



People Overview Committee

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Item

Public



Update on the Ofsted/CQC Area SEND Inspection Revisit in November 2022 and next steps following publication of the inspection report in February 2023

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1. Synopsis

This paper provides an update on the joint Ofsted/CQC Area SEND inspection revisit of services for children with a special education need and/or disability (SEND) in November 2022 and the formal requirements from the DfE/NHS England regarding the preparation and submission of an Accelerated Progress Plan (APP) for the three areas judged by Ofsted/CQC to have not made sufficient progress during the inspection in November 2022.

2. Executive Summary

The Ofsted/CQC revisit inspection report outlines that the Shropshire Area SEND Partnership has made sufficient progress in the following three areas:

2.1 Strategic leadership and planning across the area, including the use of data to accurately commission and plan services. The report recognises that the strategic leadership has strengthened considerably despite the financial pressures, staff turnover and the COVID-19 pandemic.

2.2 The inclusion of health services' input into the area's SEND action plan. There is greater clarity of roles and responsibilities across education, health and social care and leaders work in partnership and have a keen focus on children and young people with SEND.

2.3 The rate of exclusions for children and young people with an EHC plan and the rate of fixed-term exclusions for those receiving SEND support. Leaders' actions to address the high rate of exclusions and suspensions for children and young people with SEND across Shropshire have been successful. They have led to a significant number of exclusions being prevented since the last inspection.

The report highlights that "while many strategic plans are at a very early stage of implementation, they are the right plans and provide a secure base on which to build on the emerging improvements thus far. The pace of change and improvements made by the strategic leadership team have particularly accelerated over the last 12 months."

The report also recognised that the involvement of the parent carer forum (Parent and Carer Council (PACC)) has increased at a strategic level.

It is also noted that "The corporate commitment to children and young people with SEND is now embedded. The strong strategic leadership is successfully beginning to improve the provision, across education, health and social care, for children and young people with SEND in Shropshire."

Further progress is still required to address three outstanding areas identified below;

- a) Significant wait times for large numbers of children and young people on the ASD and ADHD diagnostic pathways.
- b) Significant waiting times for those needing assessment and treatment from the speech and language therapy service.
- c) Inconsistency in the quality of input from education, health and care into EHC assessment and planning.

The three areas will now become the focus of an Accelerated Progress Plan (APP) formally monitored by the Department for Education (DfE) and NHS England (NHSE) at regular intervals. The APP builds upon the SEND action plan reviewed by Ofsted, whilst providing more specific detail around actions to be taken and the desired impact of this work when successful. This will be reviewed by the Area SEND Partnership Board and formally submitted to the DfE and NHSE by the 5th April.

The Ofsted/CQC inspection revisit report and the draft APP are included as appendices. The Area SEND Partnership accepts the report findings and is encouraged by many of the positive impact examples recognised by Ofsted. However, it is acknowledged that much more work remains to realise the ambition and positive experiences outlined in the SEND and Inclusion Strategy for all children and young people with SEND.

3. Recommendations

3.1 Note the report and appendices.

- 3.2 Commend partners in the Area SEND Partnership for their work on delivering improvement across the SEND system.
- 3.3 Seek assurance that the Area SEND Partnership are doing all they can to promote, support and improve the experience and outcomes for children and young people with SEND.
- 3.4 Note the actions and success criteria outlined in the draft APP to accelerate the progress and improvement in the remaining three areas.
- 3.5 Identify any key areas of concern where members could support further improvement/resolution.
- 3.6 Note that updates from the Shropshire Health Integrated Place Partnership (SHIPP) will be provided to the SEND Partnership Board via a standing item on the SEND Partnership Board agenda. Key papers will be shared with the SEND Partnership Board clerk to enable cross-working between the key groups.
- 3.7 It is recommended that SHIPP and the Learning Disability and Autism (LDA) Board include a standing agenda item or similar approach to ensure key items/papers related to the Area SEND Partnership can be raised with SHIPP/LDA members.
- 3.8 Schedule bi-annual updates for the People Overview Committee on the progress of the SEND action plan, including the Accelerated Progress Plan (APP), and the impact this is making to improve the experience and outcomes for children and young people with SEND.

Report

The Ofsted/CQC revisit inspection was completed over three 'on-site' days, 21-23rd November 2022, plus the previous two weeks where documentary evidence was requested and shared with Ofsted/CQC. The inspection report findings are consistent with the Area SEND Partnership self-evaluation.

The Ofsted/CQC revisit inspection report outlines that the Shropshire Area SEND Partnership has made sufficient progress in the following three areas:

- Inconsistent strategic leadership and weak strategic planning across the area, most notably in the CCG, including the ineffective use of data to accurately commission and plan services.
- The lack of inclusion of health services' input into the area's SEND action plan.
- The high rate of exclusions for children and young people with an EHC plan and the high rate of repeat fixed-term exclusions for those receiving SEND support.

The areas identified below require significant further improvement by the Area SEND Partnership and Ofsted/CQC;

- Significant wait times for large numbers of children and young people on the ASD and ADHD diagnostic pathways.
- Significant waiting times for those needing assessment and treatment from the speech and language therapy service.
- Inconsistency in the quality of input from education, health and care into EHC assessment and planning.

The three areas will now become the focus of an Accelerated Progress Plan (APP) formally monitored by the DfE and NHSE at regular intervals. The APP builds upon the SEND action plan reviewed by Ofsted/CQC, whilst providing more granular detail around actions to be taken and the desired impact of this work when successful. Once the APP has been formally approved by the DfE/NHSE it will be monitored by the Quality Assurance Group (QAG) monthly and reported to the Area SEND Partnership Board half termly.

The Ofsted/CQC inspection revisit report and the draft APP are included as appendices. The Area SEND Partnership accepts the report findings and is encouraged by many of the positive impact examples recognised by Ofsted/CQC. However, it is acknowledged that much more work remains to realise the ambition and positive experiences outlined in the SEND and Inclusion Strategy for all children and young people with SEND.

Following the Ofsted/CQC inspection we have seen significant increases, almost three times the numbers of EHC Needs Assessment requests in January and February 2023, compared with January 2020. This is consistent with the overall comparison between the full calendar year in 2021 and 2022, where there was a 187% increase in EHC Needs Assessment requests. Despite the increase, almost 90% of the requests are accepted (2022 National Average 77.7%) and following the 20 week assessment process around 95% of CYP are issued with an EHC plan following assessment (2022 National Average is 94.1%).

These increases have led to 270 CYP currently undergoing the EHC Needs Assessment process, based on figures at the beginning of March 2023. This presents significant challenge to the Area SEND Partnership, particularly education psychologists as education advice givers, social care advice givers and health advice givers, where advice is required by each of these statutory partners during the EHC Needs Assessment process.

These challenges have been reported to the Area SEND Partnership Board, the Integrated Care System CYP, Families and SEND System Board and Shropshire Director of Children's Services Performance Review meeting held in March 2023 for awareness and consideration of service capacity, both current and future, to inform financial modelling.

What difference have we made? Our 'Top 15 Successes shared during the inspection'

1. 44 permanent exclusions avoided/rescinded since 1st Feb 2020 – 14th Nov 2022.
2. Increased the specialist education placements available through mainstream SEND Hubs (7 primary, and 3 secondary) and a new Special Free School - Keystone Academy (YES Trust) opened Sept 2022. Independent review of the SEND Hubs completed during Nov/Dec 2022.
3. 100% Year 6 to 7 phase transfer reviews for 21/22 to 22/23 academic year.

4. Implemented a range of training delivered by DCO and health partners during 2021, now included in the workforce development plan.
5. EHCP advice is improving, and senior leaders have a clear view of 'what good looks like' to enable increasing consistency.
6. Joint funding (Health/LA) has enabled the development of a consistent universal offer for Speech, Language and Communication Needs using Talk Boost and Stoke Speaks Out across all Early Years settings and primary schools.
7. Sep 2021 – to August 2022, 129 out of 141 yes decisions were issued in under 42 days = 91.49% of Agree to assess decisions issued within 6 weeks. Since Sept 2022 56 EHCNA request have been made (up to 31st Oct 2022) with 82% of requests receiving a decision within 6 weeks.
8. Implemented Mental Health Support Teams (MHST) across 26 schools (inc. 3 secondaries) which is c.17% of schools in Shropshire.
9. Implemented ways in which the alignment of other social care planning such as for Children Looked After (CLA) with EHCP reviews can secure more integrated planning: outcome CLA - Virtual School reviewed, refreshed and aligned PEP with SEND in Shropshire.
10. PfA Navigator roles funded by Health have been established to support CYP and families during transition
11. 196 families have accessed support from Autism West Midlands without having to wait for an ASD diagnosis.
12. 98% of 677 responses have rated the SCHAT SLT service as good or very good since April 2021.
13. Developed some effective approaches to accommodation planning for families and YP with SEND working with the Children's Senior Occupational Therapist and the Housing Team.
14. Number of personal budgets has increased from 66 (Jan 21) to 149 (Jan 22)
15. DSCO appointed for Children's Social Care, increased capacity of DCO and SEND leads within health services.

All achieved through making progress with co-production with parent/carers, young people & SEND Partners, but recognise more to do.

What do we still need to do?

- Increase the variety of preventative interventions and targeted use of finance to build capacity within the Early Years, schools and 16-25 year sector to effectively identify at the earliest stage and meet the needs of children and young people (CYP) with SEND so they all consistently achieve great outcomes.

- Continue to improve the achievement of all children and young people with SEND (particularly at SEND Support) across all phases of education, including promoting opportunities to develop independence and preparation for employment.
- Implement the workforce development programme across the partnership to enhance the partnership approach to delivering the best outcomes for CYP with SEND.
- Develop a CYP participation strategy across the People's Directorate and ensure the involvement from CYP with SEND.
- Re-design the SEND assessment team processes and systems to ensure maximum efficiency and minimise staffing costs as forecasting predicts continuous growth in demand for statutory services up to 2030.
- Continue to implement the workforce recruitment and retention strategy for Educational Psychology, Speech and Language Therapists and BeeU therapists to ensure a sufficient workforce.
- Continue to improve the breadth and diversity of provision available in Shropshire, or close to Shropshire, so that children and young people can attend local placements instead of out of borough or in-borough independent special schools, whilst ensuring outcomes identified in their EHC plans continue to improve.
- Confirm and, where possible, simplify the governance arrangements for the Integrated Care System (ICS) so that key decisions are increasing local, and system wide decisions (Shropshire, Telford and Wrekin ICS area) are well coordinated.
- Implement the SEND action plan, including the Accelerated Progress Plan (APP), to ensure that the vision of the SEND and Inclusion Strategy are realised for all children and young people.
- Continue to ensure that SEND is everyone's business, and this is evident in agendas, minutes and decision making across Shropshire.

4. Risk Assessment and Opportunities Appraisal

The Area SEND Partnership Board holds a summary risk register covering the key risks identified through its work programmes or discharge of duties. This is being updated considering the development of the APP, publication of the Area SEND inspection report and ongoing monitoring of risk. This does not replace the individual organisation risk registers held by partners to identify, mitigate and manage risks held.

The CYP, Families and SEND System Board led by the ICS is also developing a risk register to hold the key risks identified across the ICS area.

It is recommended that SHIPP and the LDA Board review the Area SEND Partnership Board and CYP, Families and SEND System Board risk registers to enable awareness of

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dependencies or opportunities to positively influence mitigation/management of risks identified.

A key development underway across the Area SEND Partnership is the creation of a SEND data dashboard that includes regularly updated key information from partners across the Area SEND Partnership. This was referenced in the Ofsted/CQC inspection report and must be developed as a key priority across the Area SEND Partnership.

5. Financial Implications

Additional resource requirements are being considered and identified within the SEND action plan, and APP, so that commissioning or governance decisions can be considered for these areas.

To date, key areas where financial implications are highly likely include;

- 5.1 Significant increases (186%) in the numbers of requests for EHC Needs Assessments over the last 12 months. This has implications on the workforce of the whole Area SEND Partnership given that at date of report (270 CYP are undergoing the 20-week EHC Needs Assessment).
- 5.2 Developing a connected and coherent emotional health and mental wellbeing offer (universal, targeted and specialist) and enabling access to this at the earliest opportunity for CYP with different SEND needs.
- 5.3 Further enhancing and embedding the system approach to identifying and meeting different speech, language and communication needs (universal, targeted and specialist) and enabling access to this at the earliest opportunity **for all CYP**.

Appendices

- Appendix 1 - Ofsted CQC Shropshire Area SEND Inspection Report Feb 2023 (attached)
- Appendix 2 - SEND APP Progress Tracker (Draft version to be shared w/c 20th March for comment, in line with sharing with the DfE and NHS England)