



Notice of a Meeting

Education Scrutiny Committee Wednesday, 25 November 2020 at 1.00 pm Virtual

Please note that due to guidelines imposed on social distancing by the Government the meeting will be held virtually. If you wish to view proceedings please click on this [Live Stream Link](#) However, that will not allow you to participate in the meeting.

Membership

Chairman Councillor Michael Waine
Deputy Chairman - Councillor John Howson

Councillors: Ted Fenton Jeannette Matelot Emma Turnbull
Mrs Anda Fitzgerald- Gill Sanders
O'Connor

Co-optees:

By Invitation: Donald McEwan Carole Thomson

Notes: *Date of next meeting: 3 February 2021*

What does this Committee review or scrutinise?

- a focus on the following key areas:
 - work in relation to the education strategy, and including review of an annual report on progress;
 - constructive challenge on performance issues highlighting issues where the Committee can support the improvement dialogue;
 - reviewing the Council's education functions including early years, Special Education Needs and school place planning;
 - reviewing the progress of, and any issues emanating from, the School Organisation Stakeholder Group with regard to admissions patterns and arrangements;
 - reviewing issues raised by the Schools Forum.
- assists the Council in its role of championing good educational outcomes for Oxfordshire's children and young people;
- provides a challenge to schools and academies and to hold them to account for their academic performance;
- promotes jointed up working across organisations in the education sector within Oxfordshire.

For more information about this Committee please contact:

Chairman	-	<i>Councillor Michael Waine Email: michael.waine@oxfordshire.gov.uk</i>
Senior Policy Officer	-	<i>Robin Rogers, Tel: 07789 923206 Email: robin.rogers@oxfordshire.gov.uk</i>
Committee Officer	-	<i>Deborah Miller, Tel: 07920 084239 deborah.miller@oxfordshire.gov.uk</i>

Yvonne Rees
Chief Executive

November 2020

About the County Council

The Oxfordshire County Council is made up of 63 councillors who are democratically elected every four years. The Council provides a range of services to Oxfordshire's 678,000 residents. These include:

schools	social & health care	libraries and museums
the fire service	roads	trading standards
land use	transport planning	waste management

Each year the Council manages £0.9 billion of public money in providing these services. Most decisions are taken by a Cabinet of 9 Councillors, which makes decisions about service priorities and spending. Some decisions will now be delegated to individual members of the Cabinet.

About Scrutiny

Scrutiny is about:

- Providing a challenge to the Cabinet
- Examining how well the Cabinet and the Authority are performing
- Influencing the Cabinet on decisions that affect local people
- Helping the Cabinet to develop Council policies
- Representing the community in Council decision making
- Promoting joined up working across the authority's work and with partners

Scrutiny is NOT about:

- Making day to day service decisions
- Investigating individual complaints.

What does this Committee do?

The Committee meets up to 6 times a year or more. It develops a work programme, which lists the issues it plans to investigate. These investigations can include whole committee investigations undertaken during the meeting, or reviews by a panel of members doing research and talking to lots of people outside of the meeting. Once an investigation is completed the Committee provides its advice to the Cabinet, the full Council or other scrutiny committees. Meetings are open to the public and all reports are available to the public unless exempt or confidential, when the items would be considered in closed session.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, giving as much notice as possible before the meeting

A hearing loop is available at County Hall.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note of the back page**
3. **Minutes (Pages 1 - 12)**

To approve the minutes of the meeting held on 9 September 2020 and 23 September 2020 (**ESC3**) and to receive information arising from them.

4. **Petitions and Public Address**

This Education Scrutiny meeting will be held virtually in order to conform with current guidelines regarding social distancing. Normally requests to speak at this public meeting are required by 9 am on the day preceding the published date of the meeting. However, during the current situation and to facilitate these new arrangements we are asking that requests to speak are submitted by no later than 9am four working days before the meeting i.e. 9 am on 19 November 2020. Requests to speak should be sent to deborah.miller@oxfordshire.gov.uk together with a written statement of your presentation to ensure that if the technology fails then your views can still be taken into account. A written copy of your statement can be provided no later than 9 am 2 working days before the meeting.

Where a meeting is held virtually and the addressee is unable to participate virtually their written submission will be accepted.

5. **Update on Special Educational Needs in Oxfordshire (Pages 13 - 18)**

1.10

Report by the Deputy Director for Children's Services (**ESC5**).

The Education Scrutiny Committee has requested an update on the analysis of SEND and provision in Oxfordshire, together with the emerging strategy for implementing a transformative approach to supporting our children and young people with SEND.

The Education Scrutiny Committee is RECOMMENDED to note developments to date since September 2020, in order to transform the provision of education, health and care services for children and young people with special educational needs and disabilities.

6. **Vulnerable Learners**

1.40

To receive a presentation from the Head of the Virtual School on the Virtual school, celebrating children in care and their educational achievements.

7. Teacher Training Recruitment

2.10

To receive a verbal report from Oxfordshire Teaching Schools Alliance on recruitment onto initial teacher training placements and the capacity of the workforce.

8. Admission Scheme

2.40

To receive a verbal update from the Head of Access to Learning on fair access and referrals to the Secretary of State.

9. Forward Plan and Committee Business (Pages 19 - 20)

An opportunity to discuss and prioritise future topics for the Committee, potential approaches to its work and to discuss the schedule for future meetings (**ESC9**).

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines. <http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

This page is intentionally left blank

EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Wednesday, 9 September 2020 commencing at 10.30 am and finishing at 11.45 am.

Present:

Voting Members: Councillor Michael Waine – in the Chair

Councillor John Howson (Deputy Chairman)
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Jeannette Matelot
Councillor Gill Sanders
Councillor Emma Turnbull
Councillor Hilary Hibbert-Biles (in place of Councillor Ted Fenton)

Other Members in Attendance: Councillor Lorraine Lindsay-Gale

By Invitation: Mr Donald McEwan, Council of Oxfordshire Teachers' Organisation (COTO) and Mrs Carole Thomson, Oxfordshire Governors' Association.

Officers: Director of Finance, Lorna Baxter, Deputy Director Education, Hayley Good, Director of Children's Services, Kevin Gordon, Kim James, Graham Pirt, Robin Rogers, Khalid Ahmed and Sue Whitehead.

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports are attached to the signed Minutes.

19/20 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 1)

An apology for absence was received from Councillor Ted Fenton (Councillor Hilary Hibbert-Biles).

20/20 MINUTES
(Agenda No. 3)

The Minutes of the Meeting held on 24 June 2020 were approved and signed as an accurate record of the Meeting, subject to the following amendments:

Minute 14/20, page 3, paragraph 3 substitute "one Education services" with "one Education service",

Minute 14/20, page 5, paragraph 3 substitute " ever bodies business" with "everybody's business".

Minute 16/20, page 9, paragraph 7 substitute “Ryan Academy” with “Orion Academy”.

Minute 16/20, page 9, paragraph 7, substitute “did escalate further up the schools” with “did not escalate further up the schools”.

Matters Arising:

In relation to Matters Arising in the Minutes (Minute 6/20) and the Chairman’s request for a meeting with the Cabinet Member for Education & Cultural Services to discuss the government interactive tool information and average progress of pupils which impacted on the most deprived wards; this meeting had not taken place but was expected to take place before the substantive meeting.

In relation to Minute 14/20 on discussion on IT equipment for schools and that the Chairman had requested that officers provide information to the Committee on what IT had been awarded, Members were informed that a this had been answered in the form of a question at Council on 8 September 2020. It was requested that Members (including Donald McEwan and Carole Thomson) received the follow up reply which had been requested at the meeting.

In relation to Minute 16/20, page 8, reference was made to the question which was asked at Council on 8 September 2020, regarding BME exclusions and it was requested if the response could be circulated to Members of the Committee (including Donald McEwan and Carole Thomson).

21/20 CHANGES TO SEND HIGH NEEDS TOP UP FUNDING ARRANGEMENTS FOR 2020/21

(Agenda No. 5)

The Chairman expressed his disappointment that the report for this item was only distributed to Members the evening before. In addition, the report expected had been for a Strategic Plan, not the report which had been prepared.

Mr Kevin Gordon, Director for Children’s Services commented that it was unacceptable that the papers had been distributed the night before and he explained that this was due to changes in the leadership team.

Reference was made to a decision which had been made by the Schools Forum in 2019 which was the reason the new leadership team was bring this report before Members. He acknowledged that the report was not a wider Strategic report but that was because there was much more work to be carried out in relation to SEND. Detailed discussions were required with schools and parents and there were detailed work required on budgetary pressures.

Ms Hayley Good, Deputy Director of Education introduced the report which outlined the current method of SEND High Needs top-up funding within Early Years settings and mainstream Primary and Secondary schools in Oxfordshire.

The report also included details of how a one-off transfer of Dedicated Schools Grant could be used for an increase in top-up funding for 2020/21 which would help support schools to better meet the needs of pupils and students but highlighted that there would be an ongoing impact to the High Needs Block budget overspend from 2021/22 onwards if it were to be maintained.

In relation to Early Years, reference was made to a decision of the Schools Forum in November 2019, where approval was to the recommendation from Oxfordshire County Council (OCC) to transfer one-off funding of £370,000 for three and four year old providers from the 2018-19 Early Years Block DSG underspend. The use of Dedicated Schools Grant reserves for this purpose was agreed in the Council's budget for the academic year 2020/21 only.

Members were informed that there would be an ongoing impact to the High Needs Block budget overspend from 2021/22 onwards if it were maintained.

In relation to mainstream Primary and Secondary schools, in January 2020, after the National Funding Formula unit rates had been implemented in full for all schools, the Schools Forum had agreed the OCC recommendation to move the balance of the unallocated funding to the High Needs Block to allocate directly to Special Educational Needs & Disabilities (SEND) budgets in schools to specifically support High Needs students.

£1,300,000 was moved from the Schools Block of the Dedicated Schools Grant to the High Needs Block of the Dedicated Schools Grant to support a one-off, one-year only SEND top-up funding increase for mainstream Primary and Secondary schools. It was noted that there would be an ongoing impact to the High Needs Block budget from 2021/22 onwards if it were maintained.

Details of how top-up funding currently works was detailed in paragraph 6 of the report.

The Committee was informed that a one-off transfer of the unallocated £370,000 from the Early Years Block of the Dedicated Schools Grant to the High Needs Block would support a one-off funding increase to Early Years settings for 2020/21 only. There would be additional pressure on the High Needs Block budget from 2021/22 onwards for Early Years settings if the increase was maintained.

The one-off transfer of the unallocated £1,300,000 from the Schools Block of the Dedicated Schools Grant to the High Needs Block would support a one-off funding increase to mainstream Primary and Secondary schools for 2020/21 only. Again, there would be additional pressure on the High Needs Block budget from 2021/22 onwards for mainstream Primary and Secondary schools if the increase was maintained.

Members were informed that the cumulative deficit on the dedicated schools grant currently stood at £11m (31st March 2020) with the estimated in-year forecast deficit for High Needs also £11m, which would result in a cumulative deficit at March 2021 of £22m.

With no change in strategy and continuing growth in demand for support from High Needs, the in-year deficit was expected to be £15m for 2021-22. Reference was made to the DfE in July 2020, who announced additional High Needs DSG of £7.5m, which would reduce the in-year deficit but would result in a cumulative deficit of £29.5m by March 2022.

A continuation of the proposed one-off funding increases would add £1.67m to the forecast deficit in future years. The Council strategy was to support learners closer to home, so if the additional funding resulted in fewer children moving to more costly placements, the investment would begin to payback.

Discussion

- A Member asked that when the report was submitted to Cabinet, that it clearly explained what financial and academic years were as these had different implications for maintained schools, academies etc.
- Carole Thomson referred to the Schools Forum in December 2016 agreeing to fund a High Needs review which the Government gave the Council £250,000 towards the review. This was then put aside because the Council received a poor Ofsted review. She understood that this report would be pushing this forward.
- Carole Thomson said there were key questions for schools such as how would the funding be calculated (secondary schools) as children were already at the school. Also the £1.3m for Primary and Secondary schools should be split separately. This information would be provided for Members.
- Carole Thomson asked that there be transparency on how the funding was allocated.
- The Director for Children's Services reported that it would be a top priority as soon as the Cabinet decision was made to send out funding details to schools. Work would take place before the Cabinet meeting to ensure decisions were sent out quickly as preparation work had started almost a year ago on this.
- Cllr Gill Sanders commented that the Council needed to look at placing children in placements in Oxfordshire as it was more costly to send children further afield. The Director of Children Services agreed with this strategy.
- Cllr Mrs Anda Fitzgerald-O'Connor asked what work was taking place with neighbouring local authorities. Mr Graham Pirt (CEF) reported that there was work taking place with neighbouring authorities and gave some details. This joint work brought costs down.
- Cllr Emma Turnbull commented that the Council needed powers to fix this problem and referred to paragraph 15 of the report which referred to the need for the Council to have a plan to manage its Dedicated Schools Grant deficit. She had expected that the report would be more strategic and asked that the process to create that plan should involve engaging with the Schools Forum and working with health. The Director of Children's Services replied that the system required significant funding. In terms of the deficit recovery plan, the Council required the right information and support. It was clear that any recovery plan had to be a jointly agreed plan, agreed by the Council, Schools Forum, parents and partners. Graham Pirt referred to the need not to just look at finance, but to go back to the grassroots, and look at the provision of SEND with the Schools Forum vital in the process.

- Cllr Hilary Hibbert-Biles referred to the need to get children earlier enough which would cost less. This was not happening at the moment from her experience, schools were reticent for starting the paperwork for Education, Health and Care Plans (EHCP) and asked that this brought up again at the Board.
- Carole Thomson commented that early intervention was important but that small schools had been hit by the national funding formula and we need to look at ways of supporting them.
- Cllr John Howson referred to the need for Health to identify the health needs from day one, with this early intervention reducing costs.

The Chairman asked that Education Scrutiny Committee be involved in the process going forward in terms of agreeing the strategy and that there should be a clear date to bring this forward.

The Director of Children’s Services undertook to bring back an outline timetable on developing the strategy to the next meeting of Education Scrutiny Committee, subject to clearance by Cabinet and the management team of the Council. This had been shared with Schools Forum. Work was taking place on agreeing the secondment of a Head Teacher to the Council to help implement this strategy.

The Committee discussed the report and supported the recommendations contained in the report and noted that this Committee would be involved during the formation of the strategy.

The Committee asked that schools be notified as soon as possible of the funding to be received.

..... in the Chair

Date of signing 200

This page is intentionally left blank

EDUCATION SCRUTINY COMMITTEE

MINUTES of the meeting held on Wednesday, 23 September 2020 commencing at 1.00 pm and finishing at 2.37 pm.

Present:

Voting Members: Councillor Michael Waine – in the Chair

Councillor John Howson (Deputy Chairman)
Councillor Ted Fenton
Councillor Jeannette Matelot
Councillor Gill Sanders
Councillor Emma Turnbull
Councillor Hilary Hibbert-Biles

Other Members in Attendance: Councillor Lorraine Lindsay-Gale

By Invitation: Mr Stuart Robinson, Council of Oxfordshire Teachers' Organisation (COTO) and Mrs Carole Thomson, Oxfordshire Governors' Association.

Officers: Deborah Bell – Head of Learner Engagement, Hayley Good - Deputy Director for Children's Services and Education, Kevin Gordon – Corporate Director of Children's Services, Kim James, Robin Rogers, Khalid Ahmed and Deborah Miller.

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

22/20 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS (Agenda No. 2)

An apology for absence was submitted by Donald McKevan (COTO), with Stuart Robinson substituting.

23/20 COVID-19 UPDATE (Agenda No. 5)

The Corporate Director of Children's Services provided the Committee with an update on the Council's approach to Covid 19 in relation to education and schools in Oxfordshire.

Members were informed that the service was providing good communications to schools and residents in line with Government guidelines. Messaging was being put out through a variety of channels; the Oxfordshire County Council website, media

releases, social media, through District Council Members and Chief Executives and through Oxfordshire County Council Members and staff.

Reference was made to weekly telephone calls which were made to the 98 Head Teachers of schools. The critical role which Members had to play in terms of communicating to constituents was stressed, together with the feedback the service received from parents which suggested improvements.

Parents required reassurance to enable children to attend school. Members were informed that covid cases in schools were low, although some year groups had been sent home. There had been 20-25 covid cases within Oxfordshire schools, with no case to case transmissions.

Schools needed support and a national helpline had been introduced, staffed by Education and Public Health professionals offering advice and guidance

The Corporate Director of Children's Services referred to the work carried out around school transport. Forty additional school bus routes had been introduced and a new code of practice for behaviour and health and safety had been implemented. There had also been further communication regarding the mandatory use of wearing facemasks when travelling on buses. Specialist support was also offered for mental health and well-being.

Oxfordshire Primary Schools were ahead of the national average in terms of attendance; although there were a few problems with Special Schools. Statistics for attendance were as follows:

- 90.6% attendance for State Schools (96% normal attendance)
- 85% attendance for those children who were classified as vulnerable, who had SEND plans, who had complex transport problems and underlying health problems
- 87.1% attendance for those children with a social worker.

The Committee was informed that Elective Home Education had increased. Parents' preferences were appreciated under the present circumstances, however, it would be preferred if children were educated at school.

Discussion

- Support received from the Department of Education consisted of grant of £500,000 which on current projections would be spent by December 2020. The next announcement on funding was awaited. The Chairman asked that local MPs be made aware of this.
- Reference was made to the Government announcement that children without access to IT and Broadband would receive equipment and officers were asked for the numbers in Oxfordshire. Members were informed that the roll out was going to schools where the equipment was distributed. The Corporate Director of Children's Services said he would discuss with Head Teachers to assess if there was a gap in the provision of equipment. An option could be working with

local businesses and charities to supply any shortfall. Reference was made to Business to Schools who may be able to support this initiative.

- In relation to the wearing of face masks to ensure the health and safety of children and other passengers on buses, Members were informed that there had been a social media and communications campaign asking parents and children about the importance of wearing a face covering on buses.
- At this stage there had been a small number of Covid cases in schools which had meant year groups had been sent home. On occasions this was found not to be necessary but was done as a precautionary measure.
- It was acknowledged that Head Teachers required support from OCC as the requirements for Covid were a difficult burden in addition to their usual responsibilities.
- Discussions took place daily with the DfE and reference was made to the cost of supply teachers for those teachers who were absent due to Covid. Financial support was needed for this.

RESOLVED: That the information reported be noted and the Committee placed on record, their appreciation and admiration of the work of the leaders and teachers at Oxfordshire's schools during the Pandemic.

24/20 UPDATE ON ALTERNATIVE PROVISION (AP) COMMISSIONING ARRANGEMENTS

(Agenda No. 6)

Consideration was given to a report of by the Head of Learner Engagement which provided an update on the Recommissioning of Alternative Provision for children and schools in Oxfordshire.

Members were informed that since September 2019 there had been further discussions initiated to secure effective and affordable alternative provision through the Radcliffe Academy Trust at Meadowbrook College for the interim period to September 2021.

Members were informed that there had been extensive engagement with children, young people, parents and other interested parties. The commissioning attracted alternative providers.

The commissioning of alternative provision would help to deliver the vision in the Oxfordshire County Council (OCC) Learner Engagement Strategy to:

- Assess and manage the financial implications for the Local Authority in meeting the increased and varied demand for alternative provision.
- Ensure good quality, value for money alternative provision is in place so that OCC can meet its statutory responsibilities.
- Robustly monitor providers to demonstrate improved outcomes for young people requiring alternative provision.

Discussion took place on greater funding required for SEND and how this would be difficult with future financial pressures.

The Head of Learner Engagement reported that more preventative work would take place with children to prevent exclusions.

The report provided details of the ways to mitigate the risk of fixed and permanent exclusions which included:

- Clear outcomes that Alternative Provision should deliver;
- Children and young people are safe and feel safe.
- Improved emotional health and wellbeing including resilience.
- Improved engagement in learning.
- Successful pathway back to mainstream school or onto post-16 opportunities.
- Progress in learning.
- Improved social skills including friendships, relationships and involvement with the community.

Carole Thomson from the Schools Forum reported that the funding information relating to Radcliffe Academy Trust which had been submitted to the Forum had been incomplete. In addition, it should be noted that the funding came from the DfE and not from the Council.

Reference was made to the commissioning of services and whether the possibility of shared arrangements had been explored; schools working together in partnership. Members were informed that OCC were encouraging school leaders to collaborate.

The Committee noted that there was still a more work to do and that this needed to be managed effectively due to the financial implications.

It was noted that from the consultation exercise, 53% of respondents had expressed dissatisfaction with Alternative Provision in Oxfordshire.

The first phase of the work had been concluded, and Oxfordshire County Council had developed a Service Specification with five 'Lots' for Alternative Provision for all key stages and all learners. Members were informed that some 'Lots' were more popular than others, but it was noted that OCC had not lost the need for physical provision.

Members were informed that 'Lots' had been created based on the needs of children and parents. New or existing Alternative Providers had to apply for any of these lots by joining a dynamic purchasing system (DPS), which enabled the Council to purchase Alternative Provision from quality assured providers using a standard contract and a standard individual placement agreement.

The Head of Learner Engagement reported that the therapeutic and virtual 'Lots' had been the most popular, with the "Face to Face", 'Lots', less popular, due to the scarcity of buildings.

It was agreed that a meeting take place between the Chairman, Vice-Chairman and Councillor Turnbull and the directorate to determine when the item would come back to the Committee.

25/20 PERFORMANCE UPDATE ON EDUCATION HEALTH & CARE PLANS IN OXFORDSHIRE
(Agenda No. 7)

The Committee received a report on Education Health and Care Plans process and performance including a focus on Exclusions/Elective Home Education/Part time timetable and on the Early Intervention Service.

The Deputy Director for Children's Services and Education introduced the report. The Education, Health & Care Plans (EHCPs) for children and young people aged up to 25 were introduced in September 2014 as part of the SEND provisions in the Children & Families Act 2014. Local Authorities were required to ensure all plans (previously known as Statements of Special Educational Need) were converted to meet the specifications outlined in the new Code of Practice by 1st April 2018.

The report informed Members that Education Health and Care plans were legally binding documents that detailed the additional education, health and care support required by a child or young person between the ages of 0 -25 years in order to enable them to access learning.

The needs identified were outlined and described by relevant professionals who contributed to a holistic assessment and confirmed how the child's difficulties or disability affected their learning. Plans were produced with interventions and support designed to aid them in accessing education

Oxfordshire had received a statement of action at the time of its last Local Area Inspection in 2017 as a result of weak performance in the production of EHCPs.

The Committee was informed that the SEND code of practice stated that the EHC needs assessment and plan process must take no more than 20 weeks. This was a shorter time limit than the 26 weeks previously given for the completion of statements.

Details of the increasing demand for EHCP's in Oxfordshire was provided in the report.

Members were informed that a SEND Performance Board meeting had taken place last week and that an accelerated progress plan had to be submitted shortly. A formal monitoring meeting would then take place with the DfE.

Reference was made to paragraph 10 of the report which referred to the number of EHCPs having increased in recent years; predominantly in the primary school age group. It was noted that work needed to take place with families early on to avoid huge costs as placements in Independent schools were a big cost.

The Chairman asked how many of the plans came with unwritten statements that they wanted to step out of the state system. The Deputy Director responded that there were around 350 children who were sent out of the County but a written answer would be provided.

Members were informed that the costs of specialised provision also included transport costs. A meeting would be taking place with Special Schools Headteachers on 24 September.

Reference was made to the need for clarity on costs detailed in paragraph 15 of the report which did not contain details of the £6,000 costs per pupil which schools did not recover.

Reference was made to 250 new places which were not taken into account because it could take 2-3 years for the places to filter through the system.

The Corporate Director of Children’s Services reported that the building of Special Schools by Oxfordshire County Council had alleviated some of the problems, but he acknowledged that the performance of EHCPs needed to be kept under review.

RESOLVED: that the progress made in relation to Education Health and Care Plans for children and young people with special educational needs and disabilities be noted.

26/20 FORWARD PLAN AND COMMITTEE BUSINESS

(Agenda No. 8)

It was agreed that the Chairman of the Committee would meet with officers to plan the Forward Plan and Work Programme and feedback to Members of the Committee.

Officers were asked to ensure that the meeting with Ofsted be set up before Christmas.

The Committee asked that a meeting between the Chairman and Vice-Chairman, the Cabinet Member and Officers regarding East Oxford be set up as a matter of urgency.

..... in the Chair

Date of signing 200

Division(s): N/A

EDUCATION SCRUTINY COMMITTEE – 25 NOVEMBER 2020

UPDATE ON SPECIAL EDUCATIONAL NEEDS IN OXFORDSHIRE

Report by Hayley Good, Director for Education

RECOMMENDATION

The Education Scrutiny Committee is RECOMMENDED to note developments to date since September 2020, in order to transform the provision of education, health and care services for children and young people with special educational needs and disabilities.

Executive Summary

1. This paper outlines the developments since September 2020 in transforming SEND services in Oxfordshire.

Introduction

2. As a Council and as a local partnership we are committed to achieving the very best outcomes we can for children and young people with SEND within the total resources we have available.
3. The education, health and social care system in Oxfordshire recognises that we cannot achieve the improvements required without engaging a wider range of other stakeholders in the work we are doing, including early years providers, schools, colleges and parents.
4. Oxfordshire County Council SEND services are facing financial challenges as are Local Authorities across the country, with growing expectations of our essential services, increasing demand and complexity of needs of some of our most vulnerable residents.
5. The current financial challenges provide us with an opportunity to fundamentally rethink and transform the way that we deliver local services. This will focus on developing a more inclusive approach to supporting children and young people with SEND.

Achieving the vision together

6. The local area SEND inspection revisit in October 2019 identified that there was still work to do as a partnership and stated that “Leaders have an aspirational vision for the work they are doing to improve outcomes for children and young people with SEND in Oxfordshire. However, parents do not yet feel part of this vision and do not fully understand what work is being done to achieve it”.

7. Conversations and co-production with children and their families, schools and other stakeholders and partner organisations will enable us to develop innovative solutions and sustainable change.
8. We are seeking to second an Oxfordshire Headteacher for an agreed period in order to lead the consultation and finalisation of our new SEND strategy with schools and settings. It is essential that we use this opportunity to capture the realities of the schools setting and develop insight that helps us work with schools on supporting children with SEND.

SEND Strategy and engagement

9. To support shared understanding and improved communication of our local priorities, a SEND Strategy is being finalised for wider consultation. This will make clear our shared vision for the future and identify the major changes required, both in the short to medium term and over the next five years to bring about improved services for children and young people with SEND in Oxfordshire.
10. The insight provided by the SEND Joint Strategic Needs Assessment is extremely helpful in order to ensure that the new SEND Strategy is aligned with the SEND sufficiency strategy and future joint commissioning arrangements. The next stage for the SEND Strategy will be an update which includes input from schools. The draft will then be made available for public consultation early in 2021.

SEND Transformation

11. A SEND Transformation Board has been created in order to develop solutions to our local challenges. It recognises that success will be achieved by working together as a whole system and making the best use of our collective resources and the strengths of our local communities.
12. It is essential that we develop high-quality provision which is available locally. This will be achieved by improving partnerships between OCC and schools in order to enhance the outcomes for children, through provision of a fully inclusive curriculum and extra-curricular offer. We are seeking to second a headteacher to lead on the consultation with schools and finalisation of our new SEND strategy.
13. We must also, as a matter of some urgency reduce the unsustainable demand for independent and non-maintained specialist placements. We will do this by investing in the sufficient supply of local, high quality, mainstream, special school and resource base places which deliver good outcomes for children.
14. Since September, we have submitted an Accelerated Progress Plan (APP) to the Department for Education (DfE). This plan sets out the actions which we will take in order to address the identified areas of concern. DfE specialist SEND advisers are in regular communication with officers and parent/carer

representatives and are satisfied with the progress we have made to date. The DfE will formally monitor progress of the APP in December.

15. Engagement is to be supported by the delivery of the Local Area SEND Communication plan. This is an action that features in the APP.
16. Progress against the objectives in the plan will be monitored via the SEND Performance Board, which meets half-termly. The Performance Board is co-chaired by the OCC Director of Children's Services and OCCG Director of Quality and Lead Nurse.

Transformation priorities

17. The Board has identified four priority workstreams that will deliver the system change that is required:

Sufficiency place planning – with the remit of reviewing demand, geography, and options and opportunities to meet the changing needs of the education of our SEND population.

- Review of need, geography and existing school estate to develop a ten-year plan

Finance – focus on reviewing the financial support currently available to schools and develop equitable funding formulas that enable earlier intervention and investment so that Oxfordshire students can receive high quality education locally

- Development of new funding formulas across Early Years, Primary Schools, Secondary Schools, Special Schools and FE/Colleges
- Development of the new funding mechanism resulting in improved funding and available packages of support to mainstream schools to support students earlier so that fewer require an EHCP.
- Review of resource bases and alternative provision with options identified that deliver improved value for money.

Continuum of SEND provision and Early Intervention – the development of clarity relating to access points and improving funding to mainstream schools so that fewer students require an EHCP to gain access to the help and support they need.

- Development of a model that outlines the stages of the SEND continuum. This is with a view to establishing and communicating a better understanding of opportunities where lack of resources potentially affects decisions that are taken. Solutions will be implemented with a focus on improving early intervention.

Commissioning – designed to monitor and evaluate all out of county placements and to work towards improving market position, negotiation and contract monitoring.

Financial and Staff Implications

18. The cumulative deficit on the dedicated schools grant (DSG) was £11m as at 31st March 2020. This has been driven by demand on High Needs exceeding the available grant. The current estimated in-year (2020/21) forecast deficit for High Needs is £11m. The cumulative deficit at March 2021 will therefore be £22m.
19. We know that it is likely that the need for these services will continue to grow as it has done over the last five years. Assuming no change in strategy and continuing growth in demand for support from High Needs, the in-year deficit was expected to be £15m for 2021-22. In July 2020, the DfE announced additional High Needs DSG for Oxfordshire of £7.5m, which has reduced the in-year deficit but will, nevertheless result in a cumulative deficit of £29.5m by March 2022.

Resourcing improvement and transformation

20. The strategy focuses on supporting learners closer to home. It is essential that we ensure a sufficient supply of local, high quality mainstream, special school and resource bases which deliver good outcomes for children. This relies on revenue and capital investment to increase the amount and type of local special school provision and revenue funding for an increase in resource base places.
21. If the additional funding results in fewer children/young people moving to more costly placements in out-of-county independent specialist provision (ISPs), the investment will payback over time.
22. The complexity of the work sitting behind each action identified within the Accelerated Progress Plan is considerable and is compounded by the range of internal and external partners involved. All are committed to achieving improvement across the Local Area - not just because of the ongoing budgetary issues, but because it is essential that we improve the quality of the services we provide so that we can achieve better outcomes for our most vulnerable residents.
23. Additional leadership capacity has been implemented with a newly appointed permanent SEND Quality Assurance and Improvement Manager who took up post in September and a full-time finance officer to support the monitoring of cost of provision. A new permanent Head of SEND will be recruited at the earliest opportunity.
24. Interim contract support is imminent and will monitor and implement improvements to the procurement of placements. A more permanent resolution for Education will be implemented in 2021 during through the development of the Health, Education and Social Care arm of the new corporate commissioning

hub and spoke model. Combined, these additional elements will have a very positive impact on the rate of progress against actions.

Equalities Implications

25. An equalities impact assessment will be undertaken as part of the High Needs Block Recovery plan.

HAYLEY GOOD

Deputy Director for Children's Services and Education

November 2020

This page is intentionally left blank

Education Scrutiny Committee Work Programme (2020)

Outlined below is the Education Scrutiny Committee’s preliminary work programme.

The programme aims to prioritise areas of scrutiny where the Committee can add most value, either by holding to account or contributing to policy development. It does this by focusing on areas of public interest, where the committee’s impact can be measured, interrogating performance information and keeping abreast of current areas of change / review.

Agenda Item	Reasons and objective for item	Lead Member / Officer
3 February 2021, 1pm		
Pupil Place Plan		Deputy Director Children’s Services (Education)
Educational Attainment in Secondary Schools – Annual report	The approach and timing of this report will need to be reviewed in the light of availability of data at this time. There is an opportunity to update on the need for addressing catch-up and the attainment gap in deprived communities.	Deputy Director Children’s Services (Education)
Reintegration Timetable Update	To receive an annual report about the number of reintegration timetables being used at schools across Oxfordshire	Head of Learner Engagement
TO BE SCHEDULED		
School Capital	A future report related to impact of planning whitepaper when further understood	Deputy Director Children’s Services (Education)
2021/22 Admission Scheme changes	School Organisation Stakeholders Group asked Education Scrutiny to look at a report on the changes approved in the 2021/22 admissions scheme.	Head of Access to Learning
Annual reports to:	<ul style="list-style-type: none"> • Educational Attainment • Reintegration Timetabling • Direct Schools Grant • High Needs Funding Block 	

This page is intentionally left blank