

CITY OF WOLVERHAMPTON COUNCIL	Meeting of the City Council 6 April 2022
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Report title	SEND Inspection Outcome and Written Statement of Action	
Referring body	City of Wolverhampton Executive Cabinet	
Councillor to present report	Councillor Dr. Michael Hardacre	
Wards affected	All Wards	
Cabinet Member with lead responsibility	Councillor Dr. Michael Hardacre, Education, Skills and Work	
Accountable director	Emma Bennett, Executive Director of Families	
Originating service	Education	
Accountable employee	Brenda Wile	Deputy Director of Education
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Report has been considered by	Directorate Leadership Team	31 st March 2022
	Strategic Executive Board	31 st March 2022
	Scrutiny Board	

Recommendations for decision:

The Council is recommended to:

1. Approve the constitution of a Cross Party Scrutiny Review Group under the Children and Young People Scrutiny Panel as outlined in Appendix 1.
2. Approve the delegation of authority to the Cabinet Member for the Education and Skills and the Executive Director for Families for the additional funding as agreed by Council (2nd March 2022) to support young people with Special Educational Needs and Disabilities (SEND) into employment and support employers in taking on young people with SEND through the existing Wolves@Work budget via a dedicated ringfenced resource within that budget of not less than £100,000 per annum. This will be added into the Written Statement of Action.

Recommendations for noting:

The Council is asked to note:

3. The Ofsted approval of the Local Area Written Statement of Action (WSoA) submitted as a requirement following the outcome of the Local Area SEND inspection of services and provision in Wolverhampton. (Appendix 2)
4. The proposed monitoring arrangements for overseeing the progress against the WSoA.

1.0 Purpose

- 1.1 The report is presented to Council to provide assurance to Members that the Written Statement of Action developed as the Local Area response to the SEND Inspection outcome has the support of Ofsted.
- 1.2 The report also provides assurance to families that the Local Area is committed to improving services and provision for children, young people and families with SEND.
- 1.3 The report outlines the proposed monitoring arrangements for the 18 months that the WSoA is being implemented and to demonstrate that it is reported on regularly to the Department for Education.
- 1.4 The report requests the delegation to the Cabinet Member for Education and Skills and the Executive Director for Families for approval of spend against the additional £100,000 agreed at the meeting of the Full Council in March 2022.

2.0 Background

- 2.1 On 19th January 2022 Cabinet considered a report on the SEND Inspection Outcome and Written Statement of Action, agreeing the submission of the plan to Ofsted for approval.
- 2.2 Copies of the report have been supplied to Councillors and can also be accessed online on the Council's website:
https://wolverhamptonintranet.moderngov.co.uk/documents/g16154/Public%20reports%20pack%2019th-Jan-2022%2017.00%20Cabinet.pdf?T=10
- 2.3 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.
- 2.4 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, staff 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.
- 2.5 The report of the findings was published on the 12 November 2021 (Appendix 3).
- 2.6 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 (Written Statement of Action) 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.
- 2.7 The WSOA outlines 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 Education, Health and Care (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.

- 2.8 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.
- 2.9 An initial meeting with the DfE was held on the 29 November to 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.
- 2.10 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. The DfE will regularly monitor progress of the WSOA throughout the duration of the 18-month plan.
- 2.11 The WSoA will be monitored every eight weeks by the SEND Partnership Board, of which the Cabinet Member for Education and Skills is a member. The WSoA will also be monitored from September 2022 by a Cross-Party Scrutiny Review group which will, every six months, provide an update to the CYP Scrutiny Panel.
- 2.12 Regular feedback will be provided also to the Leader, the Leader of the Opposition and the Strategic Executive Board following each of the DfE monitoring visits to update on the progress of the WSoA.
- 2.13 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. This will be determined by central government with Local Areas advised by the DfE on next steps.
- 2.14 This item was considered as pre-decision scrutiny on 6 January 2022 by CYP Scrutiny Panel.

3.0 Progress

- 3.1 Council is asked to note the monitoring arrangements outlined above that will ensure appropriate governance to lead to an improvement in SEND services and provision in the Local Area.
- 3.2 Council is asked to confirm the delegation to the Cabinet Member for Education and Skills and the Executive Director for Families to support young people with SEND into employment and to support employers in taking on young people with SEND through the existing Wolves@Work budget via a dedicated ringfenced resource within that budget of not less than £100,000 per annum as agreed at the meeting of Full Council on 2nd March 2022.
- 3.3 Council is asked to approve the constitution of a Cross Party Scrutiny Review Group to oversee the progress of the actions in the plan.
- 3.4 Council is asked to note the monitoring arrangements as outlined in paragraph 2.11 and 2.12 above.

4.0 Financial implications

- 4.1 The financial implications are detailed in the Cabinet report of 19th January 2022 and the Council report of the 2 March 2022. [TS/29032022/Q]

5.0 Legal implications

- 5.1 The legal implications are detailed in the Cabinet report of 19 January 2022 and the Council report of 2 March 2022. [DP/29032022/A]

6.0 Equalities implications

- 6.1 The equalities implications are detailed in the Cabinet report of 19 January 2022.

7.0 All other Implications

- 7.1 All other implications are detailed in the Cabinet report of the 19 January 2022.

8.0 Schedule of background papers

- 8.1 CYP Scrutiny Panel, 6 January 2022; Local Area Special Education Needs and Disabilities Written Statement of Action.
- 8.2 Cabinet report 19 January 2022; SEND Inspection Outcome Written Statement of Action.
- 8.3 Council report 2 March 2022; 2022-2023 Final Budget Report.

9.0 Appendices

- 9.1 Appendix 1: Cross Party Review Group proposals
- 9.2 Appendix 2: Written Statement of Action
- 9.3 Appendix 3: Ofsted outcome letter