

Division(s):

Performance Scrutiny Committee – 24 May 2018

Joint Local Area Inspection of Special Educational Needs and Disabilities (SEND)

Report by Lucy Butler, Director for Children's Services

1. Introduction

Between 25 September and 29 September 2017 Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of Oxfordshire to judge our effectiveness in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014 (covering children and young people aged 0 – 25).

The [report](#)¹ was published on December 4th and stated that the local authority and the area's clinical commissioning group are jointly responsible for submitting a Written Statement of Action to Ofsted within 70 days of the published report (March 8th). The Written Statement of Action is published on the [Local Offer](#)² on the public website and has been ratified by Ofsted. It explains how the local area is tackling the following areas of significant weakness:

- the lack of clearly understood and effective lines of accountability for the implementation of the reforms
- the quality and rigour of self-evaluation and monitoring and the limited effect it has had on driving and securing improvement
- the quality of EHC plans
- the timeliness of the completion of EHC plans
- the high level of fixed-term exclusion of pupils in mainstream secondary schools who have special educational needs and social, emotional and mental health needs in particular.

2. National context

The first local area SEND inspections took place in May 2016. By May 2017, Ofsted and CQC had completed 30 inspections. Just under a third of the local areas inspected (nine) were required to provide a written statement of action. The Ofsted and CQC report '[Local area SEND inspections: one year on', October 2017](#)³ highlights the main findings from the first 30 inspections. The first three key findings are:

- Nationally, children and young people identified as needing SEND support had not benefited from the implementation of the Code of Practice well enough.
- Children and young people who have SEND were found to be excluded, absent or missing from school much more frequently than other pupils nationally.

¹ Oxfordshire's SEND inspection report letter can be found at: <https://reports.ofsted.gov.uk/local-authorities/oxfordshire>

² www.oxfordshire.gov.uk/sen

³ Ofsted & CQC, 'Local Area SEND inspections: one year on', Oct 2017. Available at: www.gov.uk/government/publications/local-area-send-inspections-one-year-on

- School leaders had used unofficial exclusions too readily to cope with children and young people who have SEND.

There were 10 inspections between September and December 2017 and 7/10 were required to produce a Written Statement of Action.

3. Actions taken in response to Oxfordshire’s joint inspection

Since the inspection there has been an opportunity to reflect and begin to implement the learning from the experience. The spotlight on SEND has raised the importance of the area’s joint responsibilities for children and young people aged 0 – 25 with SEND.

The Programme Board overseeing the implementation has been refreshed and is now chaired by the Cabinet member for Public Health and Education, Councillor Hilary Hibbert-Biles, and reports to the Children’s Trust and the Health and Well-Being Board. There is strengthened internal governance from health through to the OCCG Quality Committee, and children and adult social care reporting on SEND to senior management teams.

Some additional resources have been assigned to strengthen services and provision for children and young people with SEND to enable the local area to fulfil its duties. These includes additional staffing for the SEN casework team, more educational psychologists and a permanent Designated Clinical Officer for SEND, funded by OCCG. An ICT case management system has also been confirmed to improve the interface with social care, health and transparency for parents.

All services have been evaluating processes, guidance for staff, quality assurance measures and making immediate improvements. Exemplars, supervision and management sign off of reports has been having a significant impact in children and adult social care. An e-learning course on Education, Health and Care Plans has been produced and went live in January to support work force developments. Almost 300 OCC staff, predominantly social care staff, have completed this training. An evaluation of the impact of the e-learning has confirmed that staff feel more confident as to how they could contribute to EHC Plans and have a better understanding of outcomes, provision and aspirations and felt clear about the differences. Also, multi-agency training is being provided by the Council for Disabled Children in May.

4. Progress

We are on target to meet our June 2018 milestone that 50% of EHCPs will be completed in 20 weeks. 48% of cases were completed on time in March, this is an improvement from 37% in 2017.

Performance Improvement Trajectory

Timeframe	% of EHC Plans completed within 20 weeks
June 2018	50%
Sep 2018	60%
Dec 2018	70%
March 2019	80 %

June 2019	90%
September 2019	100%

There is variation in the timeliness of assessment returns from different agencies, which affects overall timeliness. In the last 3 months 70% of social care assessments have been returned on time (6 weeks), but for all other agencies the timeliness is between 51 and 56%.

	Jan-18			Feb-18			Mar-18			Quarter		
	On time	All	%	On time	All	%	On time	All	%	On time	All	%
Social Care	23	33	70%	30	33	91%	19	37	51%	72	103	70%
Community Consultant Paediatrician	20	27	74%	17	26	65%	18	45	40%	55	98	56%
Educational Psychologist	8	16	50%	12	21	57%	26	49	53%	46	86	53%
Therapies	19	35	54%	23	34	68%	20	49	41%	62	118	53%
Setting (School / Setting)	18	32	56%	24	39	62%	17	44	39%	59	115	51%
All	88	143	62%	106	153	69%	100	224	45%	294	520	57%

Education, Health and Care plans are being sampled each week for quality assurance and there has been a 20% improvement since October.

Terms 1-4 of 17/18 academic year show a 7% reduction in secondary fixed term exclusions from the 16/17 academic year. The target is that by December 2018 we will have achieved a 30% reduction. Progress is being made towards this target and should accelerate as more projects begin to have an impact.

A performance dashboard containing targets across education, health and care is being monitored monthly by the SEND Programme Board.

5. Risks

There are a number of risks identified with meeting the ambitious plan outlined in the Written Statement of Action. Risk management and mitigation is being managed on a multi-agency basis by the SEND Programme Board. Key risks being monitored include:

1. Lack of capacity across the workforce, including children and adult social workers, to meet demand and workload.
2. Schools fail to cooperate with reforms and initiatives to improve inclusive practice, impacting on pressures for places in special schools and exclusions.
3. Capacity within specialist and enhanced mainstream education provision is insufficient to meet demand, directly impacting on timeliness of EHCPs
4. Despite remedial action plans to recruit staff, recruitment difficulties across some specialisms e.g. educational psychologists.
5. Limited data and intelligence to inform planning and practice due to capacity within the performance team and high levels of absence.

6. RECOMMENDATION

The Committee is **RECOMMENDED** to consider the outcomes of Oxfordshire's inspection and its responsibilities in relation to the joint area accountability for the delivery of the Written Statement of Action.

Lucy Butler

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Background papers: Written Statement of Action

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