Local Offer webpage</a>.</p> <p>The outcome of the inspection was that a Written Statement of Action (WSOA) is required because of significant areas of weakness in the area’s practice. HMCI has also determined that the local authority and the area’s clinical commissioning group(s) (CCG) are jointly responsible for submitting the written statement to Ofsted. The Written Statement of Action must be submitted for approval no later than April 12.</p>
<b>Recommendations:</b>	<p>That Executive Cabinet be recommended to:</p> <ul style="list-style-type: none"> <li>(i) Note the requirement for the local authority and the clinical commissioning group(s) (CCG) to submit a written statement of action to Ofsted by 12 April.</li> <li>(ii) Agree that the Written Statement of Action will be presented to Executive Cabinet for approval on 30 March.</li> <li>(iii) Note that an additional investment of £98.2k will be made in staffing in the SEND team from with existing budget provision.</li> </ul>
<b>Corporate Plan:</b>	Early identification of high quality support for children and young people with special education needs and / or disabilities is a vital part of our living well and starting well objectives.
<b>Policy Implications:</b>	None identified
<b>Financial Implications:</b> <b>(Authorised by the statutory Section 151 Officer &amp; Chief Finance Officer)</b>	This report regarding the SEND inspection recommends to increase capacity with the SEND assessment team. The posts proposed for implementation can be funded by reprofiling budgets from non-staffing spend to staffing. There is a budget of £98,200 that can be utilised for this purpose the costs are estimated to be £87,200.
<b>Legal Implications:</b> <b>(Authorised by the Borough Solicitor)</b>	It is important that any inspection reports are considered and an improvement action plan produced expediently where required putting in place clear timescales and accountability for delivery.

Remedying these areas are critical for the delivery of the SEND service for the Tameside and for the reputation of the council.

In considering this report Members need to be content that the actions will address those weaknesses and that the additional investment represents the best use of that funding to improve the service and the outcomes.

Members may wish to consider asking for a further report to be presented to Executive Cabinet in 6 months to provide an update on the progress being made.

**Risk Management:**

These will be addressed in future reports.

**Background Information:**

The background papers relating to this report can be inspected by contacting Charlotte Finch.



Telephone: 07917130369

e-mail: [charlotte.finch@tameside.gov.uk](mailto:charlotte.finch@tameside.gov.uk)

## 1. INTRODUCTION

- 1.1 Between 18 and 22 October 2021, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the local area of Tameside to judge the effectiveness of the area in implementing the special educational needs and/or disabilities (SEND) reforms as set out in the Children and Families Act 2014.
- 1.2 We have now received the findings report (published 11 January 2022) which is published and available publically. A link to the report is available [here](#) and is also available on our [Local Offer webpage](#).
- 1.3 The outcome of the inspection was that a Written Statement of Action (WSOA) is required because of significant areas of weakness in the area's practice. HMCI has also determined that the local authority and the area's clinical commissioning group(s) (CCG) are jointly responsible for submitting the written statement to Ofsted. The Written Statement of Action must be submitted for approval no later than April 12.

## 2. FOCUS OF THE INSPECTION

- 2.1 The inspection had three key areas of enquiry:
  - a- The effectiveness of the local area in identifying children and young people's special educational needs and/or disabilities
  - b- The effectiveness of the local area in meeting the needs of children and young people with special educational needs and/or disabilities
  - c- The effectiveness of the local area in improving outcomes for children and young people with special educational needs and/or disabilities
- 2.2 In each of the focus areas set out above, the inspection team identified strengths and areas for development. In total, 23 areas for development were identified and 16 areas of strength.

## 3. THE MAIN FINDINGS OF THE REPORT

- 3.1 A number of SEND updates have been provided in recent years to both Executive Cabinet and the Education Attainment and Improvement Board (EAIB). This includes updates to the March 2019, October 2019 and June 2021 EAIB. In the last update to EAIB the report concludes that *"whilst we continue to make significant improvements across all areas of the SEND Service, we anticipate that because of the significant work still needed to be done we expect that the outcome of an inspection will be that we are asked to prepare a written statement of action."*
- 3.2 The outcome of the inspection therefore whilst extremely disappointing was not a surprise to leaders. Inspectors in their summary of the main findings rightly concluded that, "implementation of the 2014 code of practice started very late in Tameside" as we note in our self-evaluation, which was submitted to inspectors, "the impact of this continues to be felt and that there is **more to do** to improve the SEND offer".
- 3.3 The key area of inspectors feedback that we must address with the greatest priority is the feedback inspectors gave on their conversations with parents. Inspectors stated that "the high levels of parental dissatisfaction are unacceptable." And furthermore that "parents do not feel that they are treated as the experts on their own children". Again this is reflected in our self-evaluation, which notes, "despite improvement families experiences of assessment aren't yet positive enough". There is much more to do to improve families' experiences.
- 3.4 Inspectors found areas for improvement across the full range of council and health services. Responding to the inspection challenges all services to improve.

## 4. AREAS OF SIGNIFICANT WEAKNESS

4.1 Inspectors identified 10 areas that the WSOA must address. As noted above HMCI has also determined that the local authority and the area's clinical commissioning group(s) (CCG) are jointly responsible for submitting the written statement to Ofsted. The areas of significant weakness are:

- The endemic weaknesses in the quality and, due to the pandemic, timeliness of EHC plans, which lead to poor outcomes for children and young people with SEND across education, health and care
- The high level of dissatisfaction among parents and carers with the area's provision
- The local offer not being well publicised and not providing parents with the information that they need
- The placement of some children and young people in unsuitable education provision
- The unreasonable waiting times, which lead to increased needs for children and young people and their families
- The lack of contribution from social care professionals to the EHC plan process
- The limited oversight of the quality of SEND provision for children and young people's education
- The inconsistent application of a graduated approach across different settings, leading to weaknesses in meeting needs across the area
- The poor transition arrangements across all stages of education
- The lack of strategic direction in the support for children and young people to prepare them effectively for adulthood.

## 5. AREAS OF STRENGTH

5.1 Despite the weaknesses identified by inspectors we were pleased that inspectors noted the following areas of strength.

- Since 2018, the new leadership team has started to make the changes needed to address historical weaknesses. However, these have been affected by the pandemic.
- Since 2018, leaders have established a clear and accurate view of the area's strengths and weaknesses. They have drawn up suitable plans to resolve endemic issues. It is early days. Parents and carers and professionals recognise some improvements, but believe there is still a long way to go.
- Leaders have set a clear vision for the future. Leaders have developed SEND strategies to prioritise planned improvements and joint commissioning. This is starting to bring services together to work more collaboratively. However, these strategies have been hampered by the pandemic and so they have not been fully implemented.
- Parents are quick to cite the positive difference made by the excellent front-line staff who work with them and their children.

5.2 When we met with inspectors we concluded our initial presentation with the following bullet points:

- We are *ambitious* about what we want to achieve for children and families with SEND and *impatient* to achieve it.
- We are *honest* about those things that need to improve. We know that the *implementation of the SEND Reforms* in Tameside was inconsistent the impact of this continues to be felt and that there is more to do to improve the SEND offer.
- We have already *committed* to action plans to make sure this improvement is delivered.
- We are *proud* of the improvements we have already delivered and believe we have the *leadership commitment* to deliver further improvements.

5.3 On Monday 17 January senior officers, including the Chief Executive / Accountable Officer and the Director of Children Services, met with Department for Education and NHSIE Officials to discuss the inspection findings and to seek reassurances from us about the actions we are

taking to bring about the necessary improvements. At this meeting we gave a short presentation. The key messages we gave, in addition to the actions outlined in section 7 to this report, were:

- We absolutely recognise the challenges ahead of us and accept the areas of development that have been outlined.
- Inspectors were clear that we “have established a clear and accurate view of the area’s strengths and weaknesses”.
- We are unwaveringly committing to improving at pace so that our children and young people are fulfilling their potential and families are guided and supported through a clear process that best meets the needs of their children in a timely and efficient way.
- We believe that we have strong foundations which enable us to address *at pace* the improvement needed.

## **6. TIMESCALES TO RESPOND TO THE INSPECTION**

- 6.1 As noted in section 1.3 above we have 70 days to produce a written statement of action (WSOA), this means a WSOA must be submitted no later than 12 April.
- 6.2 In order to achieve this deadline we are proposing that the final WSOA is presented to Cabinet / Single Commission on March 30 for approval. We will work with colleagues from across the council and CCG as well with our parent carer forum to produce this WSOA.
- 6.3 Following approval at Cabinet / Single Commission we are proposing that the Education Attainment and Improvement Board provides ongoing oversight of the implementation of the WSOA.

## **7. WHAT ACTION HAVE WE TAKEN SINCE THE INSPECTION?**

- 7.1 Since the inspection we have taken forward a number of actions:
- We have shared the content with all interested parties. The report has been added to our Local Offer.
  - We have arranged, in partnership with our parent carer forum, two parent engagement sessions.
  - Presented to Children and Families Scrutiny Committee on Thursday 13 January.
  - We have refreshed the membership our SEND Improvement Group (SENDIG) to ensure it is inclusive of all necessary partners. SENDIG has been established since our SEND Strategy was agreed. The group brings together senior leaders in education, health and care and includes parent representative.
  - SENDIG have been identified to be the key forum which will drive the drafting and implementation of WSOA. To do this the SENDIG are now meeting every two weeks.
  - Via our SEND Improvement Group, we have agreed a process and strategy to design our Written Statement of Action.
  - We have increased Designated Medical Officer (DMO) oversight by agreeing to appoint a new Designated Clinical Officer in addition to the DMO.
  - We have established a working relationship with the Transformation Team who are offering support with the production of the WSoA.
  - Reviewed a number of WSoA plans completed by other LAs. Agreed an initial draft template for our WSoA.

## **8. WHAT INVESTMENT IS REQUIRED TO DELIVER THE PLAN**

- 8.1 We are currently exploring options to further expand capacity within the SEND Service, so that we can secure sufficient capacity for the Head of SEND and Local Authority Nominated

Officer to coordinate the drafting and delivery of the WSOA.

- 8.2 We have been working with our Finance Business Partner to identify the initial investment required to achieve this. We have identified £98.2k of permanent budget, these are re-profiled budget savings, this has already been accounted for in our budget assumptions. We are proposing to recruit three additional posts, one Grade C admin post, one admin apprentice and one SEND caseworker. We will work with HR colleagues to bring these proposals forward.
- 8.3 These additional posts will also provide additional capacity to help address ongoing issues relating to the timeliness of initial plans and annual reviews.
- 8.4 In advance of permanent recruitment we are also proposing to work with HR colleagues to explore options to use agency to identify a suitable candidate this would ensure we could very quickly secure immediate capacity.
- 8.5 We will also ensure that the report submitted to Cabinet on 30 March includes a costed implementation plan for delivering the WSOA. It is likely that further investment in SEND services will be required.

## **9. CONCLUSION**

- 9.1 As outlined in section 5.2 above we are *ambitious* about what we want to achieve for children and families with SEND and *impatient* to achieve it. We have recognised for a past few years that there was a great deal to do to improve the offer to children and families with SEND.
- 9.2 We absolutely recognise the challenges ahead of us and accept the areas of development that have been outlined. We are committed to responding swiftly and positively to the inspection findings. The production of a WSOA is an important opportunity to redefine our improvement plans and to ensure that are sufficient to meet the challenges we face.

## **10. RECOMMENDATIONS**

- 10.1 As set out at the front of the report.