


Report to:	STRATEGIC COMMISSIONING BOARD
Date:	23 March 2022
Executive Member:	Councillor Leanne Feeley – Executive Member (Lifelong Learning, Equalities, Culture and Heritage)
Reporting Officer:	Tim Bowman, Director of Education
Subject:	SEND WRITTEN STATEMENT OF ACTION
Report Summary:	<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>The outcome of the inspection was that a Written Statement of Action (Written Statement of Action) 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> <p>The report outlines the actions that have been taken to draft this Written Statement of Action. A draft Written Statement of Action is included as Appendix A to this report. In addition the report outlines what further investments are required to deliver this plan.</p>
Recommendations:	<p>That Strategic Commissioning Board and Cabinet be recommended to :</p> <ul style="list-style-type: none"> (i) Agree that the draft Written Statement of Action can be shared with DfE and NHS Improvement Advisors for final comment. (ii) Agree that a recommendation is made to Council for an additional investment of £275k outlined in section 4.5 of this report be approved noting that £156k of this will not be required until 2023/24. (iii) Agree that a report be presented to the Strategic Commissioning Board seeking permission for an additional investment of £820k to provide adequate therapy provision and address waiting times for services including physiotherapy, occupational health and speech and language. (iv) Agree that a further report be provided to Strategic Commissioning Board following the submission of the Written Statement of Action outlining what if any further resource commitment is required to deliver the plan. (v) That final sign off of the Written Statement of Action be delegated to the relevant Executive Members, Councillor Feeley and Fairfoull in consultation with the Director of Children’s Services and CCG Accountable Officer.
Corporate Plan:	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.

Policy Implications:	None identified
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	<p>There is no budget available for the additional resources required outlined in this report, this request if approved will add to the council's medium term financial gap. £275,700 in total, £60,600 of this is 2 year fixed funding.</p> <p>The SEND assessment team funding of £156,000 per annum will be required from 2023/24 as the reserve funding will be fully spent in 2022/23.</p> <p>The dedicated designated Social Worker post is being considered alongside the existing structure, the maximum cost of this is not likely to exceed £59,100.</p> <p>It is estimated the project role will cost £60,600, this post still needs to go through the job evaluation process, so could be less once the evaluation has taken place.</p> <p>It is recommended that the budget is allocated once the details outlined above are finalised.</p> <p>The draft written statement of action appended to this report may, upon detailed review, result in further request for funding. Should this be the case a further report will need to be brought to members with the request outlined for decision making.</p>
Legal Implications: (Authorised by the Borough Solicitor)	<p>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.</p> <p>Remedying these areas are critical for the delivery of the SEND service for the Tameside and for the reputation of the council.</p> <p>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.</p> <p>The further report</p>
Risk Management:	<p>The drafting of this Written Statement of Action has been overseen by the SEND Improvement Group, this group, reporting to the Health and Wellbeing Board, includes senior officers from both the Council and CCG as well Headteachers and Clinicians. The SEND Improvement Group will continue to meet and will provide oversight of the delivery of this plan. In addition formal oversight will be provided by the Education Attainment and Improvement Board (EAIB) as well as via regular updates to Executive Cabinet. Effective use of data will be essential we will work closely with the Council's Transformation Team to achieve this.</p>
Background Information:	<p>The background papers relating to this report can be inspected by contacting Charlotte Finch.</p> <p> Telephone: 07917130369</p> <p>e-mail: charlotte.finch@tameside.gov.uk</p>

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 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.
- 1.4 We have 70 days to produce a written statement of action (Written Statement of Action), this means a Written Statement of Action must be submitted no later than 12 April 2022.

2. WHAT ACTION HAVE WE TAKEN SINCE THE INSPECTION?

- 2.1 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.
 - Presented to Children and Families Scrutiny Committee on Thursday 13 January.
 - Presented to Executive Cabinet on 09 February.
 - Presented to Strategic Executive Group Wednesday 16 February.
 - Refreshed the membership our SEND Improvement Group (SENDIG) to ensure it is inclusive of all necessary partners. SENDIG is now meeting every 2 weeks and is the key forum which will drive the drafting and implementation of Written Statement of Action.
 - Leads have been identified for each priority action and they are taking responsibility for drafting each section.
 - Charlotte Finch Head of SEND is coordinating the response working closely with CCG and NHS Provider colleagues.
 - Held two parent engagement events organised in partnership with the parent carer forum (OKE).
 - Held a workshop organised via PEN and with the parent carer forum (OKE).
 - Priority leads have organised stakeholder discussions to support their drafting this has included engagement with Headteachers and Clinicians.
 - Increased Designated Medical Officer time by agreeing to appoint a new Designated Clinical Officer under the direction of the CCG Director of Nursing, Quality & Safeguarding in addition to the DMO (action already completed).
 - Further increased capacity in the SEND team (3x posts) to ensure the Head of SEND can lead work on the Written Statement of Action. Recruitment underway.
 - Development of a CCG business case to significantly increase capacity in NHS services for SEND.
 - Agreed that ongoing oversight from Elected Members will be provided by the Education Attainment Improvement Board.
 - We are working with other LAs to learn how they are managing capacity and parental expectations.
 - Advance the integrated arrangements surrounding funding panels supporting the requirements of the SEND Code of Practice.

3. THE WRITTEN STATEMENT OF ACTION

- 3.1 Attached at appendix one to this report is the draft Written Statement of Action. We have worked hard to engage with parents and stakeholder in its production.
- 3.2 We have taken advice from DfE SEND and NHS Improvement Advisors to inform its drafting and have sought examples of best practice.
- 3.3 This is a near final draft of our Written Statement of Action. Once agreed by Executive Cabinet we intend to seek final comments from DfE SEND and NHS Improvement Advisors as well as from partners in other LAs who have been responsible for completing a Written Statement of Action.
- 3.4 The Written Statement of Action must be submitted by 12 April 2022 and it is proposed that final sign off to submit this plan is sought from relevant Executive Members (Cllrs Feeley and Fairfoull) in consultation with the Director of Children's Services and CCG Accountable Officer.

4. WHAT INVESTMENT IS REQUIRED TO DELIVER THE PLAN

- 4.1 Before inspectors visited Tameside in October of 2021. Tameside already had in place a SEND Strategy, agreed by Executive Cabinet. This Strategy was complemented by a number of improvement plans. Inspectors in their letter noted, *"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."*
- 4.2 These improvement plans, which were already in place, were supported by notable additional investment. This included:
 - £750k in CAMHS.
 - £250k for additional staffing in the SEND assessment team (2 year commitment).
- 4.3 Following the inspection and in order to immediately address capacity issues ,we have agreed to commit an additional £98.2k of permanent budget, to provide further additional staffing in the SEND.
- 4.4 The CCG has worked with T&GICFT for some time to develop a business case to increase capacity within NHS service for SEND. It is anticipated that an additional investment of £820k is required to provide adequate therapy provision and address waiting times for services including physiotherapy, occupational health and speech and language. A separate report providing rationale for this investment and seeking approval will be presented to the Strategic Commissioning Board.
- 4.5 Further to this investment. the Written Statement of Action attached at **Appendix 1** to this report assumes the following additional investments are made:
 - Recognising that the team is under resourced (bench marked across GM) that the 2 year investment in staffing in the SEND assessment team (£250k over two years) is made permanent.
 - To deliver serious weakness priority 6 "the lack of contribution from social care professionals to the EHC plan process" that a Designated Social Care Officer post is established. We propose that this is done by review existing posts and job descriptions.
 - That additional project management capacity (two year fixed) is sought to support delivery of this Written Statement of Action. This post would be aligned to the new AD Early Help and Partnerships. We will ensure this is coordinated with any additional health resources.

- 4.6 We are also committing to work with HR colleagues to review recruitment and retention plans for the SEND assessment team and recognise that we cannot afford to allow there to be gaps in staffing whilst recruitment is being undertaken. We will work more closely with HR to ensure this does not happen. Staffing budgets have underspent by c £100k in each of the last 2 years.
- 4.7 Finally we are proposing to conduct a business process review firstly in the SEND assessment team and then subsequently of our whole systems. This would look in detail at the use of Capita systems, business processes and staffing in the team. We propose that this review inform a service redesign. Any subsequent decisions about resources would be brought back to Strategic Commissioning Board.

5. CONCLUSION

- 5.1 We recognise the challenges outlined by inspectors and accept the areas of development that have been outlined. We are committed to responding swiftly and positively to the inspection findings. This Written Statement of Action is an important opportunity to redefine our improvement plans and to ensure that are sufficient to meet the challenges we face.

6. RECOMMENDATIONS

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