

People Overview & Scrutiny Committee

Friday, 30 June 2023

ADDENDA

- 1. Election of Chair for the 2023-24 Council Year**
- 2. Election of Vice-Chair for the 2023-24 Council Year**
- 3. Introduction and Welcome**
- 4. Apologies for Absence and Temporary Appointments**
- 5. Declaration of Interests - see guidance note on the back page**
- 6. Petitions and Public Addresses**

At the time of publication of the supplement, three requests to address the Committee have been received.

7. Department for Education data (Pages 1 - 6)

The Department for Education published data relating to the timings of EHCPs and tribunal hearings for 2022 on 8 June 2023. The Committee requested that a report be provided setting out the Council's response to this report so that, in light of recent staffing changes in Children's Services, members can consider if the Council has sufficient resources and knowledge to provide the level of service expected of residents.

Cllr Liz Brighthouse, Deputy Leader of the Council and Cabinet Member for Children, Education, and Young People's Services, has been invited to present the report with Stephen Chandler, Interim Executive Director: People, Transformation and Performance, and Anne Coyle, Interim Corporate Director: Children's Services, in attendance to answer the Committee's questions.

The Committee is recommended, having considered the report and responses to questions, to **AGREE** any recommendations it wishes to make to Cabinet arising therefrom.

8. SEND Improvement Task & Finish Group (Pages 7 - 10)

At its meeting on 28 April 2023, the Committee agreed to establish a task and finish group to consider SEND Improvement. The Scrutiny Officer has submitted a report setting out the terms of reference which the Committee is recommended to **APPROVE**, subject to any amendments.

Close of meeting

Divisions Affected - All

PEOPLE OVERVIEW & SCRUTINY COMMITTEE

30th June 2023

Education Health Care Needs Assessment Timeliness

Report by Anne Coyle, Interim Corporate Director of Children's Services

1. **The People Overview and Scrutiny Committee is ASKED to** note the updated information contained in this paper regarding Education Health Care Needs (EHCP) both as per national publication (Jan 2023) and as at June 2023.
2. The report also provides an update on the timeliness of Assessments, the annual performance, and the impact of improvement work.

Executive Summary

3. Nationally there has been an increase in initial requests for EHCPs (23%) and EHCs (7%). The number of plans issued within the 20-week target nationally was 50.7% as recorded in January 2023 and Oxfordshire's performance was 4%.
4. Regular reporting to Cabinet on EHCP delivery through Unity began in November 2020.
5. Monthly reporting to the Department for Education began in November 2021.
6. Issues around the timeliness of Education Health Care Needs Assessment (EHCNA) were first reported in June 2021. An improvement plan was put in place and a request for additional funding to support the service was agreed by council in February 2023.
7. In month for June 2023, timeliness is currently 60.4%.

National Context

8. [SEN2](#), a Department for Education annual statutory return was published in June 2023. This reports the data for Local Authorities in relation to SEND for the previous calendar year.

9. There was a 23% increase in requests for assessment nationally in 2022.
10. During 2022 nationally the timeliness of Education Health Care Needs Assessments was 50.7%. This was a 9.2% reduction from the previous year.
11. Oxfordshire's timeliness was 4%

How Did We Get To 4%?

12. Two metrics are considered in relation to timeliness data: the rolling figure, which is reported nationally, and the in-month figure which we use to monitor performance.
13. In June 2021, additional funding was requested for both the SEND Casework Team and the Educational Psychology Service to support increasing staffing capacity due to the emerging issues around timeliness. Post COVID, we were experiencing month on month increase in requests for assessment.
14. At that time, the SEND Casework Team were holding caseloads averaging 250 children and young people. At that point, the officers carried out all functions from assessments, through to annual reviews to tribunals.
15. The Educational Psychology Service had 11 FTE psychologists. An assessment takes two days, and each psychologist has a blend of assessments and direct work with schools and children. When at full capacity, this means that 44 could be carried out a month against a backdrop of an average of 92 requests per month.
16. Children's Social Care and Health partners are also required to carry out assessments and there were staffing pressures in these services at the time. The partners are a key part of the assessment process of children and young people's needs and their reports are crucial for a thorough understanding of need and provision. (see figure 1 for timeliness of professional reports).
17. A new business system (Liquid Logic) was implemented in August 2021. Staff spent hours in training in how to use the system and data was not accurately reported in the new system. Many requests got misplaced by the system and a system reboot was needed to release the files. The team had to use two systems concurrently slowing all processes down.
18. The funding was agreed in March 2022 (2-year COVID Grant). Both teams were provided with additional resource to immediately add staffing capacity and in the midterm look at a team restructure. By this time, the backlog (assessments over 20 weeks) had grown to 186.
19. In July 2022, an improvement plan was created by the team and put in place, there were 777 cases undergoing assessment, of these just under 300 were late. Rolling timeliness at this point was 7% and in January 2023, 4%.
20. In August 2022, Health experienced an outage of their Carenotes system, meaning no historical information could be accessed for any of the children already known to the community services teams.

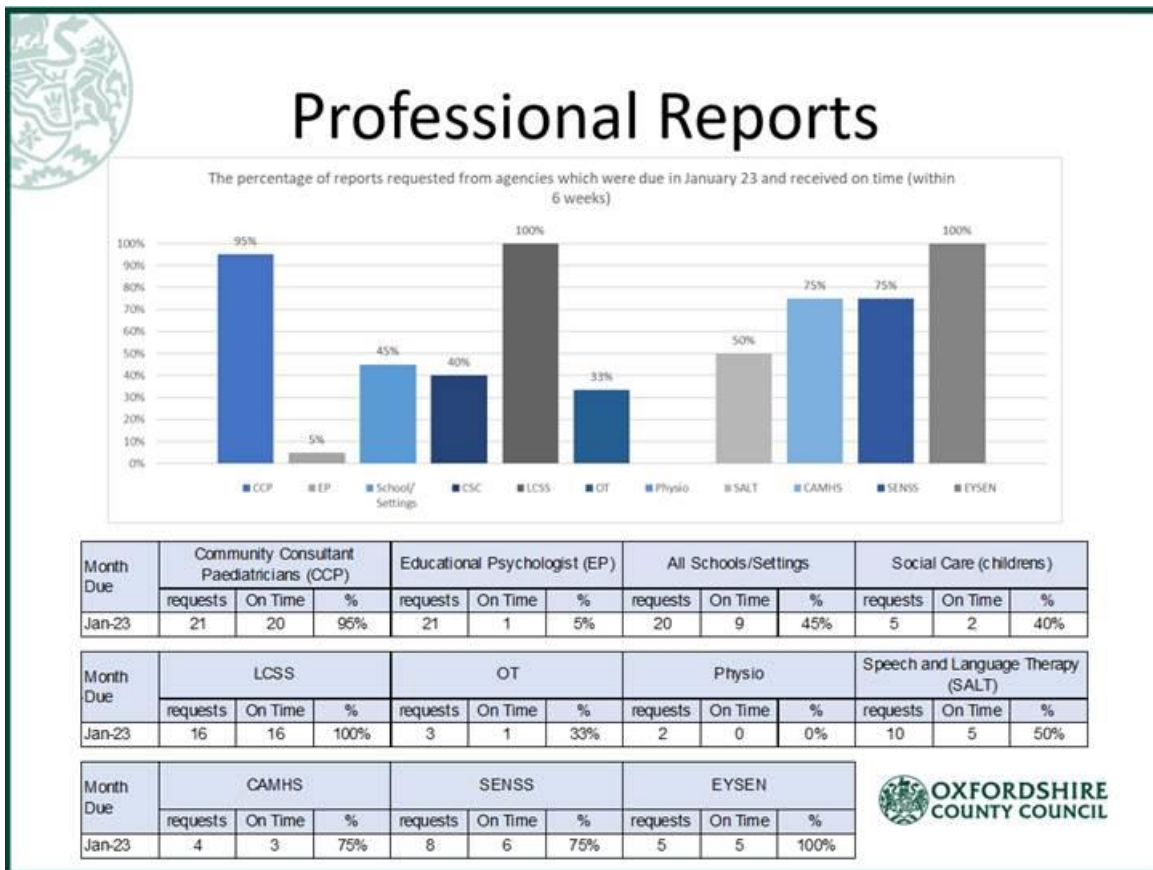


Figure 1: Professional reports completed to statutory timescales Jan 2023

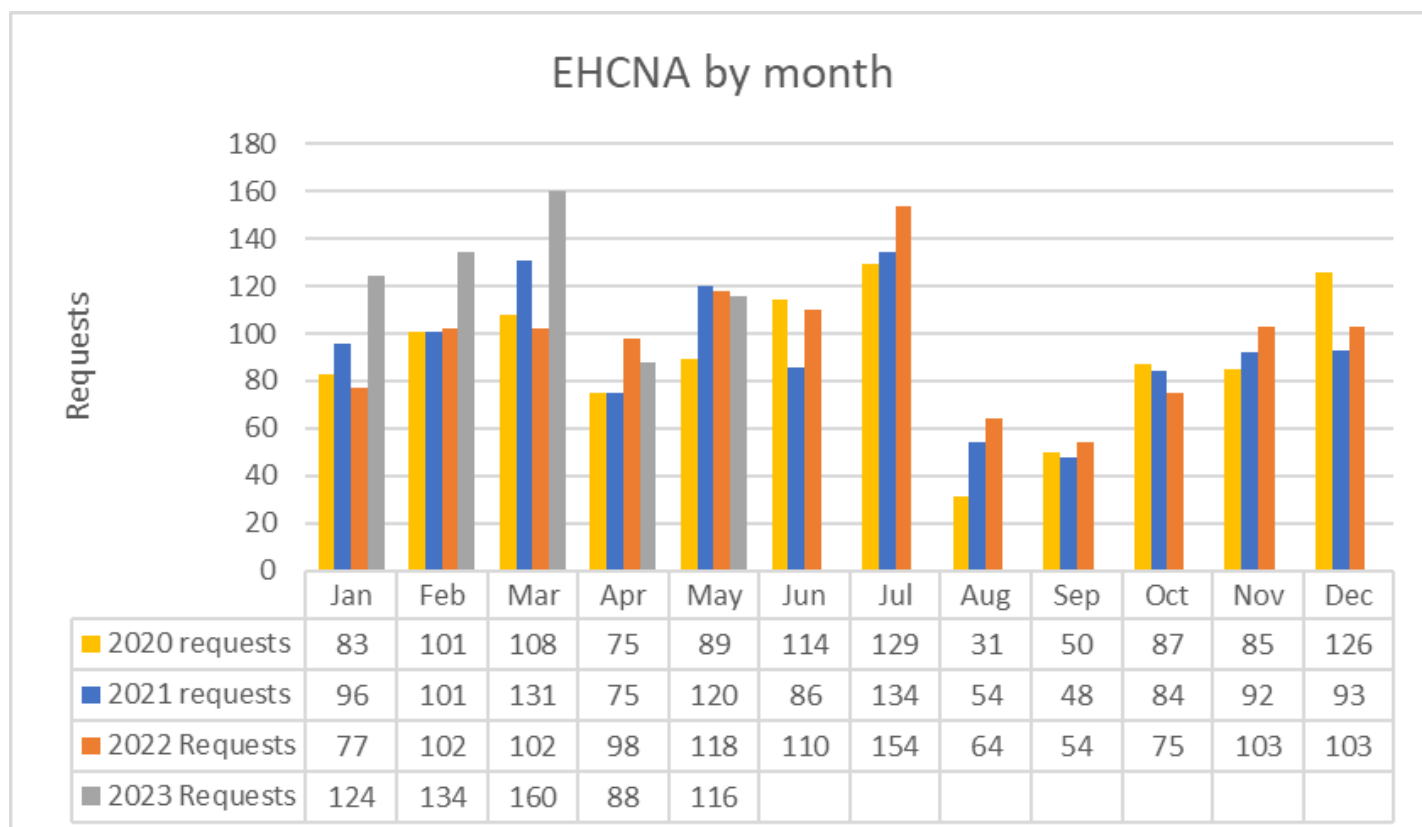


Figure 2: Monthly requests for statutory assessment

Current Position and Forecast

21. Monthly reporting to the Department for Education has taken place since September 2022. The improvement plan and forecast were approved by the DfE in January 2023. At that point, the forecast to put Oxfordshire back to national was August 2024.
22. The Educational Psychology Service were tasked to work with more locum and agency staff to work through the back log and current cases. A high % of COVID 19 funding was provided to the service to fund this. The service is now delivering between 20-25 assessments a week, with over half of these being on time and the figure is increasing as we move through the year. The Head of SEND has been monitoring this weekly and through 1-1s with Service Manager.
23. In Oxfordshire, for the first quarter of 2023, there has been a 29% increase in requests for assessment as the same period last year.
24. The current in month position is 60.3% and rolling monthly figure 38.7%.
25. As the performance continues to be monitored closely by senior officers, the improvements needed to meet the forecast target have been consistently met or improved on. The Performance and Data Team will carry out a new forecast based on the current performance.

Comparison of % EHCPs completed within 20 weeks to target

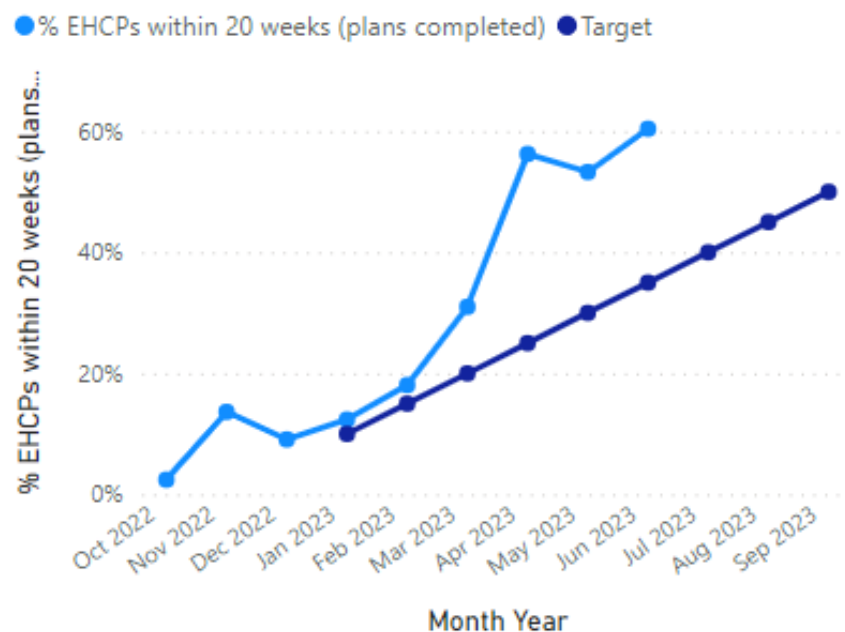


Figure 3: Target and completion rates

Corporate Policies and Priorities

26. The Local Area SEND Strategy links to priority 2 (Tackle inequalities in Oxfordshire), priority 3 (Prioritise the Health and Wellbeing of Residents) and priority 7 (Create opportunities for children and young people to reach their full potential) in the OCC Corporate Plan.

Financial Implications.

27. £500k investment provided to the casework team to ensure continued improvement. Some of this money has been distributed to the Business Support Team as a key function. Agency staff are in post whilst permanent recruitment is ongoing.

Legal Implications

28. This report is for information only, there are no new proposals.

Equality & Inclusion Implications

29. As part of the SEND consultation in 2022, Equality Impact Assessment was completed covering the protected characteristics set out in the Equalities Act 2010.
30. Disability is a protected characteristic under the Equalities Act 2010 and children and young people with SEND face significantly greater challenges in learning than their peers or have a disability which hinders their access to the teaching, curriculum and facilities typically found in mainstream educational settings.
31. The ECIA are 'live' documents that are subject to review and amended as the developments progress.

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June 2023

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Agenda Item 8

Review Topic:

Improvement for Special Educational Needs and Disabilities (**SEND**) Services in Oxfordshire.

Select Committee(s):

People Overview & Scrutiny Committee

Relevant background

The People Overview & Scrutiny Committee resolved that a **SEND** Improvement Task and Finish Group should be established to consider where improvements are necessary in the Council's SEND services, taking account of parent group concerns in line with the conditions set out in the Written Statement of Action; to seek assurance that progress is being made against those in the short-term and that progress updates will be reported on to the People Overview & Scrutiny Committee.

What questions are the Group aiming to answer?

1. How is the Council improving its services for children and young people with Special Educational Needs and Disabilities?
2. How does the Council's performance for **SEND** Services contribute to the improvements required within the Written Statement of Action use and expect?
3. What is needed to achieve further required improvements across Oxfordshire's **SEND** services?
4. What can the Council do, despite the ongoing national picture concerns / funding issues, to improve local services?
5. How to anchor the 11 recommendations from the last People Scrutiny
6. Does the Council have practice standards for responses to enquiries and for client handovers? If so, do ICT systems support good communication flow?
7. What lessons can we learn from the top performing authorities (Hertfordshire) and how can we include them within our current offering?

Aim

That the Task and Finish Group:

- Supports and scrutinises the required service improvements for SEND services in Oxfordshire.
- Provides Member oversight, challenge, accountability and assurance to the improvement process, and also enables Parent Carer input.
- Makes recommendations where appropriate.

Objectives

- Meet with officers to ascertain the project timelines and deadlines associated with the service improvement plans.
- Meet regularly with Officers to: assess and receive progress updates/reports on the required service improvements; to understand how **SEND** services are changing, and how these changes will improve the quality of service to children and young people and their families.
- The Group will use up-to-date strategic documents and reports to assess targets and the measure progress against those targets

- Identify themes and risks associated with the transformation of **SEND** services and take appropriate further action as necessary.
- Arrange to shadow senior SEND staff in the field to get a better understanding of their roles and the pressures they face on a day to day basis.

This could include:

providing regular findings reports to the main committee; suggesting recommendations back to the main committee to establish further areas for formal scrutiny and focussed work; or where appropriate, suggest recommendations for the main committee to escalate urgent concerns to Cabinet, or the relevant Cabinet portfolio holder.

Scope

In scope

- The delivery of SEND services transformation against the agreed Written Statement of Action
- SEND Services Performance and Monitoring

Out of scope

- Scrutiny of any individual's SEND service provisions
- SEND services budgets

Outcomes for Oxfordshire / Benefits

Oxfordshire's County Council's Corporate Strategy sets out strategic goals to improve resident wellbeing, experience and the county's economic prosperity, and give residents a Fair Deal.

This task group would support the delivery of the following corporate goals:

1. Improve outcomes for children in need of support and protection (Wellbeing)
2. Enhance opportunities for residents to influence and shape council services (Resident Experience)
3. Improve the satisfaction of families of children with special educational needs and disabilities with the support they receive. (Resident Experience)

Proposed work plan

It is important to clearly allocate who is responsible for the work, to ensure that Members and officers can plan the resources needed to support the task group.

Timescale – Introductory meeting on 30 June 2023 to receive presentations from the Cabinet Member for Children, Education, and Young People Services and from the Interim Executive Director and the Interim Corporate Director. This will enable the Group to decide on a pattern of meetings and timeframe. It is anticipated that, going forward, the Group will meet online for around 90 minutes each time approximately every two weeks once the schedule of meetings has been agreed. Meetings to be adaptive to daily time pressures and to be negotiated with the Group's Chair. Initially 6 x 90min meetings to look at:

1. Communications with parents and proposed improvements, to explore a Communication Framework approach.
2. Staff churn, retention, support, and resilience / succession planning.
3. Review of the 11 recommendations of the Parent Carers Forum (OXPCF)

4. Review of Statutory Obligations against timing and response times, reasons for delays and potential OCC improvements.
5. Review the concept of a wider engagement piece and two-way feedback from users / children / parents and the wider eco system of staff inside education, professionals and public servants.
6. Review of Ombudsman decisions to identify any themes and to review service improvements / service learning arising from those.
7. How many children are home-educated owing to a lack of tailored SEND provision in the county and, of those, how many are on EOTAS or an EOTAS referral waiting list?

Task & Finish Group Members

Cllr Nigel Simpson, chair
Cllr Trish Elphinstone
Cllr Damian Haywood
Cllr John Howson
Cllr Sally Powlotsky
Cllr Michael Waine

Potential Witnesses

Oxfordshire Parents Carers Forum
OXSend Parents
Teachers / Headteacher network / SEND specialists
Niall McWilliams – ex Oxford Academy
Director of Children Services OCC
Cabinet Member for Children's Services and Education OCC
Hertfordshire County Council – Best Practice
Head teachers / deputy headteachers who have contacted members including Sutton Courtney and South Moreton Primary
Admissions and Transport Services Manager

Useful Documents

SEND Development Plan
SEND Improvement Plan
Equalities implications
SEND Documents given to People Scrutiny in the last 3 meetings (references needed)

The services within the scope of this Task and Finish Group will provide support to residents with 'protected characteristics', as defined by The Equality Act 2010, many with complex levels of need and support. The Group will be mindful of this and will monitor the equalities implications emerging from its work with officers, and will work to identify mitigation measures for those with a potentially negative impact, if applicable.

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