

From: Rory Love, Cabinet Member for Education and Skills
Sarah Hammond, Corporate Director of Children, Young People and Education

To: SEND Scrutiny Sub-Committee, 25th July 2023

Subject: Improvement Notice and Accelerated Progress Plan (APP) update

Classification: Unrestricted

Past Pathway of report: None

Future Pathway of report: None

Electoral Division: All

Summary:

This report provides an update on the process since the Improvement Notice issued in March 2023, to develop an Accelerated Progress Plan (APP) for the Kent local area system. The APP is required by the Department for Education to address all the areas of significant weakness outlined in the Ofsted/CQC Inspection Revisit and sets out actions by partners across the system to improve the experience of children, young people and families with SEND.

Recommendation(s):

The SEND Scrutiny Sub-Committee is asked to **note** the contents of the report.

1. Background

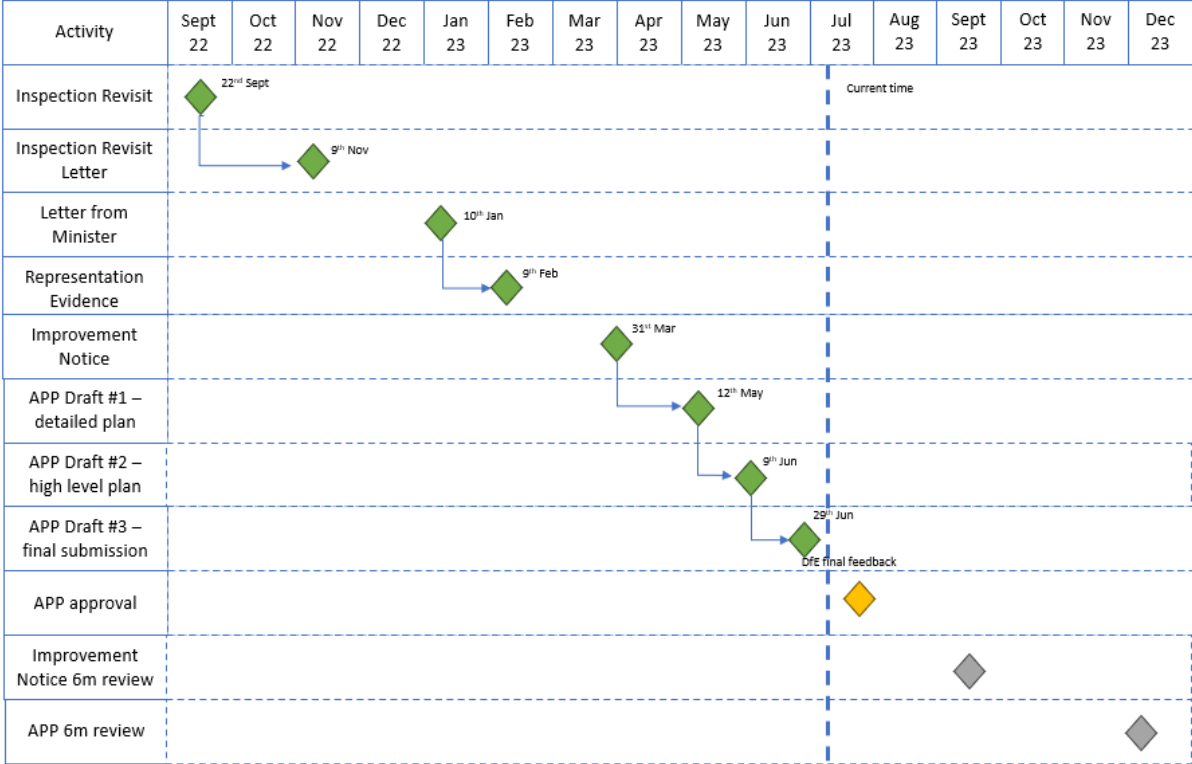
- 1.1 Following the Ofsted/CQC Inspection Revisit in September 2022 and the Inspection Revisit findings issued in November 2022, partners across the Kent local area system have been working hard together to plan and progress actions that will make lasting improvements for children, young people, parents, carers and families with SEND.
- 1.2 On 12th January 2023, Claire Coutinho MP, Minister for Children, Families and Wellbeing, wrote to Kent County Council (KCC) to invite a representation of additional evidence on progress against the 9 areas of significant weakness and specific areas of concern raised by the Minister.
- 1.3 KCC developed an extensive representation evidence pack (*Appendix 1*), to demonstrate the system response and the activity undertaken since the Revisit, working closely with partners including Kent and Medway NHS Integrated Care Board, Education Sector, Kent Parents and Carers Together (Kent PACT) and Council for Disabled Children. This was submitted on 9th February 2023.

- 1.4 On 31st March 2023, alongside confirmation of the Improvement Notice (*Appendix 2*), which followed the Inspection Revisit, the Minister recognised the considerable recent work and effort to focus on services for children and young people with SEND in the Kent Local Area.
- 1.5 The Improvement Notice requires the local area to produce an Improvement Plan (Accelerated Progress Plan (APP)), which must cover the areas identified in the Revisit report, in addition to recommendations made by the Department, the work of the SEND Strategic Improvement and Assurance Board and plans to develop the capacity of the SEND case work team.
- 1.6 The development of an APP is an iterative process, involving collaboration between partners and advice from the Department for Education (DfE) and NHS England (NHSE) Improvement Advisers and the Independent Chair of the Strategic Improvement and Assurance Board. Partners worked closely together to capture actions which were already in progress and to identify new improvement actions which are needed. A detailed draft APP was submitted on the first DfE deadline of 12th May 2023.
- 1.7 Following feedback from the DfE and NHSE Improvement Advisers, partners were advised to prioritise the detailed actions into a high-level plan addressing key sub-themes within each area of weakness, similar in style to those produced in other local authorities. A revised draft high-level APP was submitted on 9th June 2023.
- 1.8 On 23rd June, partners received positive feedback on the draft APP from both DfE and NHSE advisers, together with acknowledgement for the hard work that had gone into putting the APP together. DfE provided final feedback and raised some outstanding questions and queries, which KCC responded to, submitting an updated version of the APP on 29th June.
- 1.9 On 4th July, the DfE noted the considerable work which had been undertaken and confirmed they would meet to provide further follow up on key sections and areas on evidence of impact. At the time of writing this report, formal approval is expected to be received shortly. The APP will be circulated to the SEND Scrutiny Sub-Committee as soon as it is signed off by the DfE, which may occur before the committee meets. Once approved the APP will be published on our Local Offer page, alongside a guide for children, young people and families, supported by planned communications in a range of channels.
- 1.10 The DfE have confirmed they will carry out an initial review of the Improvement Notice 6 months from the date of issue (in September 2023), and the APP will be reviewed 6 months from approval (likely to be around January 2024).

Partners have already begun to develop an evidence bank to prepare for the 6 month reviews, so we can demonstrate progress, and most importantly, impact for children, young people and families.

1.11 A timeline of the progress since the Inspection revisit is set out below.

Figure 1: DfE process timeline



2. The Accelerated Progress Plan (APP)

2.1 The APP is a high level, strategic plan which is our joint partnership commitment to work together across the Kent Local Area system to improve the lived experience for children and young people with SEND, and their parents, carers and families. It demonstrates how we are actively addressing all 9 areas of weakness, in addition to preparing for sustainable transformation and improvement, which we recognise is a long-term endeavour.

2.2 We are working collectively together to progress the actions, system and process changes needed to ensure SEND improvement. We are confident that the actions we have committed to are ambitious yet achievable, with the resources in place to deliver them, but we are realistic about the challenges ahead.

2.3 The APP follows a format advised by the DfE, based on good practice in other local authorities. The actions are structured against the 9 areas of significant

weakness (see below) in the Inspection Revisit. We have identified a Lead for each Area of Weakness who will provide professional expertise and challenge for their Area, who will provide expert advice on commentary in assurance reporting and work with responsible officers for individual actions.





The 9 Areas of Significant Weakness

- 1) A widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs
- 2) A variable quality of provision and commitment to inclusion in schools, and the lack of willingness of some schools to accommodate children and young people with SEND
- 3) That parents and carers have a limited role in reviewing and designing services for children and young people with SEND
- 4) An inability of current joint commissioning arrangement to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND
- 5) Poor standards achieved, and progress made, by too many children and young people with SEND
- 6) The inconsistent quality of the EHC process; a lack of up-to-date assessments and limited contributions from health and care professionals; and poor processes to check and review the quality of EHC plans
- 7) Weak governance of SEND arrangements across the EHC system at strategic and operational level and an absence of robust action plans to address known weaknesses
- 8) Unacceptable waiting times for children and young people to be seen by some health services, particularly CAMHS, tier two services, SALT, the wheelchair service and ASD and ADHD assessment and review.
- 9) A lack of effective systems to review and improve outcomes for those children and young people whose progress to date has been limited by weaknesses in provision.

2.3 For each area of weakness the APP identifies:

- The sub-themes which address key findings given in the Inspection Revisit letter (November 2022) on this area of weakness
- The actions we are taking to achieve improvement.
- Responsible owner for the action
- Specific end date to complete actions (milestones are being developed)
- Ratings for both progress and impact (see 2.4)
- How we intend to capture the evidence of our impact for children, young people and families – this will be further developed as we deliver the APP and shared with DfE as part of our 6-month review process.
- The Key Performance Indicators (KPIs) we are using to measure the success/impact of the actions. The KPI's are aligned to the APP Scorecard which is produced monthly for SIAB and will be published quarterly alongside contextual performance information and commentary.

- 2.4 Two BRAG ratings (Blue, Red, Amber, Green) are used to demonstrate progress on the action and impact of the actions on children and young people. The high-level definitions (definitions being further developed) are:

Red		Actions delayed and impact not being delivered
Amber		Actions on track and expected impact on track
Green		Action completed and early evidence of impact
Blue		Change is embedded, sustainable and ongoing evidence of impact

- 2.5 In addition to the 115 APP actions, the APP includes areas to build and consolidate our joint working, based on key areas identified by partners which they want to continue to work together on. It also provides a high level overview of risk and details on how we will measure performance.

3. SEND Case Work Team Capacity

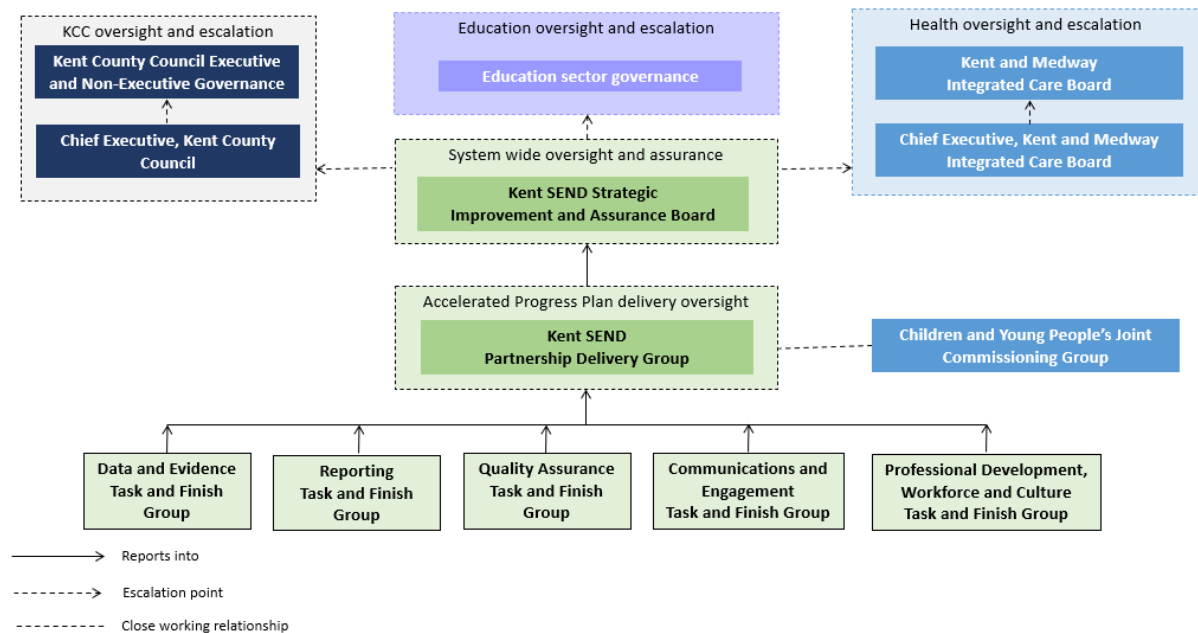
- 3.1 The Improvement Notice included a paragraph specifically related to the development of a plan within 6 months on the sufficient capacity of the SEND case work team to enable the effective delivery of the Education, Health and Care (EHC) needs assessment and review system, and to improve both the timeliness and quality of the EHC plans.
- 3.2 Officers have successfully prioritised recruitment and vacancies are reducing week on week. A robust reporting mechanism is being established that ensures all this data is refreshed weekly and held centrally, which will be operational by the end of July.
- 3.3 In addition, a proposal to strengthen the Annual Review backlog team and establish a Complaints backlog team and EHCP backlog team has been agreed in principle, with the level of investment now being considered.
- 3.4 The professional development programme has been reported on previously and this is informed by the findings of the Quality Assurance reviews, as well as the statutory requirements. The action plans for the SEND case work capacity have been shared with the DfE improvement advisers as part of our discussions on the APP, and progress will be updated at the 6 month review.

4. Governance

- 4.1 Oversight and assurance of the Accelerated Progress Plan is through the Kent SEND Strategic Improvement and Assurance Board (SIAB), which was established in January 2023. The Kent SEND Partnership Delivery Group (PDG) is collectively responsible for providing detailed oversight of progress and impact on the APP and is co-ordinating the mapping, tracking, and delivery of partnership actions.
- 4.2 The PDG is supported by 5 Task and Finish Groups: Data and Evidence, Reporting, Quality Assurance, Communication and Engagement and

Professional Development, Workforce and Culture. It also has a strong connection with the Children and Young People’s Joint Commissioning Group, which plays a key role in the delivery of many APP actions and also reports into the Partnership Delivery Group.

Figure 2: SEND governance arrangements



4.3 The PDG is responsible for reviewing the monthly monitoring information to provide action on areas for challenge and concern in APP delivery to SIAB on a monthly basis. The PDG produce a monthly APP Assurance Report for SIAB, which is shared with DfE bi-monthly. This provides commentary and analysis for each area of weakness, including analysis of progress and impact action ratings, set in context of performance information provided in the APP Scorecard. PDG also produce a monthly Exception Report for SIAB, to ensure that any issues are swiftly escalated and resolved with systems leaders.

4.4 To inform the Assurance Reporting, information is being gathered from all responsible action owners on a monthly basis, including confidence levels for improvement and any key risks to delivery.

5. Next steps

5.1 Work has been reviewed and continued since the Inspection Revisit, as the work on developing the contents of APP has continued and monthly reports have been made to SIAB, which includes opposition Members in addition to the Cabinet Member for Education and Skills and Cabinet Member for Children’s Services. Representatives from DfE and NHSE are also invited to attend.

5.2 Once the APP is approved, partners will be ensuring that the plan is well-communicated and understood with planned communications as part of the SEND Communications and Engagement Strategy. The intention is to use the

Local Offer page to ensure we communicate our progress and evidence of impact.

5.3 Following the first round of APP reporting in early July (June was a baseline position, based on the draft APP at this time), the PDG is using reporting data to monitor progress and take action on improvement where needed. It is important that reporting is an enabling process to quickly identify and act on insights, not a bureaucratic burden. The Reporting Task and Finish Group has designed automated reporting and live dashboards to ensure it is as quick and simple as possible for partners to provide reporting information, and this process will be further refined over the summer. This will include analysis of end dates, to ensure we have a realistic and accurate view of progress and development of clear milestones for all actions over the summer, so we know we are on track for the long-term improvement needed.

5.4 As we deliver the APP, we are developing the evidence of impact, so that during our 6-month reviews with the DfE we can demonstrate a range of evidence about the impact and the difference we are making for children, young people and families across each area of weakness. This evidence will be from a wide range of sources including quantitative data, qualitative data, evaluations, survey findings, commissioning and project plans.

6. Recommendations

6.1 The SEND Scrutiny Sub-Committee is asked to **note** the contents of the report.

7: Background documents

- Appendix 1: Representation Evidence Pack (February 2023)
- Appendix 2: Improvement Notice (March 2023)
- Accelerated Progress Plan – To be published when approved by DfE (Expected July 2023)

8: Report Author

Responsible Director:

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