

From: **Roger Gough, Cabinet Member for Children, Young People Education**
Matt Dunkley, Corporate Director of Children, Young People and Education

To: **Children's, Young People and Education Cabinet Committee – 7 May 2019**

Subject: **Kent SEND Local Area Inspection by Ofsted/CQC**

Classification: **Unrestricted**

Past Pathway of Paper: **N/A**

Future Pathway of Paper: **N/A**

Summary:

To provide an update on the actions taking place in response to the Kent SEND Local Area Inspection by Ofsted/CQC

Recommendation:

The Children's, Young People and Education Cabinet Committee are asked to note the report

1. Background

1.1 Between 28 January 2019 and 1 February 2019, the local area of Kent was inspected by Ofsted (Office for Standards in Education, Children's Services and Skills) and CQC (Care Quality Commission). The inspection was to see how well the area had put in place the changes across all services that the Children and Families Act 2014 requires for children and young people with special educational needs and disabilities (SEND) and their families.

1.2 In particular it assessed how well KCC, Schools, Academy Trusts and all parts of the Health Service identify and meet the needs of children and young people with SEND, as well as the outcomes they achieve.

2. Outcome of the inspection

2.1 This inspection is not graded but a detailed letter is produced. A full copy of this is attached at Appendix 1. Whilst the Chief Inspector identified a number of strengths in the local area, there were also areas

of significant weakness identified across Kent. These are set out in the attached letter which was published on the Ofsted website on 29th March 2019.

2.2 The significant weaknesses identified were:

- a) the widely held concern of parents that the local area is not able, or in some cases not willing, to meet their children's needs
- b) the 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
- c) the limited role parents and carers have in reviewing and designing services for children and young people with SEND
- d) the inability of current joint commissioning arrangements to address known gaps and eliminate longstanding weaknesses in the services for children and young people with SEND
- e) the poor standards achieved, and progress made, by too many children and young people with SEND
- f) the inconsistent quality of the EHC process; the lack of up-to-date assessments and limited contributions from health and care professionals; the poor processes to check and review the quality of EHC plans
- g) the governance of SEND arrangements across the EHC system at strategic and operational level and absence of robust action plans to address known weaknesses
- h) the 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 reviews
- i) the 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 Some 80% of local areas inspected over the past year by Ofsted/CQC have had similar outcomes in their letters, requiring them to produce a Written Statement of Action (WSOA), implementation of which is monitored quarterly by the DFE and NHS England prior to a full re-inspection by Ofsted/CQC. Together with Health KCC is required to produce a WSoA to address the issues set out 2.2 above.

2.4 Whilst many of the issues are common to most local authorities (reflecting some of the challenges arising from the Children and Families Act 2014) we recognise that there are actions which are down to us, as local leaders, to deliver. We were already undertaking changes prior to the inspection. This report has highlighted the need for us to accelerate these changes and implement the required improvements.

3. **Actions underway**

- 3.1 The immediate action taken in response to the adverse inspection outcome was that the 0-25 Health and Wellbeing Board established and SEND Improvement Board due to the need for a coordinated response by education, health and social care to the Ofsted/CQC inspection.
- 3.2 The board will have strategic overview of the Written Statement of Action and the implementation of the agreed actions to improve the outcomes for children with SEND in Kent. The overarching aim is to ensure a joint responsibility for addressing the significant weaknesses highlighted by Ofsted/CQC. The Board will also ensure there is pace to the implementation of improvements and sustainable impact for children and young people with SEND. It is envisaged that there will be an informal meeting group established to provide oversight of this activity.
- 3.3 In addition to this CYPE, in advance of the Ofsted/CQC inspection, had put in place a SEND Action Plan to address known weaknesses so work was already underway in a number of areas:
 - a) Review of the statutory assessment process with implementation of streamlined and improved processes from 29th April. This includes updated parental communication protocols and more frequent opportunities for parents to provide feedback on satisfaction.
 - b) Additional support staff for the SEND teams to speed up the response to parents and address complaints.
 - c) Revised role for SEN provision evaluation officers (specialist SEN teachers) to quality assure Education Health and Care Plan (EHCP) and the delivery of inclusive practice within schools.
 - d) Introduction of a triage system and new range of advice options for the Education Psychology service which has seen the backlog of cases reduce to fewer than 300 cases from a peak of 650 in the summer of 2018.
 - e) Addressed the staff retention and recruitment issues within the Education Psychology service though recruitment remains a major challenge nationally.
 - f) Joint statutory assessment meetings for pre-school children being piloted to provide a child centred coordinated approach that ensures parents/carers are fully engaged in the creation of a plan that identifies their child's needs and outcomes.
 - g) Joint working between KCC and the NHS to address longstanding issues such as Specialist School Nursing, with Speech and Language Therapy to follow.
 - h) SEN staff now attend care, education and treatment reviews (CETRs) meetings to ensure a more coordinated response with health and social care.
 - i) Innovative agreement reached with all Further Education Colleges for sustainable and consistent funding methodology for Post-16 SEND students.

- j) Independent school placement panel of senior managers established to gatekeep decisions regarding out of county placements and ensure a more consistent approach.
- k) Working to support the creation of four new Parent/Carer Forums within the next few months following the dissolution of the original one in March 2018. In the meantime, we are working with established parent charities for SEN managers to attend weekly drop in advice sessions.
- l) Development of a new Local Offer has started which will include much greater parent/carer and CYP input.

4. Next Steps

- 4.1 The Written Statement of Action needs to be agreed with Health and submitted to the DfE by 28 June 2019. If the DfE/NHS England agree this then we should have confirmation of that by 12 July 2019. If they require revisions then that that will have to be finalised and signed off by them by 9 August 2019.
- 4.2 As the local area is required to produce a WSoA we are subject to quarterly monitoring by DfE/NHS England and a full re-inspection between 12-18 months after the WSoA has been approved.
- 4.3 A copy of the WSoA will be reported back to this committee

<h4>5 Recommendations:</h4>

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| <ul style="list-style-type: none">5.1 The Children's, Young People and Education Cabinet Committee are asked to note the report |
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6. Background Documents

Appendix 1 – Letter from Ofsted - Joint Local Area SEND Inspection in Kent

7. Contact details

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