

**APPENDIX D**

**Extract of the Minutes of the virtual meeting of the People and Families Policy and Scrutiny Committee, held at 10.35am by video conference on Thursday, 23 July 2020**

**4. Special Educational Needs and Disabilities (SEND) - Joint Care Quality Commission and OFSTED Inspection**

The Committee considered report PAF/14/20 comprising an update on the progress of improvement actions required in response to the CQC/OFSTED inspection of SEND services in Essex.

The following joined the meeting to introduce the item:

County Councillor Ray Gooding, Cabinet Member – Education and Skills;

Adrian Coggins - Head of Wellbeing and Public Health, Essex County Council;

Ralph Holloway - Head of SEND Strategy and Innovation, Essex County Council;

Lianne Nunn, Associate Director of Nursing- Mental Health and Children at Ipswich and East Suffolk Clinical Commissioning Group;

Lisa Nobes, Director of Nursing and Clinical Quality, Suffolk and North East Essex Integrated Care System

During the discussion the following was acknowledged, highlighted and/or noted:

- (i) The inspection had identified three key areas of weakness –
  - too much variation in joint commissioning between CCG areas;
  - apparent over-identification of pupils with moderate Learning Disabilities and uncertainty as to whether it was masking other underlying difficulties;
  - Too many Education Health and Care Plans (EHCP) did not comprehensively identify needs and there was ineffective strategic oversight.
- (ii) OFSTED had already recognised that the pace of progress in implementing actions had been adversely impacted by the pandemic and that some key people had been reassigned to new pandemic related responsibilities as a result of it. However, meeting the overall 18-month deadline for completion of all

actions was still the target. An OFSTED re-inspection was likely at the end of that 18-month period although the pandemic could yet still impact on that re-inspection timing.

- (iii) Some further clarifications and detail had been requested by OFSTED to supplement the submitted Written Statement of Action (WSOA). These were to make clear how the local area intended to carry out activities and how they would be evaluated.
- (iv) The roles of all sectors would be represented in the review of governance. It was highlighted that the Children and Young People's Partnership Board was already a joint health, care and education board. The SEND Improvement Board had met regularly before the lockdown and it had just been rebooted again and it was anticipated that it would meet every two months in future.
- (v) North East Essex CCG were pleased to take on the role of the health lead for all the Essex CCGs on SEND provision. Some of the work underway was focussed on how to reduce variability across the different CCG areas starting with waiting times - once access to health provision became consistent then that would lead to more robust joint commissioning arrangements.
- (vi) A risk register would be developed over the next few months to identify risks and mitigating actions. One of biggest risks identified at present was the impact of Covid-19 on young people who had not been able to access formal on-site education for a considerable time.
- (vii) Whilst the WSOA stressed that the importance of education settings, further clarification had been sought by the CQC/OFSTED on the specific roles and accountabilities of leaders in schools and other educational settings. Clusters of schools would be encouraged to work collaboratively together to deliver some of the changes required.
- (viii) More work may be done with schools regarding their identification criteria for referral for assessing learning difficulties. It was acknowledged that it was possible that the over-identification of moderate LDs could be linked with an under diagnosis of those on the autism spectrum although early indications suggested it might be more around clearly identifying speech and language difficulties;
- (ix) The Family Forum would be challenged on the reach of their current engagement and to broaden other communication options to make sure that everyone's voice was captured.

- (x) It had been identified that EHCPs did not consistently secure the right professional advice to meet needs and did not have specific details of the provision that would be put in place. An independent review of the quality of Health and Social Care plans was underway and would start from the point of identification through to formal assessment.
- (xi) The WSOA set out the intention to inform parents and carers of intentions to cease EHCPs in a timely way where it was appropriate to do so. However, it was acknowledged that the plan currently lacked information about how to make sure that the rationale would be clearly understood by parents and carers. Members stressed that it was essential to give parents the confidence that support was still available for them if needed even if no formal EHCP was in place.
- (xii) Members flagged up the Outcome measure relating to the number of young people aged 14 who had been assessed as having SEND and identified as not ready for the next stage of life. The expectation was that greater working with other partners in the system was needed so as to make them ready in future.
- (xiii) There was an acknowledgement that too much focus on specific diagnostic pathways could push families down a certain route/'pipe' and yet sometimes not get a clear diagnosis at the end. Often a young person did not have just one specific challenge or difficulty.

#### Conclusion:

The Cabinet Member stressed that he considered that significant progress had been made and that joint working had improved.

It was **agreed** that the Committee should continue to monitor progress broadly on a six-monthly basis. In the meantime, an adjusted action plan would be circulated once the timings for improvement actions had been updated.

## **5. Essex County Council - Special Educational Needs and Disabilities Structure Update**

The Committee considered report PAF/15/20 updating members an update on the implementation of the SEND redesign and to inform the Committee of the impact of Covid-19 on the ability to undertake an early review of the new structure with schools, settings and parents.

The following remained from the previous agenda item to introduce the item and respond to questions:

County Councillor Ray Gooding, Cabinet Member – Education and Skills;

Adrian Coggins - Head of Wellbeing and Public Health, Essex County Council;

Ralph Holloway - Head of SEND Strategy and Innovation, Essex County Council;

During the discussion the following was acknowledged, highlighted and/or noted:

- (i) The ability of the Education senior leadership team to work with schools and education settings to assess the success of the launch of the new service in January 2020 had been significantly impacted by Covid 19. The postholders in the new posts designed to support schools and other settings had been severely restricted in their ability to work and any review of the service at this stage would have been limited. However, officers stressed that the new SEND structure has been instrumental in meeting the challenges of Covid 19 in a way in which the previous structure could not have supported;
- (ii) The support for schools and other settings included the design and completion of individual risk assessments to determine whether it was safer for vulnerable children and young people to be in school or at home. This had enabled a multi-agency approach to risk assessment across schools, education, social care and health;
- (iii) A comprehensive response plan had been designed with input from the Essex Family Forum which had seen schools work with families and other agencies to look at which elements of a EHCP could not be met during the pandemic restrictions and, where there were gaps, using reasonable endeavours (as permitted under temporary emergency legislation) to provide other forms of support such as outreach work or a virtual learning platform;
- (iv) The recently announced new special schools to be built were Free Schools but these were not outside the mainstream Essex educational system and would fill a 'gap' in the current provision;
- (v) Individual circumstances would determine if it was better to educate a young person with SEND in a mainstream or special school. The challenge was to enable and facilitate all mainstream schools to be able to step up to meet the need and further collaboration between the two sectors would assist this.

Conclusion:

It was **agreed** to provide monthly analysis on attendance at school during the lock-down, and planned recovery actions, at a meeting of the Committee in Autumn.