

## SEND Ofsted Inspection Update

**Purpose**

- To share with the People and Families Scrutiny Committee the written statement of action in response to the Ofsted/CQC local area SEND inspection;
- To inform the Committee on the Ofsted/CQC response to the WSOA and areas for further development;
- To inform the Committee of progress made against the three areas of significant weakness.

**Background**

The SEND Local Area Review Inspection Framework is a joint inspection conducted by Ofsted and the Care Quality Commission (CQC) and it covers three questions:

- How effective is the local area in identifying children and young people with SEND;
- How effective is the local area in meeting the needs of children and young people with SEND;
- How effective is the local area in improving the outcomes of children and young people with SEND;

Ofsted and the Care Quality Commission (CQC) visited Essex from 30 September to 4 October 2019. Ofsted and the CQC determined there were three areas of significant weakness:

1) Joint Commissioning:

- The joint commissioning arrangements between the local authority and the CCGs do not work well enough to provide children and young people with the services that they need:
  - Too much variation between the CCGs leads to inequality, inconsistency and unacceptably long waiting times for services.
  - Joint commissioning is not sufficiently informed by what is already known about the gaps in services for health and education across the 0-25 age range, across the whole local area.

2) Pupils with moderate learning difficulties:

- The reasons for, and accuracy of, the high proportions of children and young people identified with moderate learning difficulties are yet to be resolved. Potential over-identification could mask underlying difficulties in communication and language, and social, emotional and mental health development.

3) Education, Health and Care Plans:

- Too many EHC plans do not include the information needed to secure high-quality outcomes for children and young people.

- The EHC plans do not consistently secure the right professional advice to meet children's and young people's needs, and do not have specific details of the provision that will be put in place.
- Strategic oversight is not effective in making sure that EHC plans are fit for purpose.

ECC and the five clinical commissioning groups were required to submit a joint written statement of action (WSOA) within 70 days of the publication of the report.

### **Actions taken since the inspection.**

The Written Statement of Action (attached as a background paper) was submitted to Ofsted on the 27th March 2020. Ofsted wrote to the local area on the 6<sup>th</sup> April (attached as a background paper) confirming that the WSOA is deemed to be fit for purpose in setting out how the area will tackle the significant areas of weakness identified in the published report letter. Ofsted and the CQC recognised that during the current uncertainties coming out of the COVID-19 pandemic, progress through the plan may not be as at first intended. The timeframe for reinspection following submission of a written statement of action is 18 months but there have been strong indications that this is likely to be delayed. However, all parties to the written statement of action have committed to the original timeframe as far as is possible.

The letter from Ofsted/CQC requested some further detail to make clear how the local area intended to carry out the activities and how we will evaluate the impact. The written statement of action has subsequently been strengthened to address these points which are summarised below.

- It is not clear where area leaders and professionals for care will contribute to the delivery and evaluation of the activities.
  - Education, Health and Social Care leaders will have an equal role in the leadership and evaluation of the SEND improvements identified throughout the programme.
  - The roles of all sectors will be represented in the review of governance: The Children and Young People's Partnership Board is a joint health, care and education board. The SEND Improvement board will report into this. There are quadrant level meetings, which the operational activities are shaped by and progress shared with.
  - All parties are represented on all workstreams, at an appropriate level.
- The plan states that 'The role of education settings will be crucial to our success.' The specific roles and accountabilities of leaders in schools and other educational settings are not clear in the activities and success measures.
  - The Head Teacher Round Table will drive forward the work around developing 'inclusive schools'. Leading on the development of 'The Case for Being an Inclusive School in Essex' and associated implementation, so that schools have the ownership and accountability required for success.

- Partnership SENCOs (from Essex Schools) will work with the ECC inclusion team and health partners to improve quality of practice amongst all SENCOs in Essex.
- The SEND clusters of schools will be a key vehicle in the delivery of identified improvements. These groups of schools will have access to cluster level data, will provide a level of peer to peer challenge and support around SEND improvement.
- Stipulate clearly the outcome measures for effective leadership .
  - Clear vision and shared outcomes framework, which all organisations have jointly developed and signed up to will enable a shared ambition, aligned resources and improvement against key SEND performance indicators.
  - Performance framework/ data dashboard that sits under the shared outcomes framework will measure progress and impact of our improvement. It will be reviewed and regularly reported to SEND Improvement Board.
  - SEND Improvement risk register will be established which identifies and risks & the mitigating actions in place along with an escalation process.
  - Governance structure, terms of reference and clear accountabilities.
  - Implementation of effective operational leadership structures will result in improved quality of EHCPs through the moderation process, escalation of any trend and improvements implemented system wide so impact is greater.
- The views and experiences of parents and carers not accessing POET or the Essex Family Forum could be missed, and likely to be a sizable proportion of those affected by the activities and outcomes.
  - Data to be collated through:
    - Essex Family Forum engagement
    - the Young People's POET Challenge 2020
    - Multi schools council
    - Feedback from those accessing services such as short breaks
    - Independent parent carer support groups
    - Quadrant SEND teams capturing family experience
    - Feedback from schools and settings
- The plan sets out the intention that the local offer website provides meaningful information to families and that the information is used to access services, but it is not clear how this will happen.
  - The creation of an up-to-date, user friendly and searchable platform for Local Offer advice and signposting.
  - Jointly commissioned across health, education and social care The Local Offer shall include all relevant information and represent all sectors.
  - The Total Offer work will insure the content remains up to date and meaningful

- A structured and wide reaching communications and marketing strategy will be delivered for the Local Offer to increase awareness and access
- The plan sets out the intention to inform parents and carers of intentions to cease EHC plans in a timely way. The plan lacks information about how to make sure that the rationale will be clearly understood by parents and carers.
  - Annual reviews will consistently review progress against the CYPs outcomes and families will be informed at each stage that support may change with progress made and/or needs changing. The fact that a plan is ceased will be a natural response to outcomes being met and not a surprise for families.
  - The consultation process around post 16 will be improved so information is shared in a more timely way with colleges so the decision regarding support and communications with families are more informed.

The updated written statement of action was signed off by the SEND Improvement Board on 7<sup>th</sup> July 2020. The Board is made up of representatives from each of the five CCGs, Education and Social Care and the Essex Family Forum on behalf of parents.

Work has progressed against each of the three areas of significant weakness:

- 1) Joint Commissioning:
  - The NE CCG has taken a lead on joint commissioning and has convened a board to oversee the work. Work on the commissioning of speech and language therapy is already underway with Essex engaging an approach known as the 'balanced system' which takes account of strengths and capacity and maps the gaps in provision.
- 2) Pupils with moderate learning difficulties:
  - Detailed analysis on the over-identification of moderate learning difficulties at a county, quadrant, district and school level is underway. The analysis demonstrates that over-identification is far more pronounced at SEN support than it is after completion of the statutory assessment process. This indicates that work is needed with those schools that identify a higher proportion of their SEND population than should be expected. Work will start in the Autumn term in North East Essex to be shared across the county to work with those schools where MLD is most prevalent.
- 3) Education Health and Care Plans:
  - An independent organisation, ISOS, have been commissioned to undertake a root and branch review of the assessment process in Essex. This work is underway and engages all partners including parents. The review will look at all aspects of the identification of need and how this subsequently leads into the assessment process.

There are quarterly monitoring meetings held with the Department for Education and NHS England reporting on the progress made against the written statement.