

**Date: 14 September 2021**

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

**Ward(s): All**

**Portfolios: Councillor Chris Towe**

**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 Department for Education Monitoring Visit**

3.1.1. On the 23<sup>rd</sup> July 2021, advisers from the Department for Education (DfE) and members from the NHS and NHS Clinical Commissioning Group (CCG) attended the Local Area Improvement Board (LAIB) to assess the progress that has been made against the actions outlined in the Written Statement of Action (WSoA) and the overall impact of the LAIB improvement programme. This meeting acting as further preparation ahead of re-inspection.

3.1.2. The visit offered further scrutiny of the LAIB developments and progress and further discussed the impact of the Covid-19 pandemic and how Walsall have responded to support schools/settings, children and young people. All of which will aid as the supporting evidence needed for re-inspection.

3.1.3. Feedback from the DfE commented that the LAIB has overseen a well-organised and coherent improvement programme underpinned by a strong focus on co-production and outcomes for children and young people with SEND.

3.1.4. The visit noted that WSoA Project and Work stream leads are methodically examining the progress that they have made since the Area SEND Inspection and the evidence of the impact the actions taken has had on the experience of children, young people and families in the system.

3.1.5. The independent chair of LAIB will now also be chairing the Walsall Learning Alliance (WLA) whose purpose is to “Improve the education and wellbeing of children, young people and families across Walsall through collective accountability”. The WLA will include partners and key stakeholders. A Shadow Board is being established to provide a forum to more consistently enable children, young people, parents, carers and SENCOs to contribute, and for their voices to be heard.

3.1.6 The DfE feedback also highlighted the need to :

- Focus on the strategic ‘what next’ and future working with Walsall Learning Alliance.
- Further develop the relationship between the LA and Health.
- They raised the progress of the local offer being slow. (The new local offer has been co-produced with parents and will go live from 1 September)
- Continue focus on EHCP timeliness and effectiveness and suggested we needed data to show how the quality had improved.
- Ensure more parents, above and beyond FACE, were included in feedback.

3.1.4. The visit noted that WSoA Project and Work stream leads are beginning to examine the progress that has been made since the Area SEND Inspection and the evidence of the impact the actions taken has had on the experience of children, young people and families in the system. The DfE have advised of the importance of this work and the rigour needed to quantify and evidence impact recorded.

### 3.2. Programme update

3.2.1 Progress has been made against the 184 actions in Walsall’s Written Statement of Action. The review of the impact of Covid-19 on progress and mitigating actions has enabled us to maintain momentum and initiate action plans for previously delayed actions. Some actions, which were delayed due to Covid-19 are behind original milestones, however they are now progressing accordingly.

This is illustrated below:

#### Overall Programme Status

Not Started	Beyond Milestone	Delayed	Paused - Covid Exception	In Progress	Complete	Complete and Embedded	Closed	
0	24	4	5	2	76	66	7	Current Action RAG Ratings
Not Started	Beyond Milestone	Delayed	Paused - Covid Exception	In Progress	Complete	Complete and Embedded	Closed	
0	23	7	7	2	72	66	7	Previous Period Action RAG Ratings (October Board)

### 3.2.2. The Co-Production and Engagement Work stream

A body of evidence has been collated which evidences co-production with parents. During the height of the Covid-19 pandemic, the parental help line together with weekly zoom meetings helped promote, foster and establish parental relationships with the LA. Family Action, the LA's Special Educational Needs and Disabilities Information and Advice Support (SENDIAS) service, have also been key in promoting positive relationships with the LA, providing challenge in support of parent and carers when necessary. The Inclusion Strategy, SEND Strategy and Accessibility strategies have all be co-produced with parents/carers. The Local offer continues to be developed in line with co-production from parents/carers.

#### **The Local Offer**

**Vision: A user friendly, co-produced and compliant local offer that is future proofed to remain that way.**

A great deal of work had been undertaken to address the poor quality of the local offer; however, progress was not as fast paced as expected and there is significant work yet to do.

The local offer is being moved to a new platform for delivery. Parental groups have been instrumental in the design and 'feel' of the pages and information which is held there, with workshops held to identify which other LA Local Offers parents liked, and their feedback used to inform the new pages.

The new local offer will not duplicate information from other partner websites. This would require updates every time a service provider makes a change to their offer or website and is reliant on the said provider informing the local offer administrator of any changes. Instead, an overview of a service, source of support or information will be given and a direct link to the website of the service provider will be in place. This will ensure that the latest information is available to our families and partners.

#### **Progress May –July 2021**

- Meeting with key stakeholders to establish their thoughts and get feedback took place during May, including FACE, Health, Social Care, SEND, Children's' Commissioner, and others.
- Test site for the new local offer is already in place in line with what was previously agreed in local offer workshops.
- An exercise to establish what content on the current local offer is still relevant and up to date has taken place.
- An Action plan setting out all the requirements of the 2015 SEND code of practice devised.
- A Microsoft local offer Teams site has been set up. As content is written, it is added to the folders within the site.

- Health – A Overview of services has been written and sent to health for approval. We are awaiting response.
- Following discussions at LAIB regarding raising the profile of SENDIAS, discussions have taken place with SENDIAS and FACE. It has been agreed the following will become part of the local Offer template and will appear on every page



### **Advice & Support**

Walsall's SENDIAS service provides free, impartial advice and support to parents of children and young people with Special Educational Needs and/or Disabilities (SEND). This service is also offered directly to young people. It is a confidential service providing information and advice about many areas including: EHCP process, local provision in schools and offers support.

Contact us: email [walsallsendiass@family-action.org.uk](mailto:walsallsendiass@family-action.org.uk)

Tel: 08088 026666

Website: <https://www.family-action.org.uk/what-we-do/children-families/walsall-sendiass/>

- The termly SENDIAS newsletter will also be uploaded to the new Local Offer

### **3.2.3 Improving Outcomes Work stream**

The Covid-19 pandemic disrupted the measuring of outcomes for pupils with SEND and others. We have been proactive in anticipating an increased level of SEMH difficulties among children and young people following the return to school. SEMH support provided by the Educational Psychology Service, through the Well-being education return, the roll out of the raising achievement for disadvantaged youngster (RADY) programme together with the partnership work with the Education Endowment Foundation (EFF) have been instrumental to supporting ways in which Walsall schools and settings increase the outcomes for learners.

The development of the Walsall Right for Children SEND Banding Guidance document and SEND Toolkit's have served as guidance tools for any professionals supporting or working with children and young people with special educational needs and disabilities. This includes Walsall schools and settings and external support services supporting Walsall children and young people. Both documents provide supporting strategies to support SEND students and detail how the implementation of whole school approaches and high quality first teacher promote the inclusion of all children and young people.

The school RESET programme enabled schools and settings to place a greater emphasis on inclusion, and to relook at the culture, ethos and approach across Walsall. Collaborative working such as webinars, CPD, training and development have strengthened services. Head teachers and school leaders actively engaged in weekly Headteacher forums, sharing good practice and discussing future developments for all learners, including those with SEND.

SENCO forums throughout the academic year are focused on training, sharing good practice and developments to support such learners, ensuring the right conditions and learning environment are in place.

#### 3.2.4 The Joint Commissioning Work stream

A number of strategic developments have taken place within the areas of Autism and Joint Commissioning.

- A Walsall SEND Health review has been completed, which has identified themes and key priorities. These include multi-agency case co-ordination and management; ASD Post Diagnostic support; SEND Datasets; cross border protocols; Covid-19 recovery and collaborative commissioning plans.
- The Walsall Autism Service specification is now being used to influence, develop and shape a Black Country Intensive Support Service for young people. The provider Trust has continued to work closely with commissioners.
- Autism pathways are completed and will be readily available on the Local Offer website.
- The Autism Education Trust (AET) teaching programme has been delivered across schools over the previous year and will continue from September 2021.

#### 3.2.5 EHCP Assessment Processes Work stream

The March 2019 backlog of 359 assessments was completed as of 31<sup>st</sup> October 2020. Reporting to the DFE of EHCP 20 week compliancy rates showed marked improvements from January to May although there has been a dip in the last 3 months. The aim is to continue to meet and exceed the national average on an ongoing basis.

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

Further analysis of EHCP Performance, including actions currently undertaken to mitigate increased risks are reported separately in section 3.3 below.

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.

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

#### 3.3.1 Compliance Update Figures

An EHCP recovery plan approved by the Local Area Improvement Board (LAIB) was initiated to address the previously reported low EHCP 20 week compliance rates. 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:

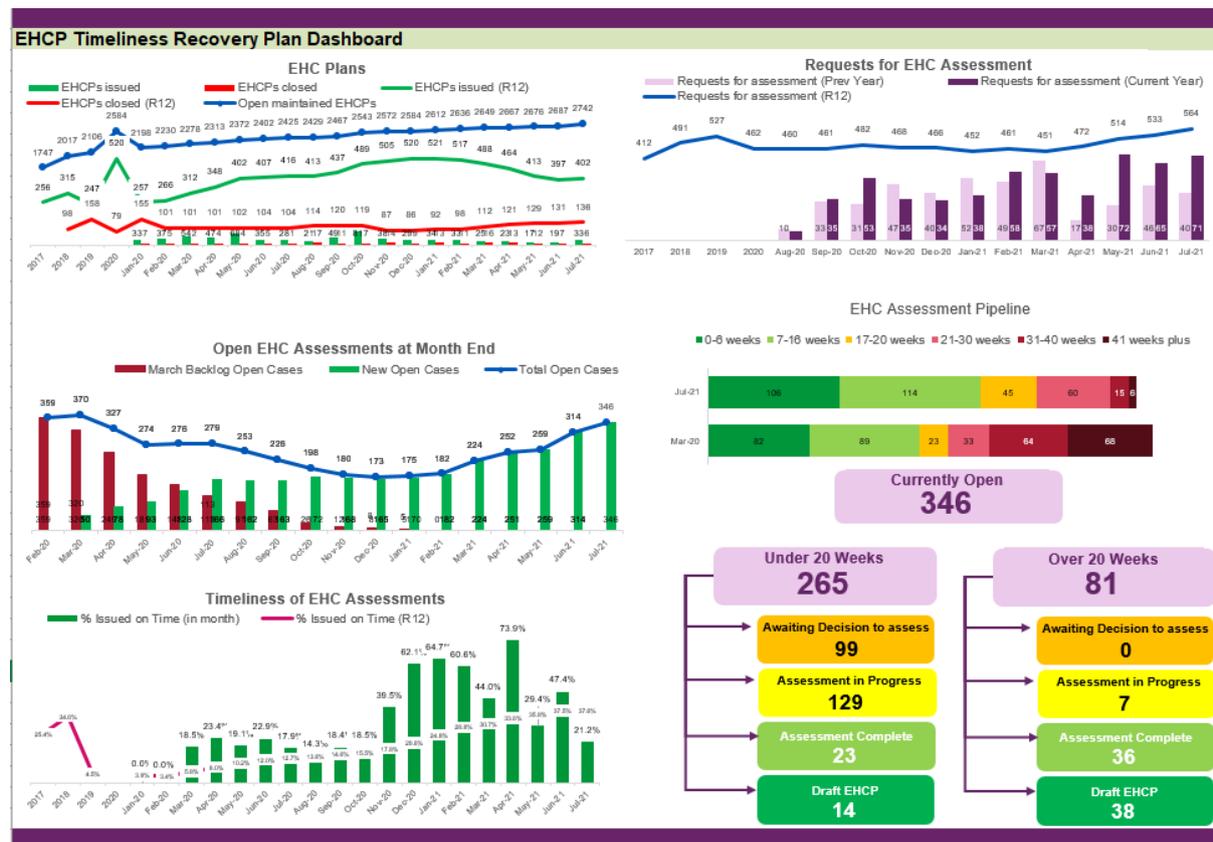
#### **Progress Report Re. Completion of EHCP Plans in 20 Weeks 2021 – LA Name Walsall**

	2021						
	January	February	March	April	May	June	July
Number of EHCP Plans Issued, excluding exceptions	34	33	25	23	17	19	33
Number of these issued in 20 weeks	22	20	11	17	5	9	7
% in 20 weeks	64.7%	60.6%	44.0%	73.9%	29.4%	47.4%	21.2%
Cumulative 12 months to date	521	517	488	464	413	397	402
Number of these issued in 20 weeks	129	149	150	156	148	149	151
Cumulative % in 20 weeks	24.8%	28.8%	30.7%	33.6%	35.8%	37.5%	37.6%

3.3.2 Headlines as of the 31<sup>st</sup> July are demonstrated in the EHCP Timeliness dashboard below: There are 346 assessments open, 81 are over the 20-week deadline.

Timeliness has dipped over May, June and July 2021.

At this current time the service has faced difficulty in maintaining the timeliness of past performance. The Covid-19 pandemic has caused an increased pressure on the EHC Assessment Service. Following the school return, the EHC team began to receive increased requests for assessments. The team received 209 requests for an EHC assessment between May-June 2021 and this represents a 75% increase in requests for assessments compared to that of May-June 2020. A number of permanently employed staff members have left the service over the past months, which has also caused further strain. These staff members have been replaced by interim members of staff whilst we undergo a recruitment process. Combined with an increase in EHC assessments, maintained EHC plans and the time it takes to recruit, induct and mentor new members of staff, this has affected timeliness. However, these pressures have proactively been recognised and are being actioned accordingly as identified in section 3.3.3 *Risks and Further Actions Taken*. We expect to see timeliness increasing from the end of August, moving towards complaint rates from September. However, timeliness over the **rolling** 12 month period continues to increase, although this has remained the same in the last few months.



### 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.

There has been a 12% increase in EHC plans over the last 12 months. In July 2020, this stood at 2,448 and has increased by 12% over the last 12 months and now stands at 2,742.

The school closures and the following re-opening due to Covid-19 have caused an increase in EHC requests for assessments. As expected by SEND and health services, children and young people have returned to school and are presenting difficulties more widely in the areas of social, emotional and mental health (SEMH). As a result, this places increased pressure on the EHC assessment Team, Educational Psychology (EP), Social Care and Health services. These pressures have been actively recognised and are being recruited to accordingly.

The EHC Assessment team will be recruiting an additional 6 members to the permanent team structure and an additional EP will also be recruited to the service. These additions will ensure that we continue to produce compliant and high quality EHC plans. These posts are currently advertised with a closing date of the August.

It is expected that we will have the permanent staff in place by the end of November or towards mid-December; however this may differ for each applicant depending on their current circumstances and/or notice period. As a mitigating risk, we have currently employed interim staff who are working within the EHC Assessment team to ensure timeliness rates are addressed as a priority and plans are produced at a compliant rate.

The EP Service have secured additional Locum capacity to ensure they are able to meet the demand of increased requests for assessment, enabling them to produce timely advice within compliant timescales.

## 4. Financial information

Budget elements have been resourced to allow for permanent staffing increase to the EHC Assessment Team (6 staff members) and Educational Psychology (EP) Service (1 additional EP) to ensure that the teams are able to respond to increasing demands and ensure sustainable improvements to timeliness of completing Education, Health and Care Plans.

## **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**

Scrutiny 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 moving forwards.

## **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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