

11 October 2022

## Ofsted Local Area SEND Revisit Inspection Outcome and Actions

**Ward(s):** All

**Portfolios:** Cllr M. Statham – Education and Skills

### 1. Aim

The aim of this report is to provide the Committee with an overview of the results of the recent SEND Inspection, its outcome and the next steps and to provide assurance about the work that is in progress and planned in relation to improving the timeliness and quality of Education, Health and Care plans (EHCP's) and improving the quality of the Local Offer.

### 2. Recommendations

1. That the Committee recognise the development of SEND in Walsall
2. That the Committee confirm they are assured that there are robust plans in place to achieve improvement in the two areas of concern that were found not to have yet made sufficient progress at the SEND inspection.
3. That the Committee confirm that are satisfied with the robustness of the governance arrangements for the ongoing monitoring of SEND Improvement and the identification of impact
4. That the Committee confirm that they are assured by the plans to develop a wider robust SEND improvement plan over the next three months.

### 3. Report detail – know

#### Inspection Result

3.1. In June 2019, Walsall SEND Local Area was inspected by Ofsted and CQC. The inspection found that there were a number of significant concerns about the quality of SEND services in Walsall and the Local Area was directed to develop and implement a Written Statement of Action outlining how services in the specified areas of concern would be improved. The nine areas of concern were:

- The lack of a meaningful partnership and co-production with children and young people, parents, carers, schools and services, which has meant that the code of practice has not been effectively implemented over time.
- Poor-quality EHC plans, which do not accurately reflect children's and young people's special educational needs, and do not adhere to the statutory timescales for completion – Ofsted noted that EHC plan

assessments, annual reviews and updates to EHC plans are delayed and that EHC plans do not routinely capture the child or young person's voice.

- Poor outcomes for children and young people with SEND
- A lack of post-diagnostic support for children and young people with an autism spectrum disorder
- A high and disproportionate number of fixed-term and permanent exclusions of children and young people with SEND
- A lack of appropriate provision and support, which has led to significant numbers of children and young people missing from education
- A failure to ensure an impartial information, advice and support (IASS) service for parents in the local area
- The poor quality of the local offer, which does not meet the requirements of the code of practice
- Weak arrangements for joint commissioning, which do not consider information about the local area well enough

3.2. The inspection framework outlined that the Local Area had two years in which to make sufficient progress in improving the nine areas of concern against the actions outlined in the plan. However, the Covid-19 pandemic delayed the re-inspection. In June 2022, Ofsted announced that Walsall's re-inspection would take place.

3.3. Inspectors requested a suite of documentary evidence prior to inspection, including the Local Area's self-assessment of their current position in relation to the quality of SEND services, the progress against the nine areas of concern and where improvements were still required. Inspectors were then on site for four days over which they held several focus groups with parents, carers, children and young people, education staff and local authority and health staff.

3.4. Following the re-inspection, Walsall was found to have made sufficient progress against seven of the nine areas of concern.

The inspectors acknowledged the way in which Local Area leaders have worked with FACE Walsall to improve communication with parents and carers regarding SEND issues across the local area. FACE Walsall also now sit on the Local Area Improvement Board (LAIB), ensuring that families' voices are clearly heard and understood.

The report also highlighted that the local area has collaborated well to develop Walsall's SENDIASS and this been universally well received with parents and carers welcoming and appreciating the help and guidance this service provides, as well as the guidance with navigating the local area's systems and processes.

Other areas of progress identified by inspectors include the development of groups to gain the views of children and young people in order to shape support going forward and improved support for Autism, including post-diagnosis support for parents and children and specialist training for professionals.

It is encouraging that the report highlights our progress in co-production work with parents and carers, increased usage of the Early Help Children's Hub, our Holiday Activity and Food Programme offer and the improvements in communication that have been made by the service.

The Local Area recognises that there is still room for improvement and we will continue to work collaboratively with our partners and families to ensure that an excellent offer is delivered for families impacted by SEND.

3.5. The two areas where sufficient progress was deemed not to have been made were:

- Poor-quality EHC plans, which do not accurately reflect children's and young people's special educational needs, and do not adhere to the statutory timescales for completion – Ofsted noted that EHC plan assessments, annual reviews and updates to EHC plans are delayed and that EHC plans do not routinely capture the child or young person's voice.
- The poor quality of the local offer, which does not meet the requirements of the code of practice - Too many parents, carers and other stakeholders do not know that the local offer exists. Those who know of its existence have found it to be of little or no use.

3.6. The [inspection result](#) was published on 18<sup>th</sup> August 2022. A communication plan was developed around the publication, including a press release ([Ofsted re-inspection finds positive improvements in Walsall's SEND offer](#)) and an interview with Councillor Statham. This resulted in a number of positive news stories:

- **BBC:** [Improvements made for Walsall SEND pupils, watchdog says](#)
- **Express and Star:** [Education services for vulnerable youngsters 'on the road to recovery' in Walsall](#)
- **Birmingham Mail:** ["Parents say they feel involved" - inspectors hail improvements in services for vulnerable children in Walsall](#)

3.7. The result has also been published on the [Local Offer web pages](#)

### **Accelerated Action Plan (APP)**

3.8. The Local Area submitted an Accelerated Progress Plan (APP) to the Department for Education (DfE) on 6<sup>th</sup> October for the two areas of concern against which sufficient progress was not made outlining how improvements will be made over the next 12 months:

3.9. As part of the submission we were required to demonstrate:

- The governance and accountability structures and processes that will support our next phase of improvement.
- The actions the Local Area is now taking (and have taken since the inspectors' revisit) to respond to their outstanding concerns.
- The impact measures and milestones to which you are working, being clear on the improvements you will have delivered in the next 3, 6 and 12 months.

3.10. Guidance from our DfE and NHS England advisors was sought on how best to present the APP and [Staffordshire's](#) was recommended as an example of good practice, so we are adopting that format for Walsall's APP.

- 3.11. There are already improvement plans in place for the two areas of concern which have been developed with input from partners, parents and carers. These are being used as a basis to develop the APP with further input from parents, carers and partners across the Local Area over the next two weeks prior to submission.
- 3.12. Local Area Improvement Board ( LAIB) members were asked to comment on the plan and sign off via email prior to submission.
- 3.13. Progress against the APP will continue to be monitored by our DfE advisor, Pat Tate and NHS England advisor Deborah Ward and will be monitored locally via the LAIB.

## **Current and Next Steps – Quality of EHC Plans and Local Offer**

### **EHC Team Structure and Support**

- 3.14. In order to build on improvements to EHC plans and pathways, stability within a permanent EHC Team structure is needed to develop long-term working relationships with families and partners. As a result of a recruitment drive, six permanent officers have been recruited as Family Link Officers.
- 3.15. We have amended the language used around families and children, changing from “case” to “child” or “young person”, which is more personalised, as well as “Family Officers” rather than “Case Officers”.
- 3.16. The recruited permanent members of the EHC team will focus on families rather than schools, ensuring that the processes become child and family centred. The team will be supported with clearly defined processes and procedures and a new Induction Pack which was developed in July 2022.
- 3.17. This increased capacity within the EHC Team of officers, who are local, will support greater capacity for attendance at meetings to support families where needed. In addition, interviews are underway for a permanent EHC Team Manager and advertisement is live for four permanent Senior Officers. This will complete the team and ensure a longer-term permanent structure by April 2023.
- 3.18. The EHC Team is now assigned into Locality teams which are mapped to work alongside Early Help Hubs (North, South/Central, East and West). Each locality is led by a Senior Officer who has responsibility and oversight of allocations, rising needs, KPIs, complex families and responsible challenge and support to schools. These are currently interim officers and line manage a team of Family Link Officers and dedicated EHC plan writers who are focused on quality within plans.
- 3.19. The Locality Senior Officers and Family Link Officers are starting to establish strong links with their communities, becoming more of a visible presence. They have already hosted training and beginning to organise community events. Communication has been improved through these officers but also with the addition of locality mailing lists and termly newsletters to ensure that parents have consistent communication on issues affecting or relevant to their community.

### **Quality Assurance of EHC Plans**

- 3.20. We have coproduced a new EHC Plan template which allows for greater personalisation according to age/ phase (supporting the changes to Phase Transfers detailed in additional report for this Scrutiny Committee) as we are focussing on developing early years and post 16 pathways. Much time has been spent exploring ways of maximising the EHC Hub (the online case management system) and clear instructions have been sent to schools and parents to ensure consistency. An annotated template has been given to all the team and schools to ensure best practice and maintain consistency of language and approach when drafting. This has already started to impact on the quality within EHC Plans.
- 3.21. Much work has been taken to develop joint working with professionals focusing on Educational Psychologists and Health partners. We have introduced a multi-agency EHC statutory assessment pathway which includes a multi-disciplinary decision-making group who support with Quality Assurance and financial agreements in addition to making robust, equitable and timely decisions. The statutory assessment paperwork and process has been much reduced for SENCOs and colleagues and in doing so has become more accessible to families. This has also supported in improving timeliness at the earlier stages of assessment. We have created a sleeker pathway and created self-imposed deadlines lines which add in valuable extra weeks against the statutory time frame.
- 3.22. We have significantly changed our annual review process to ensure that these meetings are more purposeful, families feel informed throughout, decisions can be made in a timely and appropriate manner. We have reduced our paperwork to the basic statutory requirements which mean schools are not burdened with duplicated paperwork. Time can be spent with children rather than unnecessary paperwork. Schools and parent are able to make amendments to their own EHC plans which should result in annual reviews being made in a timelier manner. This involves a triaging of amendments required, with schools being more able to secure attendance from EHC Team members who can make decisions in meeting, as well as being able to make pre-approved amendments. Annual reviews and assessments are being split into localities and tracked through daily scrutiny groups making it easier to track issues and resolve quickly.
- 3.23. All settings have been sent a comprehensive document outlining new procedures and paperwork for assessments and annual reviews. We will monitor and take feedback on the changes to process from parents and settings, as well as regular training and troubleshooting sessions to embed settings understanding of the documents and process.
- 3.24. EHC Plans will be quality assured via weekly dip sample by Senior team members, in addition to the formal reporting to the Quality Assurance team. We are also creating a parental Quality Assurance Working Group for reference, key themes and development. This will be all umbrellaed by an overarching Quality Assurance Framework which will include theories of good practice, examples of what good looks like, themes for development and reflection upon changes.

### **Advices for EHC Plans**

- 3.25. We recognise the need to foster stronger working relationships with Health partners, as a result we have scheduled a service wide Development Day in the autumn term as well as a cross team training event. These days will emphasise the importance of quality advice to feed into the EHC Plan and support consistency. We are developing a standardised template for Health and social care advices.
- 3.26. At a permanent level, we have recruited an Advisory Inclusion Team Manager, EHC Family Link Officers and a Principal Education Psychologist who will steer their teams in developing consistency of advice.

### **Local Offer**

- 3.27. We have recruited a Local Offer Co-Ordinator who sits within the Early Help service to develop the Local Offer in collaboration with parents, carers, children and young people and partners. The Local Offer Co-ordinator is currently ensuring that the information on the Local Offer is up to date and identifying any gaps. All relevant EHC documents, including the ones detailed above, are now uploaded to the Local Offer for accessibility and transparency.
- 3.28. We are establishing a Local Offer Steering Group to lead on identifying the developments that are needed and the support in progressing the development of the Local Offer including the design of new webpages, improving navigation and suggesting other information that should be included.
- 3.29. We are increasing opportunities for co-production with parents and carers and are hosting four face-to-face co-production events throughout October. The Local Offer Co-Ordinator is also attending parent and carer group meetings in order to provide updates and seek feedback.
- 3.30. The Local Offer Co-Ordinator is also establishing a group for children and young people with SEND to enable co-production and their involvement both in the Local Offer development and wider SEND Improvement.

### **Next Steps – Ongoing SEND Improvement**

- 3.31. In addition to the two areas of concern against which sufficient progress was not made, it is recognised that although sufficient progress was made against the other areas, this does not mean that there is not still room for improvements. In addition to this, there are other areas within the delivery of SEND services which need to be developed and improved, particularly in light of national changes including the new inspection framework and the legislative changes outlined in the SEND Green Paper.
- 3.32. In order to ensure that Walsall is prepared for these changes and delivering high quality SEND services to children, young people and families in Walsall which meet their needs and improve outcomes, the Local Area will, over the next three months be developing a two-to-three-year improvement plan outlining the ambitions for SEND services in Walsall. Using available tools and undertaking an in-depth audit against the Code of Practice, the improvement plan will be developed in co-production with children, young people, parents, carers,

education providers and employers, as well as staff from across the Local Authority and Health. LAIB members will be asked to be part of the development of this plan. The aim is to have a finalised, signed off plan by the end of the calendar year.

- 3.33. There will not be another re-inspection in relation to the original nine areas of concern or the remaining two areas of concern. The inspection framework has been redeveloped by Ofsted and CQC and is due to be launched in April 2023.

### **Governance, review and ongoing monitoring**

- 3.34. The ongoing development and implementation of SEND improvement plans, including the APP, will be led and overseen by the Local Area Improvement Board (LAIB). The LAIB has direct accountability to the Health and Wellbeing Board and 'dotted line' accountability to the Walsall Learning Alliance. The LAIB will seek assurance that improvement plans are progressing and that milestones and deadlines are being achieved. Where there is slippage or risk, the LAIB will provide appropriate challenge and support.
- 3.35. The success and impact of the improvement plans on improving outcomes for children will be monitored through the use of data from across the partnership and a partnership SEND dashboard will be developed to support this.
- 3.36. Oversight will also be held for individual elements of SEND Improvement plan within individual organisations where responsibility for service delivery lies including Children's Services DMT and the ICB SEND Assurance Group.
- 3.37. In addition, the implementation and progress of the APP will be monitored by the DfE on a regular basis.

### **4. Financial**

- 4.1. High Needs funding supports the funding for children and young people with EHCP and complex needs. This funding stream will be reported through the financial reports to scrutiny during the year. We are currently modelling the impact of growing needs in Walsall against our high needs funding allocation to determine any ongoing pressures over the coming years. These too will be reported through the finance reports and will form part of the annual budget setting process.

### **5. Reducing Inequalities**

- 5.1. The improvement measures taken to increase the quality of EHC Plans supports our aim to reduce inequalities and support young people with SEND to meet their outcomes into early adulthood by ensuring that all young people with an EHC plan are supported and represented by a document that is robust, forward looking, high quality and considers their views throughout.
- 5.2. It also supports our key area of focus that our children should:
- have the best possible start
  - be safe from harm
  - be happy, healthy, and learning well.

5.3. The improvement of the Local Offer also supports our aim to reduce inequalities by ensuring that all families have access to relevant and clear information, including that of which services are available in their immediate community.

## **6. Decide**

6.1. The Committee may decide to request further information or assurance in respect of implementation of these changes and success criteria.

## **7. Respond**

7.1. Walsall EHC Team will continually seek feedback from families and settings inputting to the EHC process, as well as statutory partners.

## **8. Review**

8.1. Improved outcomes for children and young people and the progress and implementation of SEND improvement will be monitored the LAIB, organisational governance and the DfE as outlined in paragraph 3.31 – 3.34 above.

## **Background papers**

EHCP team pathways and developments

EHCP training guide

EHCP template

SENCO guide to Walsall EHCP pathway

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