

Report to: EXECUTIVE CABINET

Date: 22 June 2022

Executive Member: Councillor Eleanor Wills – Executive Member for Health
Councillor Leanne Feeley – Executive Member for Education & Achievement

Clinical Lead: Dr Christine Ahmed - Children & Young Families & Quality Lead

Reporting Officer: Jessica Williams – Director of Commissioning

Subject: SEND WRITTEN STATEMENT OF ACTION

Report Summary: This report outlines the urgent investment required in relation to services for Tameside’s SEND (Special educational needs and disability) population (0-25 years).
The report explains the background context prior to an OFSTED inspection in October 2021 and the urgent requirements identified to ensure that the integrated system is compliant with its statutory duties under the Children & Families Act 2014 and the SEND Code of Practice and enable the SEND Written Statement of Action to be signed off by OFSTED, HMI, CQC and the Secretary of State

Recommendations: That the Strategic Commissioning Board be recommended to:

1. Approve an immediate investment of £410,000 to enable the immediate recruitment of 50% of the specialist children’s therapists and a commitment to a further £410,000 whilst a permanent long-term sustainable solution is fully developed.
2. Approve a contribution of £40,000 p.a. to widen the scope and service of Tameside’s Patient Carer Forum to address the weaknesses identified by the Inspection.
3. Approve the recruitment of an interim dedicated programme support to ensure effective implementation and performance monitoring of the Written Statement of Action and ensure the integrated system is compliant with its statutory duties.

Financial Implications:
(Authorised by the statutory Section 151 Officer & Chief Finance Officer)

Budget Allocation (if Investment Decision)	£1,010,000
TMBC Budget Allocation	TMBC
Integrated Commissioning Fund Section – s75, Aligned, In-Collaboration	S75
Decision Body	Board
Value For money Implications – e.g. Savings Deliverable, Expenditure Avoidance, Benchmark	

Additional Comments

There is a critical requirement for urgent immediate investment to address the weaknesses identified in the SEND inspection and ensure the integrated system is compliant with its statutory duties. The pandemic has significantly affected waiting lists for essential specialist therapies for children. The

integrated system is committed to a permanent long-term sustainable solution and non-recurrent investment is being made available to facilitate the enactment of immediate remedial action and using the opportunities of our integrated place based working, we will work collectively with our Strategic partners to develop a long-term sustainable solution at place underpinned with recurrent investment.

Legal Implications:

(Authorised by the Borough Solicitor)

This additional funding is being sought to enable issues identified in a recent Ofsted inspection to be addressed and to ensure compliance with the duties set out in The Children and Families Act 2014.

Officers need to ensure that appropriate advice is sought from Human Resources in relation to the immediate recruitment and the development of the permanent long term solution.

In addition, given the substantial additional funding, it would be advisable for the Board to consider requesting an update report in due course to be able to consider the expected progress. This was a significant issue in the recent review.

How do proposals align with Health & Wellbeing Strategy?

The proposals support the delivery of the Starting Well Corporate plan commitments and the strategic priorities within Tameside's SEND strategy. In particular they support the key priorities of; Involving children & young people who have SEND and their families, in decisions about their future and in the shaping, accountability, quality and delivery of services ensuring appropriate preparation for adulthood; and improving accuracy & timeliness with which we identify and assess children's and young people's needs including ensuring appropriate preparation for adulthood

How do proposals align with Locality Plan?

The proposals support the delivery of the Starting Well Corporate plan commitments and the strategic priorities within Tameside's SEND strategy. In particular they support the key priorities of; Involving children & young people who have SEND and their families, in decisions about their future and in the shaping, accountability, quality and delivery of services ensuring appropriate preparation for adulthood; and improving accuracy & timeliness with which we identify and assess children's and young people's needs including ensuring appropriate preparation for adulthood

How do proposals align with the Commissioning Strategy?

The proposal align with the SEND Joint Commissioning strategy and its priorities.

Recommendations / views of the Health and Care Advisory Group:

n/a

Public and Patient Implications:

The investment in services as set out will see an improvement in waiting times for Children & young people and their families with SEND, which in turn will improve outcomes in relation Tameside's SEND strategy. The investment in a health system navigator service in the Parent carer Forum – OKE – will provide support not currently in place. The investment more specifically

supports addressing the Inspection finding of the high level of dissatisfaction among parents and carers with the area's provision.

Quality Implications:

The additional investment will support the priorities within the SEND strategy and in relation to the SEND Written Statement of Action, the key findings of; the unreasonable waiting times, which lead to increased needs for children and young people and their families and 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.

How do the proposals help to reduce health inequalities?

The proposals address the inequalities of provision and support as outlined in the SEND inspection findings and support the Written Statement of Action requirements.

What are the Equality and Diversity implications?

The investment supports children and young people and their families from a wide range of backgrounds and the proposals support the reduction in inequalities.

What are the safeguarding implications?

The proposals will enable children & young people to access services better and ensure children & young people are safeguarded effectively.

What are the Information Governance implications? Has a privacy impact assessment been conducted?

NA

Risk Management:

Access to Information:

The background papers relating to this report can be inspected by contacting the report writer



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1. INTRODUCTION

- 1.1 This report outlines the critical remedial action that the Tameside integrated health and care system is taking to address the ten areas of significant weakness identified following the SEND local area inspection that took place during October 2021 and the requirement to submit a Written Statement of Action (WSOA) to OFSTED.

2. BACKGROUND

- 2.1 The Children and Families Act 2014, clearly sets out roles and responsibilities for the Local Authority and partners, in ensuring that children and young people with Special Education Needs and Disability are able to achieve their full potential.
- 2.2 The SEND Code of Practice, under the Children and families Act 2014, required us to implement significant changes to our processes and to the way we work and provide services. We are required to deliver these services by knowing our children and young people well, by targeting services better and using our resources efficiently.
- 2.3 Health and care systems must make joint commissioning arrangements for education, health and care provision for children and young people with SEN or disabilities (Section 26 of the Act).
- 2.4 More specifically, there is a requirement to:-
- arrange the provision of services it *considers necessary to meet the reasonable requirements of the persons for whom it has responsibility*;
 - consider how children and young people's needs could be met more effectively through integrating services;
 - focus on prevention, identification, assessment and early intervention and a joined up approach from those providing services;
 - provide information and advice on care and support locally;
 - support children and young people with SEND, including the offer of Personal Budgets

This includes:-

- commissioning services jointly for children and young people (up to age 25) with SEND, including those with Education Health and Care (EHC) plans;
 - work with the local authorities to contribute to the Local Offer of services available;
 - have mechanisms in place to ensure practitioners and clinicians support the integrated EHC needs assessment process;
- 2.5 There are a number of specialist health services that are commissioned to meet the health needs of children and young people in Tameside.

3. EXTERNAL ASSESSMENT & REVIEW

- 3.1 Tameside has been open to and welcomed external assessment and validation of SEND services. In 2019 an internal ICFT review was carried out, this coupled with concerns from families and staff about pressures in services, led to an independent review. There had been no review or evaluation of services to take account of the changes brought about as a result of the Children & Families Act in 2014 and no amendments to contracts or service specification have taken place.
- 3.2 In February 2020 an independent review was carried out. This review highlighted the increased demand, increased waiting lists and lack of resource as key issues within this service area.
- 3.3 However, the impact of the COVID 19 Pandemic on services has meant that no progress could

be made in addressing this. As a result the delay has meant that there is now an urgent need to address this.

- 3.4 In addition to this the Minister of State for Children and Families has tasked Ofsted and the Care Quality Commission (CQC) with inspecting local areas on their effectiveness in fulfilling their SEND duties. These Joint Area Review Inspections have been taking place across the country over the last few years. In October 2021 Tameside received a SEND Joint Area Inspection.
- 3.5 Following this inspection, Tameside received a report outlining the findings of the Inspection. It provides children and young people, parents, elected council members, local providers and those who lead and manage the delivery of services at local level with an assessment of how well the local area is meeting the needs of children and young people with special educational needs and/or disabilities, and how well service providers work together to deliver positive outcomes. It also provides information for the Secretary of State for Education about how well the local area is performing its role in line with its statutory responsibilities and the Code of Practice and promotes improvement in the local area, in its education, health and social care provision.
- 3.6 The inspection found 10 areas of significant weakness. The Local Area are required to provide a Written Statement of Action to address the areas of weakness. This must be submitted to OFSTED no later than 12 April 2022.

4. INTEGRATED SYSTEM REQUIREMENTS

- 4.1 Out of the ten areas of significant weakness, three are of particular focus in relation to integrated health and care provision:-
 - 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 unreasonable waiting times, which lead to increased needs for children and young people and their families.
- 4.2 In relation to addressing the unreasonable waiting times, which lead to increased needs for children and young people and their families; and 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 further investment is required.
- 4.3 The services commissioned specifically in relation to these areas of weakness in the SEND Inspection are:- Therapies (Speech and Language, Occupational Therapy, Physiotherapy), provided by ICFT; Child and Adolescent Mental Health Services (CAMHS) and the neurodevelopmental diagnosis pathway, provided by PCFT.
- 4.4 In 21/22 and 22/23 additional investment of £1,421,537 has been earmarked for CAMHS and the Neurodevelopmental pathway. A mobilisation plan is being implemented that will see an improvement in waiting times and timeliness and quality of the EHC Plans for these service areas.
- 4.5 In relation to the Therapies provision further investment is urgently required. Since 2008 there has been no additional resource provided to take account of the legislative reform of the Children & Families Act and no amendments to contracts or service specifications have taken place.
- 4.6 The new burdens placed upon the integrated system following the introduction of the new legislation in 2014 were as follows: -

- Provide health advice within a 6-week statutory timescale
- Provide quality health advice (based on agreed national standards) to the EHC process and plans
- Provide outcomes-based health assessment
- Ensure young people and families are actively involved with and agree with the health advice and outcomes that are developed
- Participate in person centred planning meetings as part of the EHC assessment process
- Participate in the annual review process for EHCP's

4.7 The impact of the COVID 19 pandemic has meant that the situation in relation to waiting lists is now urgent as they have increased further and as a result the impact on Tameside families has been significant.

4.8 With increasing demands and pressures on the service, key challenges remain and as highlighted in the Inspection report it is now characterised by:-

- Demand on the services outstripping capacity; EHCP numbers have increased threefold in recent years to a current level of 2174.
- Ever-increasing waiting times.
- A need to update processes and procedures to ensure a more responsive and effective service for Tameside families.

4.9 The ICFT currently provide these services across Tameside and are best placed to deliver the integrated service required. The additional investment will expand the existing provision and utilise existing pathways, management structures and infrastructure.

4.10 To enable the ICFT to be able to mobilise and begin to address the waiting times in relation to Children's Physiotherapy, Occupational Therapy and Speech and Language an immediate investment of £410,000 is needed for immediate recruitment to the following specialist therapies:-

- 2 WTE band 6 Speech & Language Therapists -
- 2 WTE band 6 Occupational Therapists
- 2 WTE band 6 Physiotherapists
- 1 WTE band 4 Multi-disciplinary Team Co-ordinator
- 1 WTE band 3 pathway tracker
- 3 WTE band 3 therapy assistants
- 1 WTE band 3 administrator

This represents broadly 50% of the required complement of staffing so a total investment of c£820,000 is required to address the serious weaknesses highlighted in the SEND Inspection to address the lack of adequate specialist therapy provision.

4.11 In relation to addressing the high level of dissatisfaction among parents and carers with the area's provision and ensure that a service is provided to support Tameside families on their journey through the integrated system and ensure that it is a positive experience, funding is required to support Tameside's Parent Carer Forum. The SEND Code of Practice states an expectation that funding will be made available for the local Parent/Carer forum. To widen the scope and service of the Parent Carer Forum would require a contribution of circa £40,000 per annum.

4.12 The proposal would deliver the following:-

- Parents would be provided with a Navigator service, somewhere for parents to turn to and someone to listen to them 7 days a week (not 9-5)
- Parents would be given help and support to understand and navigate all the different systems and connect with health professionals.
- Parents would be supported while they are waiting for therapies and referrals.
- Parents would be kept up to date with the Local Offer and be consulted on it regularly.
- Parents would be able to get support and advice in a variety of ways, phone, email,

social media. (A large amount of parents contact OKE after 8pm on social media when their children are in bed.)

- Support Health Local Offer Information Days for Parents eg more specific themed information events, for LD or Post 16 etc.
- Support the provision of workshops on communication, behaviour, sleep, dietician, understanding ADHD, ASD, etc.

4.13 In order to implement the written statement of actions a Programme Implementation Team will need to be mobilised. The team will ensure that the investment requirements, as outlined above, provide value for money and that there is appropriate oversight and reporting of SEND requirements. An estimated cost for this level of support is £150,000 for the first year.

5 CONCLUSION

5.1 In order to ensure that the integrated system's statutory duties in relation to the Children & Families Act 2014 and the SEND Code of Practice are carried out and enable the SEND Written Statement of Action to be signed off by OFSTED, HMI, CQC and the Secretary of State it is essential that urgent investment is made to facilitate the requirements as set out in Section 4 above.

6 RECOMMENDATIONS

6.1 As set out at the front of the report