



Report of John Pearce, Corporate Director of Children and Young People's Services, Durham County Council

Electoral divisions affected:

Countywide

Purpose of the Report

- 1 To inform the Health and Wellbeing board of progress across County Durham with SEND services highlighted in the Ofsted and Care Quality Commission (CQC) SEND re-visit in January 2020 and the publication of their letter in March 2020.

Executive summary

- 2 Special Educational Needs and Disability (SEND) services across the local area were initially inspected by Ofsted and CQC between 27 November 2017 and 1 December 2017. In addition to a range of strengths and areas for development the inspection team determined that four specific areas required a Written Statement of Action (WSOA) to be drawn up to improve local area provision. The WSoA was agreed by Ofsted and CQC on 28 June 2018.
- 3 Local partnership arrangements were put in place to address the areas for improvement following the inspection. In addition, from July 2018, the area was also supported in implementing the WSoA by the DfE Regional SEN and Disability Professional Adviser and the NHS England Deputy Director of Quality Assurance who provided monitoring and support visits. The last visit occurred on 5 November 2019 and progress was reported to the DfE nationally.
- 4 All local areas with a WSoA are subject to a revisit from Ofsted and the CQC, around 18 months after the WSoA is signed off. Durham was notified of the revisit in early January 2020 with inspectors then on site between 22 and 24 January 2020.
- 5 Following the revisit, the outcome letter was received in March 2020 and communicated across the local area. It highlighted that sufficient progress had been made in all four areas and no further monitoring of progress is now planned. Partners are now working on an action plan to further develop local SEND support for children and their families.

Recommendations

- 6 Members of the Health and Wellbeing Board are recommended to:
- (a) note the progress made in partnership across County Durham since the original SEND Inspection and WSOA was put in place;
 - (b) note the update provided in relation to the SEND revisit, the published outcome letter and the work outlined on next steps being done with partners through the SEND Partnership.

Background

- 7 Between 27 November and 1 December 2017, Ofsted and the CQC conducted a joint inspection of the effectiveness of the local area in implementing the special educational needs and disability reforms as set out in the Children and Families Act 2014.
- 8 In addition to a range of strengths and areas for development the inspection team determined that four specific areas required a Written Statement of Action (WSoA) be drawn up to improve local area provision. The Local Area WSoA was agreed by Ofsted and CQC on 28 June 2018.
- 9 Local partnership arrangements were put in place to address the areas for improvement following the inspection. This included a SEND Inspection Preparation Group which was put in place to provide co-ordination and planning for the revisit process across the Local Authority, CCGs and partners.
- 10 From July 2018, local arrangements were also supported by the DfE Regional SEN and Disability Professional Adviser and the NHS England Deputy Director of Quality Assurance who provided monitoring and support visits. There were five monitoring and support visits with the last taking place on 5 November 2019.
- 11 The Integrated Steering Group for Children (now called the Children and Young People's Integrated Board) requested that a 'one year on' report should be completed to summarise progress after the SEND Inspection. This was presented to the council's corporate management team and was also presented to the Health and Wellbeing Board in late 2018.
- 12 A Local Area Position Statement, detailed WSOA update and evidence log were maintained to be submitted as evidence of progress for the revisit.

- 13 Alongside the work taking place on the WSoA, the Local Area has also considered the further development of the SEND strategy and High Needs Block sustainability plan.
- 14 The local area were notified of the re-visit in early January 2020 and the inspection team were on site between 22 and 24 January 2020. The re-visit inspection team was led by one of Her Majesty's Inspectors (HMI), accompanied by a CQC inspector. A Quality Assurance Lead from CQC was on site for 1 day and attended visits with the CQC inspector and a colleague from Ofsted shadowed the lead inspector during the re-visit.
- 15 Whilst on site inspectors undertook a variety of activities including:
- Several meetings with leaders from the local authority and CCG as well as staff including Special Educational Need Co-ordinators (SENCO's), SEND Support Advisors, therapies and autism teams.
 - Case sampling of Education, Health and Care Plan (EHCP) processes and cases from 18 months prior to the re-visit.
 - Meeting with the parent/carer forum, Making Changes Together (MCT).
 - Gathering contributions of parents and families through an online survey.
 - Three open meetings were held across the county with parents and carers to gather their views.
 - Inspectors spoke to two groups of children and young people.
- 16 The inspectors noted a genuine commitment to ensuring there were various communication and engagement mechanisms with families, and it was very pleasing to see that over 400 parents, carers and young people contributed feedback during the inspection.
- 17 The outcome letter was published on Ofsted's website in March 2020 outlining that the local area had made sufficient progress against all 4 areas of the WSoA. The outcome letter is attached as Appendix 2.
- 18 The outcome letter highlights a number of areas where positive changes have been achieved including:
- The partnership between education, health and social care leaders is stronger than it was and there had been a determined focus on improving arrangements for identifying, assessing and meeting the needs of children and young people with SEND.
 - Council and health services are praised for their commitment to involving children, young people and their families in shaping

services, with this work “contributing strongly” to improvement in SEND arrangements.

- The letter cites the Making Changes Together parent and carer forum, the Rollercoaster Support Group and eXtreme group of young people as examples of those that have been “instrumental in several significant developments since the initial inspection”.
- The area’s Participation Strategy is praised for setting out “clear and helpful quality standards” for joint working for children and young people and their families.
- Children and young people with SEND and their families have increasingly strong and influential voices in the development of the area’s strategic plans and there has been a marked reduction in waiting times for specialist autism assessment and speech and language therapy assessment, with times now in line with national guidance.
- Previous concerns about the effective use of performance data to tackle weaknesses have been addressed by the development of new systems and strengthening of existing ones. Again, with children and young people featuring more prominently in this work.
- The Local Area’s self-evaluation provides a clearer and more comprehensive assessment of how well SEND arrangements are working in County Durham.
- Commissioning decisions, service planning and performance monitoring are also better informed by the area’s analysis of education, health and social care needs.
- Overall, both the council and North Durham and Durham Dales, Easington and Sedgefield Clinical Commissioning Groups (now the NHS County Durham Clinical Commissioning Group) are praised for their “greater collective ambition” for service users.

19 Partners across education, health and care have worked together closely to address issues raised in the previous inspection including a full review of the Local Offer website. The site provides a wealth of information for the families of children and young people with SEND and offers a first point of contact for many people and this has seen significant improvements over the past two years.

20 Going forward, we see it as crucial that the needs and views of young people and their families continue to be embedded at the heart of SEND provision in County Durham.

21 While the inspectors’ report highlights the range of improvements that have been made since their last visit, it also identifies areas where work is still needed:

- The Local Authority and CCGs have not yet fully achieved their objective of improving understanding and awareness of SEND at every level.
 - Children, young people and their families continue to have very different experiences at schools and with individual health and social care services, with the quality of health advice remaining too variable and the quality of education, health and care (EHC) assessments suffering from a lack of participation of some health professionals.
 - There is more work to do to develop quality and consistency across all health services in the area. Similarly, the importance of high-quality professional advice and the full involvement of health practitioners in EHC assessment and planning are not prioritised adequately in either commissioning or operational management decisions.
 - There are gaps in commissioned support following autism assessment but recognition that leaders from all organisations are aware that provision needs to be strengthened.
- 22 The inspectors' findings mean that the formal quarterly support and challenge visits we had been receiving from the Department for Education and NHS England will no longer take place.
- 23 Changes to the inspection framework are anticipated now that the current regime is nearing completion but further details on its replacement are not known at this time and no further full inspection activity is currently taking place due to the coronavirus outbreak.
- 24 The SEND leadership group and SEND strategic partnership have considered the outcome letter alongside the feedback received at the time of the re-visit and a new action plan to address the areas for further improvement identified has been developed. This takes account of the coronavirus outbreak and disruption to children and young people's learning and access to services in recent months. The action plan is attached as Appendix 3.
- 25 In July 2020, a positive letter from the Parliamentary Under-Secretary of State for Children and Families was received regarding the action taken by Durham following our original inspection, the impact the WSoA has had, the stronger partnership links between education, health and social care leaders and an effective approach to joint commissioning. The Local Area were also asked to thank Making Changes Together who have worked with us throughout our improvement journey and revisit.

Proposed Next Steps

- 26 Work will continue in the following areas to ensure as a partnership we deliver further service transformation to support young people with SEND. It is recognised that the coronavirus outbreak and the subsequent recovery period is likely to mean some of this work is disrupted and the highest priority will be given to supporting vulnerable children and their families during this time.
- 27 Key work strands which are being developed and implemented include:
- (a) Monitoring of the SEND action plan which will be undertaken by the SEND partnership.
 - (b) Continuing to work on actions based on the findings of the Integrated Needs Assessment work.
 - (c) Reviewing Partnership governance arrangements over the year to ensure they align with SEND priorities and are able to sufficiently monitor progress, demonstrate accountability, support quality improvements and evidence impact for children, young people and families.
 - (d) Later this year, planning to revise the SEND strategy for the county taking into account the timing of the local area's self-evaluation, as well as any review of the current SEND inspection framework and impacts from the coronavirus outbreak.
 - (e) Working with leaders across all learning settings to transform high needs provision, ensuring that the local offer is further improved and that the high needs block funding becomes more sustainable.
- 28 Ofsted and the CQC will visit a number of local areas to support strengthening SEND systems in the wake of the COVID-19 pandemic, before returning to full inspections at a later date. Although at this time it is not clear that the local area will be subject to a visit, the SEND Strategic Partnership will consider the themes of the visits and any good practice which emerges from them.

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Appendix 1: Implications

Legal Implications - There is a published statutory framework for local area SEND inspections and re-visits undertaken by Ofsted and CQC which is periodically updated. The report refers to the latest guidance published in mid-November 2018. In view of the coronavirus outbreak the Government temporarily changed some of the requirements of SEND legislation and this is being kept under regular review.

Finance - None directly from this report, other related work is addressing SEND resources and pressures.

Consultation - The report identifies consultation arrangements and further opportunities for engagement and co-production through the participation strategy.

Equality and Diversity / Public Sector Equality Duty - The inspection framework includes consideration of how the council and local partners are meeting legal duties under the Equality Act and the public sector equality duty.

Climate Change - An intended outcome of SEND Transformation is to increase support for young people to attend local schools, rather than travel to schools that are further away, both within and outside of the county.

Human Rights - None.

Crime and Disorder - None.

Staffing - Partnership resources are being aligned to support future service development and improvement work.

Accommodation - None.

Risk - Key risks included insufficient progress and poor inspection preparation, these were being managed through the partnership arrangements for SEND and included regular political oversight. Issues and risks from the coronavirus outbreak are also being monitored alongside Government guidance.

Procurement – None.

Appendix 2: Local Area SEND Re-visit outcome letter

Attached as a separate document.

Appendix 3: SEND Local Area Action Plan

Attached as a separate document.