

CHESHIRE EAST HEALTH AND WELLBEING BOARD
Reports Cover Sheet

Title of Report:	Special Educational Needs and Disability (SEND) Improvement Update
Date of meeting:	22 nd September 2020
Written by:	Cheshire East 0-25 SEND Partnership
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Health & Wellbeing Board Lead:	Mark Palethorpe (Executive Director of People, Cheshire East Council)

Executive Summary

Is this report for:	Information <input checked="" type="checkbox"/>	Discussion <input checked="" type="checkbox"/>	Decision <input type="checkbox"/>
Why is the report being brought to the board?			
Please detail which, if any, of the Health & Wellbeing Strategy priorities this report relates to?	Creating a place that supports health and wellbeing for everyone living in Cheshire East <input type="checkbox"/> Improving the mental health and wellbeing of people living and working in Cheshire East <input type="checkbox"/> Enable more people to live well for longer <input type="checkbox"/> All of the above <input checked="" type="checkbox"/>		
Please detail which, if any, of the Health & Wellbeing Principles this report relates to?	Equality and Fairness <input type="checkbox"/> Accessibility <input type="checkbox"/> Integration <input type="checkbox"/> Quality <input type="checkbox"/> Sustainability <input type="checkbox"/> Safeguarding <input type="checkbox"/> All of the above <input checked="" type="checkbox"/>		
Key Actions for the Health & Wellbeing Board to address. Please state recommendations for action.	Members of Health and Wellbeing Board are asked to: a) Note the progress to date against the SEND Written Statement of Action and preparations for the SEND Re-visit; and b) Endorse the progress report documents in Appendices 1-4.		
Has the report been considered at any other committee meeting of the Council/meeting of the CCG board/stakeholders?	Prior to this meeting, this report has been considered by all relevant Directors within the Council's Children and Families Service and the Cheshire CCG.		

<p>Has public, service user, patient feedback/consultation informed the recommendations of this report?</p>	<p>Feedback from a wide range of professionals across education, health and care and members of the public (including parent carers) contributed to the development of the SEND Written Statement of Action and the Action Plan within it.</p> <p>We are continuing to use both data and feedback as a measure of the impact of our improvement actions.</p>
<p>If recommendations are adopted, how will residents benefit? Detail benefits and reasons why they will benefit.</p>	<p>The SEND Written Statement of Action aims to ensure that, where appropriate, children and young people with SEND, and their families, have access to:</p> <ul style="list-style-type: none"> • timely child and young person-centred EHC needs assessments and EHC Plans of high quality • efficient, consistent and timely pathways of assessment and support for Autism

1 Report Summary

- 1.1 Following the Ofsted and CQC Special Educational Needs and Disability (SEND) Local Area Inspection in March 2018, Cheshire East was asked to produce a Written Statement of Action which described the actions the area would take to improve identified significant weaknesses relating to Education, Health and Care (EHC) Plans and Autism pathways. Our Written Statement of Action was considered by the Health and Wellbeing Board in July 2018 and was subsequently deemed fit for purpose by Ofsted in October 2018. An update was previously provided to the Board in September 2019. A further update was prepared for the March 2020 meeting of the board; however, this meeting was impacted by the emerging COVID-19 pandemic. This report provides a further update, in particular around the impact of the pandemic on SEND inspections nationally and our local preparations for the SEND Re-visit.

2 Recommendations

- 2.1 Members of Health and Wellbeing Board are asked to:
- a. Note the progress to date against the SEND Written Statement of Action and preparations for the SEND Re-visit; and
 - b. Endorse the progress report documents in Appendices 1-4.

3 Reasons for Recommendations

- 3.1 The Cheshire East Health and Wellbeing Board is the overarching governance board for the 0-25 SEND Partnership. This report ensures that the members of the Health and Wellbeing Board are updated on SEND improvement work and have the opportunity to provide relevant support and challenge to the 0-25 SEND Partnership around improvements relating to SEND, in line with the SEND Written Statement of Action.

4 Impact on Health and Wellbeing Strategy Priorities

- 4.1 This report focuses on improvements to services for Cheshire East children and young people aged 0-25 with SEND, and is linked to all of the Health and Wellbeing Board priority outcomes.

5 Background and Options

5.1 Introduction and background

- 5.1.1 In March 2018, Ofsted and the Care Quality Commission (CQC) carried out a joint local area inspection of Special Educational Needs and Disabilities (SEND) in Cheshire East. The inspection looked at how effectively partners in Cheshire East work together to identify, assess and meet the needs of children and young people aged 0-25 with SEND to improve their outcomes.
- 5.1.2 As a result of two areas of significant weakness, Cheshire East was required to produce and submit a Written Statement of Action (WSOA) to Ofsted that explains what the local area is doing to address the identified areas:
- Area 1 - the timeliness, process and quality of education, health and care (EHC) plans
 - Area 2 - the lack of an effective autism spectrum disorder (ASD) pathway and unreasonable waiting times
- 5.1.3 Our Written Statement of Action was considered by the Health and Wellbeing Board in July 2018 and was subsequently deemed fit for purpose by Ofsted in October 2018. Since then, significant progress has been made in improving SEND services. Whether or not we have made sufficient progress will be considered in detail as part of the Ofsted/CQC SEND re-visit.

5.2 The impact of COVID-19 on Ofsted/CQC SEND Inspections and Re-visits

- 5.2.1 In previous updates to the Health and Wellbeing Board, we advised that Ofsted and the CQC were due to carry out a SEND re-visit in Cheshire East before the end of April 2020 (in line with re-visits being carried out within 18 months of an area's Written Statement of Action being approved by Ofsted). The sole purpose of the re-visit is to determine whether sufficient progress has been made in addressing the areas of significant weakness detailed in the WSOA (including an evaluation of the impact of the actions taken).
- 5.2.2 On 17th March 2020, all Ofsted inspections (including Local area SEND inspections and SEND re-visits) were suspended as a result of the COVID-19 (coronavirus) pandemic.
- 5.2.3 In a press release on 9th July 2020, Ofsted announced that they did not feel it was appropriate to return to SEND inspections in the Autumn Term. Instead, Ofsted are proposing a phased return to inspection, with an interim period before full inspections resume.
- 5.2.4 From autumn 2020, Ofsted and CQC are planning to conduct a limited number of visits to local areas regarding their SEND arrangements. The aim of these visits will be to:
- Support the local area to understand the impact of the pandemic on children and young people with SEND and their families
 - Find out what has worked well for them during this time, what the challenges have been and lessons learned
 - Work with the local area to identify opportunities for improvement that address the challenges faced by children and young people with SEND

- Highlight best practice case studies and share insights nationally to promote whole system learning.

5.2.5 Each visit would involve:

- One Education Inspector, one Social Care Inspector and one CQC Children's Services Inspector
- 2 days on site, with flexibility for remote/online meetings
- 4-6 case studies of children and young people and practitioners working with them
- Conversations with leaders
- A feedback meeting
- A summary note which will be agreed with local area leaders and shared with the Department for Education (DfE) and NHS England and Improvement (NHSE/I), but will not be published.

5.2.6 During these visits, Inspectors will focus on three key themes:

- Co-production with children and young people with SEND and their families in responding to the pandemic
- Collaboration across agencies to understand children and young people's new, emerging or existing needs and work out how best to support them during the pandemic
- Access to the right support at the right time, including online or remotely where necessary

5.2.7 Ofsted and CQC will not visit all local areas during this programme and will instead invite a limited number of local areas to participate, aiming to cover local areas from all regions with different factors, such as geographical make up, population characteristics, and previous inspection outcomes. The hope is that this will result in good variation across the sample.

5.2.8 Ofsted have advised that guidance on how inspectors will carry out the visits will be shared in September. Visits will take place in three waves and these are expected to begin in early October 2020, late autumn 2020 and early spring 2021.

5.2.9 National reports will be published following the three phases of visits. These national reports will not contain details about individual areas, but they will include learning from the visits, alongside good practice and case studies which will benefit the whole SEND system.

5.2.10 Findings will:

- contribute to the decision about when to restart the local area SEND inspection and re-visit cycle.
- inform national bodies (e.g. Ofsted, CQC, DfE and DHSC) about the changes and challenges local areas and regions are facing as a result of COVID-19, and what wider improvement support may be needed.
- Contribute to early thinking about the shape of an amended inspection framework for the second cycle of SEND inspections.

- 5.2.11 In addition to the interim visits, the Parliamentary Under-Secretary of State for Children and Families has commissioned Ofsted and CQC to develop a new local area SEND inspection framework to launch after the existing cycle has been completed.
- 5.2.12 Ofsted and the CQC have agreed that the new framework will improve the current arrangements by:
- introducing a continuous cycle of inspections
 - focusing inspection more sharply on the experience of children and young people with SEND and their families
 - featuring more prominently in inspection the quality, integration and commissioning of education, health and care services for children and young people with SEND.
- 5.3 Arrangements for SEND monitoring and inspection preparation in Cheshire East
- 5.3.1 The Department for Education (DfE) and NHS England and Improvement (NHSE/I) have re-started their SEND monitoring visits with us and an informal, virtual monitoring visit took place on 7th September 2020.
- 5.3.2 We are continuing with preparations for our Ofsted/CQC SEND re-visit. This includes preparing key documents to evidence progress, carrying out communication and engagement with all stakeholders and ensuring arrangements are in place to respond quickly upon notification of the re-visit.
- 5.3.3 It is expected that the following documents will be provided to Inspectors on day 4 of the first off-site week of the re-visit:
- An overview document in relation to our progress against the WSoA (Appendix 1)
 - A report on the timeliness of Education, Health and Care (EHC) Plans (Appendix 2)
 - A report on the process and quality of Education, Health and Care (EHC) Plans (Appendix 3)
 - A report on autism timeliness and pathways (Appendix 4)
 - The latest updated WSoA with detailed progress on each action (additional updates are currently being added to this document).
- 5.3.4 We will be updating these documents on a regular basis so that up-to-date versions are available when we receive notification of the re-visit. We are also preparing a number of other supporting documents so that they are ready should Inspectors request them.
- 5.3.5 Following the re-visit, if Cheshire East is considered to have made sufficient progress, the formal quarterly support and challenge visits that we currently have with the DfE and NHSE/I will cease.
- 5.3.6 If Cheshire East is making insufficient progress in any of the serious weaknesses identified, it is for the DfE and NHS England to determine the next steps. This may include the Secretary of State using his powers of intervention. Ofsted and the CQC will not carry out any further re-visits unless directed to do so by the Secretary of State.

6 Access to Information

6.1 The background papers relating to this report can be inspected by contacting the report writer:

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