

**MINUTES OF THE EDUCATION OVERVIEW AND SCRUTINY COMMITTEE,  
COUNCIL CHAMBER, WALSALL COUNCIL HOUSE.**

**Thursday 28 March 2023 at 6.00 P.M.**

**Committee Members present:**

Councillor S. Ditta (Chair)  
Councillor B. Bains  
Councillor R. Burley  
Councillor S. Cheema  
Councillor P. Kaur  
Councillor I. Hussain  
Councillor S.B. Hussain  
Councillor E. Lee  
Councillor L. Rattigan  
Councillor C. Towe

**Portfolio Holder:**

Councillor Mark Statham – Education and Skills

**Officers Present:**

Sharon Kelly - Director Access and Inclusion  
Rob Thomas - Head of Access  
Judith Nash – Head of SEND  
Jack Thompson – Democratic Services Officer  
Helena Kucharczyk – Head of Service for Quality Assurance and Performance Information

Welcome and introductions were made.

**65/22 Apologies**

Apologies were received from Councillor A Hussain.

**66/22 Substitutions**

There were no substitutions of this meeting.

**67/22 Declarations of Interest and Party Whip**

There were no declarations of interest or party whip.

**68/22 Local Government (Access to Information) Act 1985 (as amended)**

There were no agenda items requiring the exclusion of the public.

## 69/22 Minutes

A copy of the Minutes of the meeting held on the 16 February 2023 were submitted [annexed].

### **Resolved:**

**That the minutes of the meeting held on 16 February 2023 a copy having previously been circulated, be approved and signed by the Chair as a true and accurate record.**

## 70/22 Ofsted Local Area SEND Accelerated Progress Plan Update

The Portfolio Holder for Education and Skills introduced the report and highlighted the salient point [see annexed].

The Head of SEND (Special Educational Needs and Disability) informed the Committee that the Council had recently carried out a successful co-production event in which parents and carers participated to help the Council to build on better SEND services. In addition, the Council had improved its waiting times for delivering EHCPs (Education Healthcare Plans). Progress had been made to work through the backlog of EHCPs by the end of March 2023. The Head of Service for Quality Assurance and Performance Information added that over 90% of the decisions for EHCPs were made within 20 weeks and there had been improvements in the timescales for all stages of the EHCP process.

The Chair invited Members of the Committee to ask questions on the report to officers and the Portfolio Holder, the responses included:

- That in September 2022 there were 390 EHCPs in the backlog, but recently this had been reduced and would continue to do so as some of the more complex cases were close to being finalised;
- 20% of the backlog had been cleared;
- Currently it took an average of 32 weeks for a EHCP to be processed by the Council, the target was 20 weeks and progress was being made towards this;
- The Council was focusing on the time taken to initially process applications for EHCPs;
- The Department for Education was happy with the progress that the Council had made in relation to the processing times of EHCPs;
- Demand for EHCPs had doubled over four years, this increase was higher than the national average and the increase experienced by regional comparators;
- It would be possible for EHCP to be done under the 20-week time frame in the future;

- The council did identify those EHCP applications for vulnerable children and these were fast tracked;
- The council was pushing for the inclusion of SEND children in schools and would encourage schools to focus less on immediately applying for EHCPs;
- The Council was taking a firmer stance on encouraging schools to keep children within mainstream school settings;
- It was important to identify the right school place for a child;
- The portfolio holder added that improvements in the time taken to process EHCPs was on the Councils markers of success, this meant the progress on EHCPs was discussed every three months and at the Scrutiny Overview Committee. The Portfolio Holder continued by thanking the team for improvements they had made in EHCP processing times and encourage them to continue to build on the changes they had made;
- A range of factors created the initial backlog in EHCPs;
- The permanent team hired to deal with the EHCPs helped the council to create a good plan and build relationships with schools and parents within the borough.

**Resolved:**

**That the Committee note the report.**

**71/22 New SEND Inspection Framework**

At the request of the chair the portfolio holder for education and skills introduced the report [see annexed].

The Head of Service for Quality Assurance and Performance Information then went through a presentation for the Committee [see annexed].

The Chair invited Members of the Committee to ask questions on the report to officers and the Portfolio Holder, the responses included:

- There was a statutory requirement for schools to take part in Ofsted inspections and there were no issues with allowing Ofsted inspections local schools;
- The Council had good results from recent Ofsted inspections;
- The Council had made good progress since the Ofsted inspection in 2019 and many changes had been made;
- Schools within the Borough were showing average improvement in Ofsted rating since 2019;
- The Chair added that the criteria being used by Ofsted during their assessments of schools had changed and this meant that some schools were no longer receiving an 'Outstanding' Ofsted rating;

- It was important to note that both schools and the Council were subject to Ofsted inspections and that there were differences in the way each was assessed;
- Co-production was very important in the development of SEND services;
- The Council was having a conversation with parents/carers instead of making changes through only reviewing documentation;
- A recent session run by the Council had given parents the opportunity to make presentations on how they would like to see SEND service improved at the Council;
- There had been a change in culture at the Council in relation to SEND;
- The Council had launched a SEND inclusion programme with schools to help pupils with SEND before they applied for an EHCP;
- The Council had brought in a consultant to help develop a toolkit for schools to help with early intervention;
- The Council approach was to push schools for early inclusion of children with SEND;
- Within the Borough there were roughly 3000 pupils with EHCPs and roughly 12,000 with SEND.

## **Resolved**

**That the Committee note the report.**

## **72/22 SEN Forecasting and Modelling**

At the request of the chair the portfolio holder for education and skills introduced the report [see annexed]. The Portfolio Holder highlighted that the modelling did not just cover special schools but also SEN Hubs within mainstream schools. In addition, the Cabinet had already approved over £4 million in capital funding for SEN school provision.

The Head of Access and the Head of Service for Quality Assurance and Performance Information added that other Local Authorities modelling was based on the census data, and some did not have a plan in place. The Council had instead developed a model based on EHCP data and allowed the Council to specifically focus on children in Walsall. The model used the data on the amount of EHCPs requested, how many had been granted and the demand for SEND support in schools.

There was an increase in the Borough in the number of children with autism and mental health issues. In addition, the push to get pupils a EHCP at a younger age would change the way in which the Council would make provision for children with SEND. The forecast created using the model for 2022 was good and the Council would continue to refresh it. Also, this model had been shared with regional colleagues and officers would be presenting the model to a national conference in June of 2023.

The Director of Access and Inclusion added that the model would help to develop the capital strategy. However, the application from the Council to the Department for Education for funding for a new SEN Special School had been turned down. The Council had planned to deliver 120 new SEN places by September and 200 extra places had been planned. The Council's approach was that a child should only be offered a Special School place as a last resort and all attempts should be made to keep a child within a mainstream school setting. There was currently no national policy for modelling SEN school places and there would be no reduction in funding, but instead the Council was changing the structure of its funding for SEN places.

The Chair then invited Members of the Committee to ask questions on the report. The responses to these questions included:

- There would be continuous reviews of the model;
- The model would be used as a guide and decisions would be made based on information available;
- There was a national growth in SEND and in Walsall there had been a steeper increase as the Council was addressing its lower historical average;
- The current increase in SEND was similar to regional increases;
- The Council had been given £2.6 million for SEN funding from national government;
- The Council was expecting an increase in national capital funding for SEN;
- Whether a child with SEN is taken by a school was dependent on the schools leadership;
- Most schools were supportive in taking SEN pupils;
- Some mainstream schools were open to expanding their SEN hubs and more schools should be interested in creating their own hubs in the future once planned improvement had been made;
- There were some issues with the leadership of schools in terms of taking on more challenging children and schools needed to differentiate their behaviour policies;
- There were many reasons that children travelled outside of the borough for SEN schooling.

The Portfolio Holder for Education and Skills added that the model would not provide absolute numbers and the Council would adapt to changes. The model helped the Council plan for the future.

## **Resolved**

**That the Committee note the report.**

### **73/22 Recommendation Tracker**

The Chair invited the Democratic Services Officer to update the Committee on the recommendation tracker. The Democratic Services Officer informed the Committee that all the items on the recommendation tracker had been completed.

#### **Resolved**

**That the Committee noted the Recommendation Tracked.**

### **74/22 Areas of Focus**

The Chair invited the Democratic Services Officer to update the Committee on the Areas of Focus. The Democratic Services Officer informed the Committee that items could be suggested for the new municipal year, and that these would be considered by the new Committee when creating their areas of focus.

The Director of Access and Inclusion suggested the following items:

- Continued SEND APP (Accelerated Progress Plan) Update,
- Update on SEND inspection framework and AP (Alternative Provision) Planning,
- Specialist Provision Process, Modelling and Capital Strategy.

#### **Resolved**

- **That the areas of focus be noted.**
- **That the suggested items be presented to the Committee in the new municipal year for the development of its areas of focus.**

### **75/22 Date of next meeting**

The date of the next meeting would be at annual council.

There being no further business, the meeting terminated at 19:30.