

**13 January 2022**

**Update on the SEND Local Area Improvement Programme and EHCPs**

**Ward(s)** All

**Portfolio:** Councillor Chris Towe – Education & Skills

**1. Aim**

The SEND Local Area Improvement Programme is designed to address the areas of concern identified by Ofsted and the Care Quality Commission in the SEND Local Area inspection February 2019. This is being delivered through a Written Statement of Action (WSoA). The WSoA includes focus areas within the nine areas of concerns, along with agreed actions to improve the quality and timeliness of Education, Health and Care Plans (EHCPs)

**2. Recommendations**

For the Committee to consider the content of this report and comment on the progress.

**3. Report detail – know**

**3.1 Preparation for Re-inspection**

3.1.1. There has been 117 Local Area Inspections since the Walsall SEND inspection in February 2019. Of these, 60 (51.3%) have been instructed to implement a WSoA. Typically, all Local Areas who are instructed to develop a WSoA will undergo inspection within two years; however, these have been delayed by the Covid-19 pandemic.

3.1.1. SEND re-inspections are typically completed in the order of the original SEND inspections, however this is not an exact science; Walsall expects to be re-inspected in February 2022.

3.1.2. We are currently in the process of gathering evidence for re-inspection, which will clearly evidence our journey, detailing achievements and the outcomes and difference they have made to children, young people and families. Walsall's DFE Advisors are supporting the LA through this process, providing additional guidance and support.

**3.2. Programme update**

3.2.1 In line with the aforementioned evidence gathering, a 'stocktake' has been undertaken of the actions in the Written Statement of Action (WSoA) to accurate

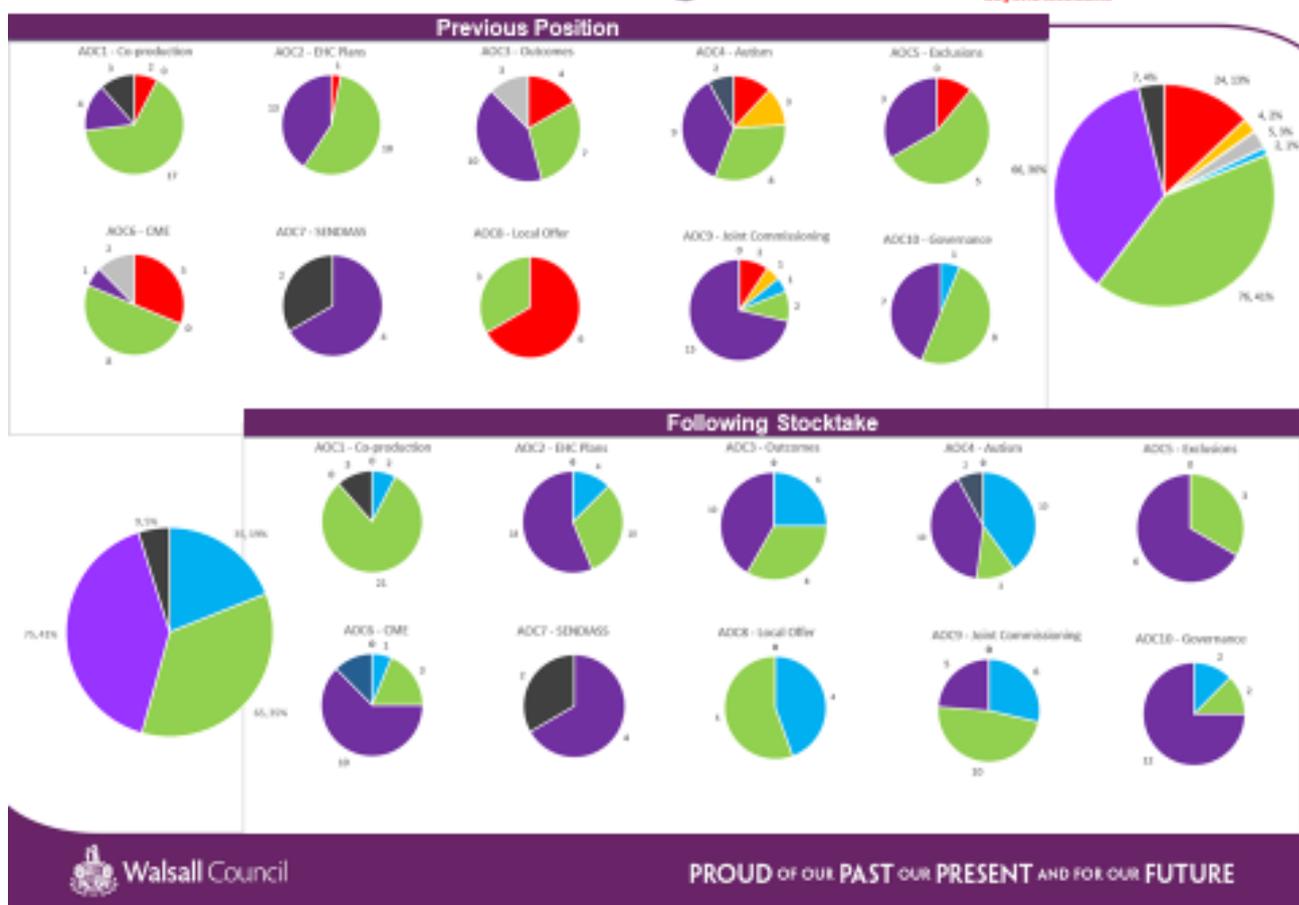
depiction of our current progress. This is outlined in the programme status below:

Not Started	Beyond Milestone	Delayed	Paused - Covid Exception	In Progress	Complete	Complete and Embedded	Closed	
0	0	0	0	35	65	75	9	Current Action RAG Ratings - Following Stocktake
Not Started	Beyond Milestone	Delayed	Paused - Covid Exception	In Progress	Complete	Complete and Embedded	Closed	
0	24	4	5	2	76	66	7	Previous Period Action RAG Ratings

The following table shows the progress within each Area of Concern.

## WSoA Stocktake – following stocktake

Key  
 Closed, Completed and Embedded,  
 Completed, In Progress, Paused, Delayed,  
 Beyond Milestone



3.2.2. Analysis of the programme status shows that the majority, 81% (149 out of 184) of actions are completed. These actions are also clearly evidenced in the form of documentation.

3.2.3. Commencing the stocktake has also highlighted the significant developments and progress, which has also been made alongside the progress in the WSoA.

Although not directly listed as areas of concern within the WSoA, it is important to acknowledge the additional developmental activity the LA has conducted, evidencing them as appropriate. Where appropriate, these have been interlinked with the areas of concern in the WSoA, and added into the 'key components of change' which identify areas of improvement.

Additional activity identified includes:

- Covid support including risk assessments for children with an EHCP and monitoring of keeping in touch.
- Support for education staff throughout Covid including the Headspace programme
- Introduction of the SEMH and Behaviour Frameworks (see AOC5)
- Significant amounts of training opportunities (a training summary is currently being produced)
- The implementation of the Shadow Board, which will maintain the effective cross partnership links and strategic collaborative work developed in the LAIB
- Recruitment of Emotional and Literacy support workers to work with parents and children who are Electively Home Educated
- Holiday Home and Food Scheme (HAF)
- Health review and the merger of the Clinical Commissioning Group into the Black Country and West Birmingham

### 3.2.5 EHCP Assessment Processes Work stream

EHC timeliness and compliancy is a key focus within the EHC assessment team. Timeliness data has been reported to the LAIB board on a monthly basis and action plans have been developed accordingly.

Significant projects have been undertaken within the SEND system in Walsall to ensure continued developments and future sustainability. These are outlined below:

- Review of specialist provision and SEND sufficiency
- Completion of Inclusion, SEND and Accessibility Strategies
- Implementation of a new High Needs Funding (HNF) Model
- Implementation of EHC Panel, ensuring improved scrutiny of EHC needs assessments, quality assurance and processes
- Quality Assurance of EHC Plan writing and professional advice
- Revised processes to EHC plan phased transfers, transitions and annual reviews
- Development of a Tribunal working group to ensure effective management of tribunal matters
- Commissioning of a new Special Educational Needs and Disabilities Information and Advice Support (SENDIAS) service to support parents, carers, children and young people.

- Procurement of a new Mediation and Disagreement Resolution Service (PRIME Resolution)

### 3.3. Education Health and Care Plans – updated progress

#### 3.3.1 Compliance Update Figures

EHCP performance figures are reported on monitored on a weekly basis by the EHC Assessment team and a reported on a monthly basis to the LAIB and DFE. The current figures reported to the DFE are summarised below: We still continue to focus on the development of the EHCP alongside the timeliness.

#### **Progress Report Re. Completion Of EHCP Plans in 20 Weeks 2021 – LA Name Walsall**

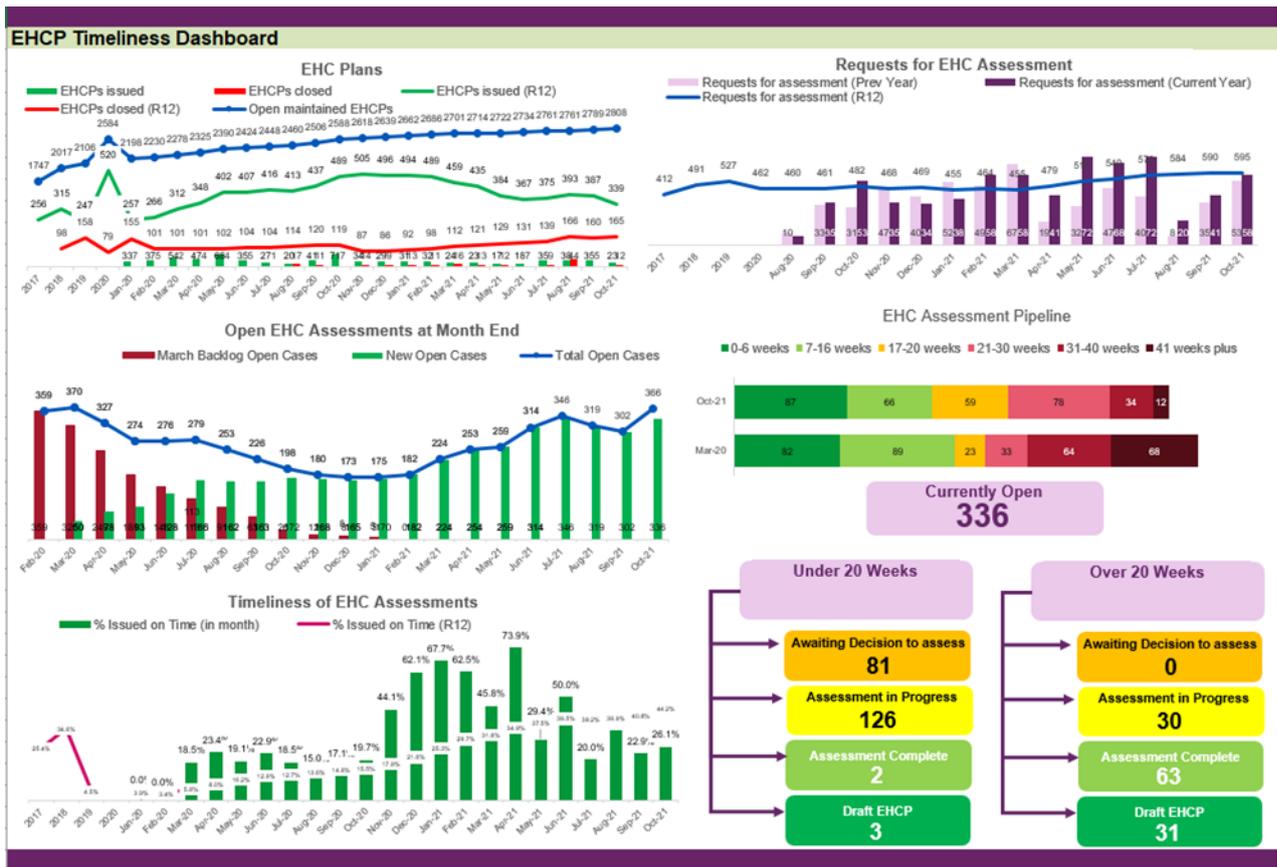
	2021										Nov
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	
Number of EHCP Plans Issued, excluding exceptions	31	32	24	23	17	18	35	38	35	23	25
Number of these issued in 20 weeks	21	20	11	17	5	9	7	13	8	6	6
% in 20 weeks	67.7%	62.5%	45.8%	73.9%	29.4%	50.0%	20.0%	34.2%	22.9%	26.1%	24%
Cumulative % in 20 weeks	<b>25.3%</b>	<b>29.7%</b>	<b>31.8%</b>	<b>34.9%</b>	<b>37.5%</b>	<b>39.5%</b>	<b>39.2%</b>	<b>39.9%</b>	<b>40.8%</b>	<b>44.2%</b>	<b>40%</b>

#### Comparison of Cumulative % in 20 weeks since Inspection in 2019

	2019	2020	2021 to date
Number of EHCP Plans Issued, excluding exceptions	247	488	301
Number of these issued in 20 weeks	11	96	123
Cumulative % in 20 weeks	4%	20%	40%
Direction of travel		↑	↑

#### 3.3.2 Headlines as of the November '21 are demonstrated in the EHCP Timeliness dashboard below:

The impact of the Covid-19 pandemic has still continued to impact the SEND service pathways, causing an increased pressure on the EHC Assessment Team and supporting services such as the Educational Psychology Service. More information and context is provided in section 3.3.4. *Risks and Further Actions Taken.*



### 3.3.3. Achieving EHC Pathways Recovery Plan

From the 29 November to 1 March 2022, the SEND team will all operate within a EHC Pathways Recovery Programme (RP). All the team have been reallocated temporary focused roles to support with the work under either an assessment recovery pathway or a review recovery pathway. Training, development, and support will be offered throughout the programme.

The aim of the programme is to reduce and remove backlogs through a dedicated systematic approach. Clearer roles and process will result in improvements within the EHC assessment backlog and timeliness being consistently above 60%. All processes within the SEND team have been and are continually being reviewed or developed to ensure long term compliancy and timeliness. The recovery programme will end on the 1 March 2022 and be replaced with a ‘transformation programme’ which will look to the future to secure better outcomes and aspirational practice across pathways. The transformation programme will last a further 6 months to embed and strengthen both pathways.

An interim senior management team has been appointed and will support with the oversight and supervision of the recovery programme and regularly report to the SEND team manager and Head of Inclusion. This will allow for frequent and accurate feedback to senior leaders within the council. The SEND team has been split into 2 teams with one focusing on completion of the 20-week

EHC assessments within time, and the other dedicating resources to EHC Annual Reviews. Each team is supervised by highly experienced interim senior officers who are able to support, challenge and give capacity to the focus pathway. Furthermore, both teams are directly managed by an interim manager who will have oversight of the progression and outcomes of the children and young people identified within the programme. Caseloads for all staff, both interim and permanent have been reallocated dependent on their area of work. This is supported by regular supervision over tasks, timescales and step by step guides for consistency. During the programme, the senior programme management team are meeting weekly to discuss outcomes and completion rates and for quality assurance feedback.

Key EHC Assessment performance milestones:

- Number of backlog assessments reduced by 50% (75 out of 151)
- New and current statutory assessments managed at compliant (58%) timeliness or above.

### 3.3.3 Risks and Further Actions Taken

Nationally, there were 430,697 children and young people with an EHC plan maintained by local authorities as at January 2021, this is an increase of 40,588 (10%) from 2020. This increase is also reflected in the West Midlands, with an increase of 4,230 (10%) EHC plans from 2020. In Walsall there is a significant increase in the number of CYP for whom the Council maintain an EHC Plan. On the census return date (14th January 2021) this stood at 2,596; the highest number of EHC Plans recorded in Walsall over the past five years. Walsall's increase is much higher than of National and the West Midlands, at 23.3%; this is an increase of 490 EHC plans from 2020.

The number of children and young people with an EHC Plan has been gradually increasing since March 2019. In November 2020, this stood at 2,622 and has increased by 8.2% over the last 12 months and now stands at 2,838. As of the 30 November 2021, there were 1,976 school age children (NCY 0-11) with an EHC plan maintained by Walsall. 34.6% are attending maintained special schools, 25.8% attend mainstream academies and 24.7% attend mainstream LA schools. 5.4% attend an independent special school and 3.6% attend a special school: academy/free. The remaining school age children account for less than 2% each across all of the remaining SEN school types.

The current increase in EHCP's is placing a greater demand on special school places. As a result, the LA are undergoing a specialist provision and sufficiency review which will enable greater capacity planning to meet this increase in need.

Research on the Educational Psychologist workforce was commissioned by the Department for Education (DfE) in 2019, examined the distribution and demographics of the current Educational Psychologist (EP) workforce in England, and looked to provide evidence of any factors driving recruitment

shortages. They found that there are insufficient EP's both in the workforce and in the training pipeline, to meet demand. Monthly recruitment data from the Association of Educational Psychologists (AEP) showed that public sector recruitment of Educational Psychologists fell by a third between 2015 and 2017, with a downward trend continuing into 2018.

In Walsall, the aforementioned recruitment pressures, in conjunction with the Covid-19 pandemic, are happening at a time when educational psychology services are at higher demand. Both of which provide an additional challenges to EHC Assessment Pathways and SEN Support. However positively, we have managed to secure a number of locum EP's and more will be joining the service in to provide support with EHC needs assessments (EHCNA's) in January 2022. Furthermore, as a short term measure, we have redesigned our service delivery, which will enable us to support schools, children/young people and their families most effectively through both the EP traded offer and the completion of EHCNA's. The EP service will be adjusting their offer to schools over the next two terms, allowing for greater capacity to complete EHCNA's in addition to the increase of locum EP support.

#### **4. Financial information**

Budget elements have been resourced to allow for recruitment of interim staffing as per the requirements of the recovery plan. Previously approved budgets have been applied and 4 additional staff members will be joining the EHC Assessment Team between February – April 2022.

#### **5. Reducing Inequalities**

The SEND Local Area Inspection assessed the effectiveness of the SEND process across Education, Health and Social Care within Walsall. The actions and areas of concern within the Written Statement of Action were designed to reduce inequality in these areas. As identified in the programme update [3.2.] these actions and areas of concern have been actioned, which have served as a catalyst to increase the equality of opportunity.

#### **6. Decide**

The Committee may decide to note and/or make comment on the current position.

The Committee may decide to request further information or assurances in respect of the WSoA and any issues relating to the timeliness of EHCP's and/or recovery plan.

#### **7. Respond**

Any recommendations made by the Committee will be assessed and actioned accordingly through the appropriate forum.

## **8. Review**

The information provided within this report is under constant review and monitoring. The significant improvements made within the identified areas of concern in the WSoA are to be sustained and further developed within Walsall.

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