

# **North Somerset Health & Wellbeing Board**

**Date of meeting:** 18 February 2021  
**Agenda Item:** 8  
**Title of report:** **LGA Remote Peer Review of Special Educational Needs and Disabilities (SEND)**  
**Author:** **Sheila Smith, Director of Children's Services, North Somerset Council**

## **1. Recommendations**

- 1.1 The Health and Wellbeing Board is recommended to:
- i. Review the preliminary summary of the LGA's findings following the Peer Review
  - ii. Consider how the board can support and influence positive outcomes to meet the recommendations
  - iii. Note the intention to revise the SEND action plan in the light of this review, and for the Children's Improvement Board to drive delivery of identified activity

## **3. Details**

### **3.1 Introduction**

The LGA conducted a remote peer review of local area SEND services in North Somerset during late November-early December 2020. This was undertaken with a focus on readiness for an imminent re-inspection following Ofsted's 2018 Local Joint Area Review (LJAR). The review centred on four themes:

#### **The impact of Covid-19**

- Impact of Covid on 'business as usual' activity
- Impact of Covid on improvement work
- Effectiveness of the SEND Programme Board

#### **Parent / carer perspectives**

- Parents' expectations and experiences
- Quality of collaboration
- Evidence of co-production

#### **Relationships with health partners**

- Support for Education, Health and Care plans (EHCPs)
- Health provision
- Joint commissioning

### **Education, Health and Care plans**

- The quality and effectiveness of EHCPs
- Partnership roles and responsibilities around EHCPs
- Assessment approach

The following sections detail the findings of the review team, along with their key recommendations. Please note that at the time of writing this report remains a draft, and is therefore subject to amendment.

### **3.2 Summary of Findings**

Services across the SEND system in the North Somerset area are regarded by partner organisations and parents alike as having responded actively to the needs of children, young people and families in the face of the challenges presented by the Covid-19 pandemic. Responding to the crisis has strengthened aspects of partnership working and prompted some innovation.

The Council's relatively new political leadership, supported by the Chief Executive, have recognised the importance of Children's Services and are making it a priority and ensuring that it is appropriately resourced. The recent separation of the post of Director of Children's Services from that for Adult Services should ensure that the Director has the capacity to drive the SEND agenda. It is important that this additional capacity is enhanced by an early appointment to the post of Head of Education and Partnerships.

The senior leaders of the NHS Bristol, North Somerset and South Gloucestershire Clinical Commissioning Group (BNSSG CCG) recognise that there has been significant underinvestment in North Somerset and intend to level up funding to that of other areas across the wider CCG. The commissioning of new providers for community and mental health and wellbeing services from April 2020 is also regarded as a positive development. Taken together, these changes in arrangements in the Council and key health partners provide a real opportunity to step up the pace in improving SEND services. Other strengths to build on include an active parent / carer forum that is connected to the key statutory stakeholders; examples of good partnership and multi-disciplinary working at the front line and in new quality assurance procedures and a focus on developing better outcomes for Education, Health and Care Plans (EHCPs).

The SEND system across the area faces some significant challenges. The DfE acknowledged in February 2020 that there had been progress in some areas against the issues identified in the Written Statement of Action following the 2018 SEND inspection. However, in the view of the peer team, progress is not as advanced as it should be and more improvement should have been secured before the Covid-19 pandemic took hold. There is a need to refocus and streamline governance structures across the partnership to drive improvement at pace and provide clear

leadership of the SEND agenda, including clarifying the relationship between the newly established Children's Improvement Board and the current SEND Programme Board. This would help leaders across the partnership to take greater ownership of SEND improvement work.

There should be a much clearer communication of vision, intention and impact across the partnership at all levels, including a shared ownership of and responsibility for the information that comprises the Local Offer. Partners should ensure that there is sufficient capacity, with the right skills mix and focus, in key roles across the SEND system and that people feel empowered and have the authority to act, or the confidence to approach senior managers to resolve obstacles that may arise.

Work is required across the partnership to establish a genuinely participative approach with children, young people, parents and carers in both service development and delivery. A culture shift is required to one in which early involvement of these key stakeholders in service design and delivery is the default position as the basis for genuine co-production.

Relationships with and between schools need to be further strengthened, enabling greater challenge to build confidence and capacity in mainstream provision to meet the needs of children and young people with SEND. The partnership between mainstream and special schools should be further developed to provide a continuum of provision to enable each child's needs to be met in the most appropriate setting and reduce the pressure on special school places. This should be an early priority for the new Head of Education and Partnerships along with the Education Excellence Partnership Board which brings together schools and the Council.

### **3.3 Key recommendations**

The following are the main recommendations of the peer challenge:

#### **Governance and leadership**

- a) Refocus and streamline governance structures to drive improvement at pace and provide clear leadership of the SEND agenda by partners across the local area
- b) Review the membership of the SEND Programme Board and refocus as an improvement board, including consideration of a smaller group of decision makers to drive change, and clarify the relationship with the Children's Improvement Board
- c) All partners should make better use of performance information and comparative data to acquire insight and understanding to drive improvement actions. The self-evaluation should be reworked to reflect this insight, progress against objectives and inform a review of the SEND Strategy and action plan

#### **Capacity**

- d) The CCG should ensure that the appropriate level of funding for services in North Somerset is provided, reflecting that in other local authority areas covered by the CCG
- e) All partners should ensure they have sufficient capacity in place to drive the SEND agenda, with the appropriate skills, experience, focus and seniority and consider how to address this when reviewing structures and responsibilities
- f) The Council should recruit to the post of Head of Education and Partnerships as a priority
- g) The Council and CCG should identify any existing budget provision for specialist school nursing and consider if this should be used to provide nursing leadership for health services for school aged children with SEND Partnership working and engagement
- h) Health partners and the Council should work together to meet their shared responsibility for the Local Offer and ensure that comprehensive and timely information about services is readily available to children, young people and families
- i) Health partners and the Council should establish a participative approach with children, young people, parents and carers in both service development and delivery, whereby their early involvement is the default position as the basis for genuine co-production
- j) Relationships with and between schools need to be further strengthened and they should be challenged to build confidence and capacity in mainstream provision to meet the needs of children and young people with SEND
- k) The council should monitor the implementation and impact of the plans to reduce out of area placements to ensure these realise the projected budget savings

### **Effectiveness of EHCPs**

- l) Establish and meet clear expectations around the nature and timescales for responses to enquiries and the EHCP process and encourage parents to liaise with officers for progress updates
- m) Ensure that councillors have access to appropriate advice and support when meeting parents and carers
- n) Embed the recently established quality assurance procedures around EHCPs across the partnership and use this to achieve further improvement in the quality and impact of those plans

### **Policy and Legal Implications**

- 4.1 SEND services are delivered under the Children and Families Act 2014, the Children Act 1989 and associated regulations. The Council is regarded as the lead organisation for these services, but the cooperation and participation of schools and the CCG are required by legislation as part of the wider 'local area' partnership.
- 4.2 In 2018, Ofsted & CQC required North Somerset to deliver a Written Statement of Action based on eight areas of significant weakness. This Peer review supports work to judge our progress in advance of a revisit by regulatory bodies.

## **Risk Management**

- 5.1 No risks arise as a result of this review. However, a continued legal, reputational and financial risk is associated with situations where the Local Area does not effectively identify, assess or meet SEND needs.

## **Finance and Resource Implications**

- 6.1 There are no specific resource implications arising from this report or the Peer Review, however actions determined to address the areas raised and deliver recommendations will require consideration in terms of resources and joint commissioning activity.

## **Equality Implications**

- 7.1 Our SEND services are delivered to support the education, health and care needs of children with a range of learning needs and disabilities.

## **Climate Change and Environmental Implications**

- 8.1 None

## **Engagement Undertaken or required**

- 9.1 The SEND Programme Board has published a Co-production Charter which secures the participation of children and young people, parents and carers in work to review and change SEND services across the partnership.
- 9.2 Our local Parent Carer Forum were a key participant in the Peer Review and will remain engaged in work to address the recommendations.
- 9.2 Engagement with children and young people is an area for further development and is both complex and challenging under the current Covid-19 restrictions. Further plans in this area will be developed as the situation changes.