

# People Scrutiny Commission

14<sup>th</sup> December 2020



**Report of:** Alison Hurley, Director of Education & Skills

**Title:** Bristol Special Educational Needs and Disabilities (SEND) progress report against the remedies identified by The People Scrutiny Commission from the Evidence Day held on 3<sup>rd</sup> February 2020

**Ward:** All

**Officer Presenting Report:** Alison Hurley

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## **Recommendation:**

That the Commission note the report.

## **The significant issues in the report are:**

Overview of progress since the Local Area SEND inspection in September / October 2019

Since the February update for People Scrutiny, Bristol Local Area has had two external monitoring meetings with Department for Education (DfE) and NHS England advisers. The first was the 9th July and the second the 16th November. These formal meetings take place every four months to enable the DfE to evaluate the progress made against the milestones set out in Local Area's published 'Written Statement of Action' (WSOA).



## 1. Summary

### 1.1 Summary of progress made against the July Milestones

The Covid-19 pandemic has meant that progress in some areas has been adversely impacted. However, as work had already commenced prior to the first lockdown, good progress was made against the majority of the July milestones.

- 75% (more than 50) of the actions set out in the WSoA were achieved by July
- 13% were partly achieved
- 12% (6 actions) were delayed or paused due to Covid-19.

On the 9th July, DfE and NHS England advisers met with leaders from health and the council and the interim chair of Bristol's Parent Carer Forum. They were satisfied that good progress was being made and their subsequent note of the meeting stated that:

'In the current Covid context, progress to date with the WSoA has been commendable. The focus has been on those areas that can be undertaken well during this period. Local SEND leaders across the statutory agencies are working effectively together and there are encouraging signs of wider involvement and engagement of education providers and parents/carers. Although the WSoA has only been in place for approximately three months progress in addressing the five priorities is well underway, with systems emerging to evaluate the impact of actions and a strong commitment to embed an enduring inclusive culture for children and young people with SEND across the City'.

A summary report of progress is available to the public on the Local Offer.

### 1.2 Summary of progress made against the November Milestones

Of the sixty six milestones to be achieved by November 2020, 89% have been achieved or are on track to be achieved during December / January. At the time of writing, the DfE note of meeting is yet to be received. However, verbal feedback was positive and progress was described as "very encouraging". A summary report of progress will be published on the Local Offer by the end of December.

Although there is evidence that good progress is being made against the milestones in the Written Statement of Action, it is important to state that improvements made thus far, tend to relate to data, governance and processes and therefore won't yet be having a demonstrable impact on the majority of parents and carers or their children.

## 2. Progress against the People Scrutiny Commission's identified remedies

### 2.1 Culture, Trust and Funding

#### 2.1a) Scrutiny Recommendations: Communication and Engagement with Parents

- *Improved communication by the Council with children, parents and carers and partners: A communication and engagement framework that reflects on, and addresses attitudes, values, how we communicate, and how engagement and access is enabled (and implementing this in practice) will help achieve a cultural change and enable trust*
- *Ensure next steps include and are driven by parents and carers; and that no one is left feeling they do not have the opportunity to access information and services.*
- *We need to reach out to BAME families, those with English as a second language, and other 'hard to reach' vulnerable families . The Council should be proactive in contacting those families who feel they cannot engage or access services, and should widen the representation of voices across diverse communities in Bristol in the co-production and co-reviewing of services.*
- *The Local Offer should be clearer and more accessible; ensuring it contains up-to-date helpful and relevant information, informed by what parents and carers say they need to know. The new website should be reviewed regularly; and it should have connectivity to related sites.*

#### 2.1a) Progress

There are many examples of improved, regular communication and growing engagement and co-production with parent carers. For example parents are members of each of the five work streams in the 'Time for Change' project which is focused on improving all aspects of the Education and Health Care Plan (EHCP) process. Parent carers are working alongside managers and practitioners from a wide range of health, care and education services, co-designing and testing new ways of working.

The team ran a parent carer survey in the spring, alongside one for children and young people. The [summary findings](#) and our response to these surveys are published on the Local Offer and were shared widely across the SEND partnership and are being used to inform ongoing improvements. Another survey will run through January and February 2021, and ongoing twice yearly.

The local offer website has been developed further to provide supportive information for [young people](#), [families](#) and [professionals](#), including a wealth of Covid-19 related guidance and information as well as resources for parents. Consistent messaging has been developed, explaining what the Local Offer is and ensuring schools' and partners' websites link to correct pages. Promotional material was produced and widely distributed including rebranding and replacing old flyers, which were sent to 24,000 target areas. The key focus continues on promoting the Local Offer to the parents, carers and children and young people in the Bristol community:

- [Facebook](#) page launched with daily updates (viewed by 3,684 people in one month)
  - aim to provide an easy to follow page with the latest information re: SEND services and specifically SEND activities in Bristol. As requested by the community.
  
- Fortnightly community newsletter launched (136 subscribers)
  - aim to keep community up to date with the latest information
  
- Ambassador programme launched
  - aim to remind council colleagues and our partners in health to use the site, keep their information up to date, improve collaborative working, share the Local Offer within their teams and the people they work with.

The Local Offer website 'hits' increased by 90% since August, directly linked to the newsletter and Facebook impact. The web pages now include videos. For instance consultation on the new Top Up funding was promoted via the Local Offer and a [video](#) and virtual ways of feeding back are available to help families understand the process.

Covid-19 has however, reduced the capacity to fully develop engagement work, which means that, although all partners are focused on engagement of parent carers, activity is still fragmented. In recognition of this, BCC is funding a SEND local area engagement co-ordinator who will be responsible for producing and implementing an engagement framework for SEND services in Bristol. The aim is to have recruited to this post in early 2021.

Concurrently, the Children and Families Programme Board agreed in August to progress a Children and Young People's engagement and co-production mapping exercise to establish a baseline, identify engagement for the programme board and develop a proposal for a co-ordinated approach to CYP engagement and co-production across Bristol North Somerset and South Gloucestershire Clinical Commissioning Group (BNSSG CCG). Each partner agency has representation on this working group, and outputs will be brought back to Bristol's SEND Partnership Group and will inform the SEND engagement framework.

## **2.1b) Scrutiny Recommendations: Clarity about decision making and funding**

- *There should be as much clarity and transparency about the process and criteria for decision making as possible.*
- *Schools should be clear and transparent on how all SEN funding is spent.*
- *The importance and profile of SEND provision and its impact on Bristol's communities should be communicated across the Council's and partners' workforce.*
- *The local funding mechanisms should be reviewed and simplified to ensure provision on the EHCP can be met*

### **2.1b) Progress**

Significant pieces of work are underway to clarify decision making, provision and funding.

The Local Offer clearly sets out the [EHCP process](#) and the Time for Change project includes the development of a family portal, which should be fully functioning in the summer 2021, will enable families to check on the progress of the an EHC needs assessment and EHC plan and view all associated paperwork. Alongside this development, the EHC Plan template is being completely redesigned with parent carers to ensure plans are needs and outcomes led, clear, concise and easily understood by families and professionals alike. All statutory letters are being redrafted with parent carers to ensure they are clear and easy to understand.

Guidance has been drafted on what should be ordinarily available in all schools to support children and young people with additional educational needs. The 'Ordinarily Available Provision' (OAP) guidance is being tested and consulted on during this autumn term, including a group of school Special Educational Needs Coordinators (SENDCos) trialling the guidance with teachers and parents.

The project is already having an impact on the language used across the local area with professionals in schools and education support services discussing what should be available under the OAP heading.

A parallel project is focused on making the allocation of High Needs Block funding clear and transparent. A 'Needs Matrix' has been developed, aligned to the OAP guidance and reflects the next level of school based support in the SEND Code of Practice. The matrix unifies documents across all categories of need and has been developed with specialist education and health professionals who have contributed to the writing of needs statements and identification of appropriate provision to support different levels of need. A group of 46 volunteer SENDCos have participated in live tutorials and had the opportunity to test the

process and offer feedback. This feedback is currently being reviewed and will shape the content of the final matrix as well as assist with calibrating the funding allocation.

This new funding allocation mechanism is anticipated to be rolled out from September 2021. The matrix will be used by SENDCos in mainstream schools to apply for additional funding for those children and young people with SEND who require more costly support. This will ensure a consistent and transparent approach across Bristol's schools.

Both these projects are contributing directly to a shared understanding of inclusion and language across the partnership and will provide parents with the information they need to understand what schools can, and should be doing to support their children's education.

Additionally, the first [suite of data](#) relating to statutory processes has been published. This will be updated monthly. Dedicated work over the last year has ensured there is now a set of accurate and reliable data, which is being used operationally to manage demand and performance and strategically to monitor progress. The published data set will be extended over the next year in response to feedback and as confidence in the wider data increases.

## **2.2 Quality**

### **2.2a) Scrutiny Recommendations: Standards, Performance and Training**

- *A review of standards and what 'good' looks like, and roll out of agreed performance indicators with a clear performance management framework will help with consistency and quality assurance.*
- *There should be a review/gap analysis of training for staff involved in SEND provision, as well as directly involved in the EHCP related processes (including, for example, report writing) provided across the Council, schools and health. A reviewed learning and development plan and roll out will help improve quality, including consistency of approach, and improvement of communications.*
- *School Governor training would help clarify responsibilities and provide consistency and enable transparency.*

### **2.2a) Progress**

All LA SEND Assessment Team staff have received basic training in the SEND Code of Practice and statutory processes. The SEND Quality Assurance Framework is in place and a monthly audit cycle of EHCPs and Annual Reviews is now established. Monthly meetings take place with the SEND Team Managers to reflect on the findings of the audits. Continuing professional

development training for the SEND team is being informed by audit findings and parental feedback.

The SEND service manager has ensured an ongoing review of induction, caseloads and impact of new structure, supervision and management oversight on timeliness and quality to enable adjustments as necessary to sustain improvements.

Monthly reviews of timeliness take place at operational and strategic level. There is a weekly meeting between key professionals and the SEND team to review demand and capacity and ensure resources are allocated appropriately.

Standard Operating Procedures (SOPs) for statutory processes have been developed. These SOPs provide a set of step-by-step instructions to help SEND caseworkers carry out complex routine processes with the aim of achieving efficiency, quality output and uniformity of performance, while reducing miscommunication and failure to comply with key standards and procedures.

Following a review and gap analysis of SEND training, a comprehensive training programme has been developed for professionals across the partnership. The three year development plan framework is complete and based on 4 areas:

1. Being a well-informed and connected SENDCo or leader of SEND (for school leaders)
2. Bristol implementation of the SEND Code of Practice and Bristol Processes for SEND such as Top-up funding or applying for EHC Needs Assessments
3. Identification, Assessment and intervention for SEND
4. SEND knowledge beyond school staff (Governors, Councillors, Council teams such as admissions)

Governor training on *what is SEND* part 1 and part 2 has been delivered. The first Governor SEND Network session has been held. Additional training for SENDCos and governors is being explored with the DfE's training and support provider.

Additionally, the Council for Disabled Children are running a series of workshops from January to March with professionals from health, the council and schools to support the implementation of Bristol's EHC Outcomes Framework, focusing on writing and evaluating education, health and care outcomes for children and young people.

## **2.2b) Scrutiny Recommendations: EHCP process and Plans**

- *The process should be simplified, utilising standard templates where appropriate.*
- *There should be clear ‘ownership’ with families provided with a team or ‘go to’ person for information about the process. A clear point of contact should also be available before and after the 20 week process.*
- *Reports should be concise and written in plain-English, avoiding ‘copy and pasting’ of long technical reports with jargon; and should be clear regarding identified need, available provision, and measurable outcomes.*
- *Practice should be ‘child, parents, carer, and family-centred’ – ensuring they are enabled to have control over the process, and objectives and outcomes align with their needs.*

### **2.2b) Progress**

The EHC Plan and Process improvement work (Time for Change project) has five strands:

- Co-designing a new EHCP template
- Improving children and young people’s voice
- Improving professional contributions through a new Professional IT Portal
- Improving family access to their children’s SEND files through a Family Portal
- Improving annual review – process and paperwork

The project is led by the SEND service manager via a multi-agency steering group which meets monthly and oversees the work of five collaborative working groups. The five working groups are made up of 79 regular members and a number of additional parent carers as available. Each working group includes at least one parent representative and a range of professionals from education settings, health (including community paediatrics) social care, Education Psychology (EP) service, SEND support and casework services as well as IT management system and performance leads.

#### **EHCP Template:**

The draft proposed EHCP template has been drawn up and has been tested on the IT system. Following feedback from parent carers and professionals, further development was undertaken in October and the final template modelled.

#### **Professional Portal:**

This will link directly into the new EHC plan template and is based on a consistent professional contribution form which links with the EHC Outcomes Framework ethos and language.



Professionals will all have the same information on which to base their contribution and the family will only provide their story once, as the portal will share the children and young people and their families' hopes, dreams, strengths and aspirations which will have been obtained from a person centred planning meeting and / or from the child's voice.

#### Child, young person and family voice:

The EHC Outcomes Framework will be used to ensure the 5 key questions are obtained at the start of the needs assessment or annual review process. The working group have also designed a matrix to support families and schools in improving creativity of obtaining the child and young person's voice. This input will link directly into the new EHC plan template and can be visual as well as in words.

#### Family Portal

The initial test phase is complete. Twenty parent carers attended several workshops and their feedback is helping to ensure the portal uses family friendly language and is easy to use.

#### Annual Reviews

Work is progressing with the SEND team and working group on improving paperwork, workforce development and improving quality of annual reviews and thereby the final EHC plan.

The work of the five groups is now being brought together and implementation is planned between January and June 2021:

- Jan 2021: Implement new Annual Review workforce development package: paperwork, statutory duty, person centred planning meetings, improved timeliness
- March 2021: Implement new EHC plan template, children and young people voice matrix and new Professional Portal. New suite of letters will be available

All of these changes will require significant stakeholder learning and development before implementation. Webinar workshops are being planned on each of the aspects rather than all topics at once, for higher impact, with the aim of starting these late January 2021 onwards

- June 2021: Family Portal introduction. This has a later implementation date to ensure the professional elements are all working properly and to allow plenty of time for rigorous testing to try to eliminate any teething troubles before launching to parents.

Additionally, a pilot of Joint Assessment Meetings (JAM) with the child/young person/ family/ SENDCo/ EP/ SEND Caseworker, started in October 2020. For those EHC Needs Assessment (EHCNA) requests where JAM cannot be offered, an Assessment Coordinator is being allocated at triage stage and is offering to meet families to discuss the assessment process, and obtain their responses to the EHC outcomes framework questions.

Three days of Person Centred Planning (PCP) training took place this autumn with representatives from across the local area. 70 people took part with more accessing the online recorded versions. Feedback has been overwhelmingly positive and the PCP training is being embedded in EHCNA processes.

## **2.3 Meaningful partnership working**

### 2.3 Scrutiny Recommendations

- *A review of partnerships and a published map detailing the relationships between education, health and care partners will provide clarity for parents and carers and also practitioners.*
- *The Council can help enable stronger relationships with and between schools.*
- *Schools should be encouraged and enabled to share specialisms and resources with each other.*
- *Partnerships should ensure there is a clear understanding of accountability and ownership of tasks, communications methods, and information sharing protocol to ensure all information is up-to-date and parents and carers do not need to chase unresolved issues.*

### 2.3 Progress

Since the inspection, one of the most significant developments is that, local area leaders at all levels from the council, CCG, health providers and schools, have honest, and transparent discussions about SEND and inclusion, share data and are actively engaged in partnership working across all improvement work streams.

The detailed feedback, about experience of the SEND system, from the spring parent carer and young people's survey has been shared with leaders, including school leaders to raise awareness of parent and carers' current concerns. Ongoing feedback obtained by Bristol's Supportive Parents (SENDIAS) is shared with SENDCos in their briefings.

The SEND Partnership Group (SPG) continues to meet four weekly and is well attended by operational and strategic leads across the local area. Key personnel are invited to attend for specific items, and agendas are well planned and include a good balance of information sharing, discussion and problem solving where issues are brought to the table, resolutions sought and joint actions agreed.

The SEND Improvement Board continues to meet every two months and, as our data reliability and reports have developed, the board now has the information that it needs to hold partners to account.

Relationships continue to develop and strengthen between the SEND service and health colleagues through email communications, the sharing of key information, attending meetings and by presenting at key conferences. For example, the SEND Service Manager attended a Community Children’s Health Partnership conference in November to talk about contributions to EHCPs.

In addition to the weekly headteacher bulletin, the Director of Education and Skills hosts regular meetings with phase chairs; six weekly webinars for all headteachers, and termly governor briefings, all of which incorporate aspects relating to inclusion if they are not SEND specific. There has been clear leadership across the local area during the pandemic. Guidance on Risk Assessments, and education for vulnerable groups, including those with EHCPs, has been developed through Multi-Agency working groups from across health, social care and education, including school leaders.

The Inclusion in Education Group (IEG) is chaired by one of the school representatives on the SEND Partnership Group, and meets half termly. The group includes officers from Accessible City and SENDCos from all phases of education. IEG is working proactively with SEND partners on The Time for Change and Ordinarily Available Provision developments. The SENDCos have a co-produced, published communication schedule to facilitate communication of key messages, good practise and professional development opportunities. This includes a regular SENDCo bulletin via the Local Offer.

Since June, BCC’s Head of Inclusive City and the Education Partnership Manager have been working on the development of the Belonging in Education Strategy (BES). The BES is part of a suite of four strategies that will influence decision making at the Children’s and Young People Board, one of six thematic boards that make up the [One City Plan](#). The three other pillars are Belonging from the Beginning (0 – 5), Belonging in Families and Belonging in Communities.

To influence the narrative and aims of the BES, officers made use of spring survey results that captured feedback from parents/carers and young people with SEND and have widely engaged with education partners at phase chair meetings, and across the education directorate. Whilst

existing information has been used to build a narrative based on the perspective of young people, Covid-19 has impacted the depth of this work, but this is being addressed by a survey of young people aged 11 – 19 regarding the concept of belonging in the context of education. Outcomes from this survey will be used to further enrich the narrative in the strategy, linking it to the needs of children and young people.

The key focus of the BES is strengthening social capital across the education system, focusing on trusting relationships, shared values and behaviours and the right structure to deliver collective action in relation to inclusion. Priorities relating to the three dimensions of social capital (relational, structural and cognitive / learning) have been tabled for consultation and are aligned to the Written Statement of Action.

### **3. Conclusions**

Overall, the local area partnership has made good progress against the improvement priorities published in the Written Statement of Action and those identified by the People Scrutiny Commission. Where there has been slippage in milestone achievement this is largely attributable to Covid-19.

However, there is acute awareness that improvements made thus far, tend to relate to data, governance and processes and therefore have not yet had a demonstrable impact on the majority of parents and carers or their children.

There are further methods in development, for testing parental confidence and evaluating impact of improvement activity on outcomes for children and young people with SEND. The aim is to have sufficient data to be able to start to analyse and report on this over the next few months.

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### **Background Papers:**

- Special Educational Needs and Disability Evidence Day: Report of the People Scrutiny Commission
- Written Statement of Action