

Report to:	EDUCATION ATTAINMENT IMPROVEMENT BOARD
Date:	21 June 2022
Reporting Officer:	Councillor Leanne Feeley – Executive Member (Lifelong Learning, Equalities, Culture and Heritage) Tim Bowman – Director of Education (Tameside and Stockport)
Subject:	WRITTEN STATEMENT OF ACTION UPDATE
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 (WSOA) is required because of significant areas of weakness in the area’s practice. Her Majesty’s Chief Inspector (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.</p> <p>The WSOA was submitted for approval on 12 April. The WSOA was not approved by Ofsted on first submission and we have been asked to update the paper by 17 June.</p> <p>The paper outlines the actions that were taken to draft this WSOA and that are being taken to update it. It also outlines the additional investment that has been agreed by Executive Cabinet.</p>
Recommendations:	<p>Members are asked to:</p> <ol style="list-style-type: none"> 1. Note the outcome of the Ofsted / CQC joint inspection of SEND services in Tameside. 2. Discuss the WSOA as first submitted to Ofsted in April 2022. 3. Note that Ofsted have requested the WSOA be updated and amended and that the deadline for this is 17 June. 4. Agree the format for updates to EAIB on the implementation of this plan as outlined at 4.1 of this report. 5. Note that as agreed by Executive Cabinet 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. This report will be drafted following the sign off of the WSOA.
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:	The recommendations support the Council’s SEND Strategy and starting well priority. Furthermore, they will ensure the Council is better able to meet its statutory obligations.
Financial Implications: (Authorised by the statutory Section 151 Officer & Chief Finance Officer)	Financial resources have been agreed by Executive Cabinet of £373,900 at January and March meetings 2022. A detailed review of the final approved WSOA will need to be carried out which may require further investment as outlined in recommendation 5.

**Legal Implications:
(Authorised by the
Borough Solicitor)**

As set out in the main body of the report, the initial Written statement of Actions was not accepted by Ofsted. Officers have worked closely with Ofsted in order to address the issues raised that were primarily in relation to clear specifications and measurability of the proposed actions.

It is anticipated that the updated statement will now be accepted. It remains critical for those actions to be undertaken to ensure the necessary improvements in services are made for the benefit of the children and young people of Tameside.

Risk Management:

Failure to meet statutory obligations in relation to SEND could result in poor outcomes for children and young people and significantly increase the risk of poor inspection outcomes for the Borough.

Access to Information:

NON-CONFIDENTIAL

This report does not contain information, which warrants its consideration in the absence of the Press or members of the public.

Background Information:

The background papers relating to this report can be inspected by contacting Tim Bowman



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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 received the findings report on 11 January 2022. 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.
- 1.4 We had 70 days to produce a written statement of action (WSOA). Our WSOA was submitted to Ofsted on 12 April. A copy of the plan submitted to Ofsted is contained at Appendix One to this report.
- 1.5 We received notification from Ofsted on 18 May that our WSOA had not been accepted. We have been asked to improve the plan by amending the specificity of the actions and success measures contained within it.
- 1.6 Specifically, inspectors noted that "many the planned actions lack meaningful measures... For example in the impact measures for priority 1, the plan states: 'an improvement of 40% in the timeliness of EHCPs'. This does not indicate any benchmarking which would help to measure a 40% gain in timeliness from a specific baseline. Action point 1.5.1 states, 'DCO in post for 3 days per week', but there is no information about the impact that this increased capacity of the DCO will have."
- Furthermore, it was noted that "some of the planned actions lack specificity. For example, action point 1.1.2 states, 'performance information is reviewed regularly' without any further detail of when performance information will be reviewed. Action point 3.4.1 states, 'promote understanding, insight into and opportunities regarding prep for adulthood on local offer'.
- 1.7 Senior officers have met with HMCI and with DfE Officials to discuss the improvements required. We have until 17 June to update the plan.

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 WSoA.
 - 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 WSoA. 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.

2.2 We have provided two papers to Executive Cabinet 09 February and 26 March 2022. These papers provided updates on the SEND Local Area Inspection, progress in producing the WSOA and included requests for additional investment.

3. WHAT INVESTMENT IS REQUIRED TO DELIVER THE PLAN

3.1 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.”*

3.2 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).

3.3 At the February Executive Cabinet meeting, it was agreed to make a further investment of £98.2k in order to immediately address capacity issues within the team

3.4 At the March Executive Cabinet meeting, further investments were agreed these investments were as follows:

- Recognising that the SEND 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.

3.5 In total this investment is £373,900. £98,200 of repurposed existing budget £275,700 additional budgets as outlined above.

3.6 In addition to this 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.

- 3.7 It has also been agreed 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. This report will be drafted following the sign off of the WSOA.
- 3.8 Finally we have committed to undertaking a business process review firstly in the SEND assessment team and then subsequently of our whole systems. This will 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 Executive Cabinet. This review is scheduled for June and will be conducted by the Council's Transformation Team.

4. MONITORING OF IMPLEMENTATION

- 4.1 Executive Cabinet have agreed that ongoing monitoring of the WSOA be provided by this committee. As such a WSOA update will be provided at each meeting. We propose that this will take the form of a highlight report on the progress of the WSOA as well as a narrative update.
- 4.2 This governance structure is described at page six of the WSOA.

5. CONCLUSION

- 5.1 As we noted in the update provided to Executive Cabinet in March, 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.
- 5.2 It is disappointing that our WSOA was not accepted by inspectors at the first opportunity but we will respond positively to their feedback as we are extremely keen to ensure the plan is of the highest quality.
- 5.3 The additional investment made in the SEN team is extremely welcome and we look forward to the agreement of further additional investment in health services.

6. RECOMMENDATIONS

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