

**Children, Young People and Families  
Scrutiny Panel**  
6 January 2022

<b>Report title</b>	Local Area Special Education Needs and Disabilities Written Statement of Action	
<b>Cabinet member with lead responsibility</b>	Councillor Hardacre Cabinet Member for Education, Skills and Work	
<b>Wards affected</b>	All	
<b>Accountable Director</b>	Emma Bennett	
<b>Originating service</b>	Education (Inclusion and Empowerment/SEND)	
<b>Accountable employee</b>	Brenda Wile	Deputy Director - Education
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<b>Report to be considered by</b>	CYP Scrutiny Panel	6 January 2022

**Recommendation for action or decision:**

The CYPF Scrutiny panel is recommended to:

1. Review the progress and endorse the approach to co-produce the Written Statement of Action (WSOA) template that is required to be submitted to Ofsted by the 16 February 2022 in response to the outcome of the Joint Inspection of the Local Area Special Educational Needs and Disabilities (SEND) services and provision conducted by Ofsted and the Care Quality Commission (CQC) between 20 and 24 September 2021.
2. Provide feedback on the report as consultees in the development of the WSOA plan.
3. CYPF Panel to agree to receive progress reports on the WSOA as a standing item for future meetings in 2022 and 2023.
4. The CYPF to consider and approve the plan for the panel oversight of the arrangements for reviewing progress.

**Recommendation for noting:**

The CYPF Scrutiny Panel is asked to note:

1. The '6 Focus Areas' which will outline the actions to be taken to address the 'Areas of Significant Weakness' as identified in the Joint area SEND inspection in Wolverhampton report in Appendix 1.

2. Acknowledge that this is a partnership document requiring input from a range of stakeholders following their engagement in the process through focus groups and surveys currently being undertaken to complete the WSOA (Appendix 2).

## **1.0 Background**

- 1.1 Between 20 and 24 September 2021, Ofsted and the Care Quality Commission (CQC) undertook an on-site inspection of Local Area SEND services in Wolverhampton to judge the effectiveness of the area in implementing the disability and special educational needs (SEND) reforms as set out in the Children and Families Act 2014.
- 1.2 Inspectors spoke with children and young people with SEND, parents and carers, and local authority and NHS officers. They visited a range of providers and spoke to leaders, employees and governors about how they were implementing the SEND reforms. Inspectors looked at a range of information about the performance of the area, including the area's self-evaluation. Inspectors met with leaders for health, social care and education. They reviewed performance data and evidence about the local offer and joint commissioning.
- 1.3 The report of the findings was published on the 12 November 2021 (Appendix 1).
- 1.4 As a result of the findings of this inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) has determined that a Written Statement of Action (WSOA) is required because of significant areas of weakness in the area's practice. HMCI has also determined that the local authority and the area's clinical commissioning group (CCG) are jointly responsible for submitting the WSOA to Ofsted.
- 1.5 The WSOA will outline how it will tackle the following areas of significant weakness:
  - a) weaknesses in identifying SEND when difficulties emerge for those at primary and secondary-school ages
  - b) the lack of accuracy in EHC plans and the delays in assessment, writing and review of those plans
  - c) the underdeveloped arrangements for jointly commissioning and providing the services that children and young people with SEND and their families need
  - d) weaknesses in implementing strategically planned co-production at every level when evaluating provision
  - e) weaknesses in the planning and support of transitions both within statutory school age and from statutory school age to post-19 and post-25
  - f) weaknesses in how the area shares information, including regarding support systems and the local offer.

- 1.6 It should also be noted that the inspection reported a significant number of strengths in the local area's provision of SEND services including how well the local area leaders were able to accurately self-evaluate these services and know what needs to be done to ensure timely improvements in the areas of weaknesses, building on existing action plans that were already in place prior to the inspection.
- 1.7 An initial meeting with the DfE was held on the 29 November 2021 outline the requirements of the local area in producing the WSOA as well as the monitoring arrangements following Ofsted's agreement to the plan which is expected in early March 2022. Following approval of the WSOA the local area will work through the actions in the plan over a period of 18 months by which time there should be sufficient evidence for the regulators that the weaknesses have been addressed.
- 1.8 There may or may not be a further inspection visit to assess the local area arrangements as the DfE has not yet determined arrangements for monitoring of local areas with WSOA's when the current inspection framework expires in April 2022.

## **2.0 Consultation – Coproducing the Written Statement of Action**

- 2.1 The draft WSOA is brought for consultation to the extraordinary meeting of the CYPF Scrutiny Panel on the 6 January 2022 to provide an opportunity for this group to comment on the proposed plan as set out in Appendix 2. It should be acknowledged that the WSOA is in draft form up until the point where it is submitted for approval by the Executive Cabinet on the 19 January 2022 and Full Council on the 26 January 2022.

## **3.0 Implications for Wolverhampton**

- 3.1 The WSOA will outline in detail the actions to be taken by the local area over the next 18 months to improve services and provision for Children, Young People and Families with SEND. This, in turn, will improve outcomes for the city and contribute to the reduction of youth unemployment.

## **4.0 Questions for Scrutiny to consider**

- 4.1 CYP Scrutiny Panel are asked to consider if they accept that the actions outlined in the WSOA are those that will lead to an improvement in SEND services and provision in the Local Area.
- 4.2 CYP Scrutiny Panel will be engaged throughout the delivery of the WSOA following its approval by Ofsted through regular updates provided at each of the scheduled CYP Scrutiny Panel meetings in 2022 and 2023 and to consider if the Panel is satisfied that this oversight, along with the monitoring through the existing governance structures, such as the SEND Partnership Board is sufficient to provide the necessary reassurance.

## **5.0 Financial implications**

- 5.1 At this stage there are no financial implications as the WSOA will be drafted by officers already employed by the Council and the CCG. Some local areas have opted to contract external consultants to undertake this work due to the time-consuming nature of the task however this is not considered necessary for Wolverhampton local area.
- 5.2 As the WSOA plan is delivered there may be a requirement for additional financial support for the procurement of a fit-for-purpose SEND IT system and an automated QA audit programme for EHC plans and annual reviews, in addition to that which may be available through the High Needs Block funding stream. The cost of replacing the overarching IT system has not yet been quantified as various system demonstrations and options are currently being appraised.
- 5.3 The cost of the QA audit programme for EHC plans and annual reviews including licence fees will be £25k per annum

[TS/21122021/Q]

## **6.0 Legal implications**

- 6.1 The WSOA is necessary and in accordance with relevant legislation, under the Children's Act 2014 and Children Act 2004 (Joint Area Reviews) Regulations 2015, following the recent SEND inspection.

[TC/21212021/A]

## **7.0 Equalities implications**

- 7.1 There is not a requirement for the WSOA to have an Equality Impact Assessment however during the development of the plan advice will be sought from the Equality, Diversity and Inclusion service within the local authority. This is particularly important since the purpose of the WSOA is to address weaknesses in provision in the local area for a vulnerable and protected group. These SEND CYP are often disproportionately affected through exclusions and can also be considered as 'hard to place' in respect of school admissions and in other areas of school and wider life opportunities. For this reason there will be additional focus on the monitoring of performance data against all areas for development within the service areas ensuring that where there are gaps there are mitigations to address them.

## **8.0 Climate change and environmental implications**

- 8.1 There are no climate change and environmental implications arising from the recommendation of this report.

## **9.0 Health and Wellbeing Implications**

9.1 There are no health and wellbeing implications arising from the recommendation of this report.

## **10.0 Human resources implications**

10.1 Some local areas have opted to contract external consultants to undertake this work due to the time-consuming nature of the task however this is not considered necessary for Wolverhampton local area.

## **11.0 Corporate landlord implications**

11.1 There are no corporate landlord implications arising from the recommendation of this report.

## **12.0 Covid Implications**

12.1 There are no Covid implications arising from the recommendation of this report.

## **13.0 Schedule of background papers**

13.1 Special Educational Needs and Disabilities in Wolverhampton CYPF Scrutiny Presentation 13 October 2021.

## **14.0 Attachments**

14.1 Appendix 1: Joint area SEND inspection in Wolverhampton

14.2 Appendix 2: Draft Written Statement of Action for Consultation