

# People Scrutiny Commission

7 March 2022



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

**Title:** Bristol Local Area Special Educational Needs and Disabilities (SEND) Improvement – Progress Against the Written Statement of Action

**Ward:** All

**Officer Presenting Report:** Alison Hurley

**Contact Telephone Number:** 0117 9224682

**Recommendation:** The SEND Written Statement of Action progress to be noted. Comments from Scrutiny will support the development of the SEND Partnership Plan.

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

The report outlines the progress against the five key areas of significant weakness, following the 2019 Area SEND Inspection, and areas requiring further improvement.



## 1. Summary

July 2021 marked the final set of milestones in Bristol’s [Written Statement of Action \(WSOA\)](#), but it certainly didn’t mark the end of the Local Area’s SEND improvement journey.

Performance data and feedback from many families, evidence that we have come a long way since the inspection, but we are acutely aware that many more families are yet to experience real change and are still waiting too long for their children and young people’s needs to be met effectively. As stated in 2020, in the introduction to Bristol’s Written Statement of Action,

‘This WSoA is the start of our improvement journey and describes what we believe is realistically achievable over the next 18 months. Our aspiration is far greater than many of the relatively short-term targets set out in this WSoA and subsequent plans will reflect that’.

### 2a. Context – Summary of Progress

**Progress since July 2021 against Priority One: The lack of accountability of leaders at all levels, including school leaders**

#### Governance

Existing SEND Partnership governance arrangements will be maintained:

- The multi-agency SEND Partnership Group (SPG) continues to meet monthly, ensuring partners are co-ordinating activity and working effectively with parents, carers and children and young people.
- The SPG is accountable to the SEND Improvement Board. The Board’s oversight is supported by regular and rigorous scrutiny of data and performance information.
- Representatives from schools and Bristol’s Parent Carer Forum sit on both SPG and the SEND Improvement Board.

#### Data, Performance Management and Planning

A relentless focus on improving the accuracy and quality of SEND statistical data has led to significant improvement across this area of weakness.

- Leaders and managers have reliable [data reports](#) and robust systems in place to enable them to effectively manage performance at a team and whole service level.
- A weekly meeting takes place between the statutory SEND team, Education Psychology Service, Specialist Health Advisers, and Social Care to prioritise cases and plan allocations to meet demand / identify risks and actions around timeliness.
- The [SEND chapter of the Joint Strategic Needs Assessment \(JSNA\)](#) was published in August 2021 and is informing service planning and commissioning priorities. The draft joint commissioning plan was ratified by the SEND Improvement Board in August 2021.
- Qualitative data (e.g. annual [survey](#); ongoing survey of statutory processes; audit) is collected and used alongside statistical data to better understand performance and service user experience.

**Progress since July 2021 against Priority Two: The inconsistencies in the timeliness and effectiveness of the local area’s arrangements for the identification and assessment of children and young people with SEND**

**Training in the identification, assessment and meeting needs of children with SEND**

A comprehensive programme of training, supported by guidance is in place and take-up is high across the partnership.

Examples include:

- Early Year Providers (including childminders and reception classes): e.g. Level 3 SENDCO Award; training sessions covering twelve areas of need
- SENDCO briefings and training including induction for all new SENDCOs
- Ordinarily Available Provision – guidance and training on the graduated response: the school-based stages of the SEND Code of Practice.
- Encouraging all education settings to use the Bristol SEND Support Plan (BSSP), within the graduated response, has been successful with 77% of all requests for an EHC Needs Assessment between March and December 2021, supported by a BSSP.
- Primary Mental Health Teams delivered free training to schools on identification and understanding the resources available to meet the needs of children and young people with Social, Emotional and Mental Health (SEMH) needs.
- Bristol is rolling out Mental Health Support Teams (MHSTs) in schools. These are teams that support clusters of schools by providing early intervention evidence-based support to children and young people with mental health needs as well as offering whole school approach to address issues that are identified.
- Autism Education Trust – accredited training delivered to over 1,700 educational practitioners across early years, primary and secondary.

### **Assessment Waiting Times**

Two and a Half Year Checks: significant improvement in uptake of Health Visitors 2-2.5 year reviews, from 60% in 2019 to 91% exceeding the 90% target in Q2 2021/22.

Paediatrician waiting times: percentage seen within 18 weeks is now more consistent at around 60-70% - a good improvement on figures reported in 2020 which were as low as 14.2%

Autism: Demand continues to outstrip capacity with a 160% increase in Autism Hub referral rates in the second half of 2021. BNSSG CCG are funding a twelve-month initiative to assess children on the waiting list with lower clinical complexity by piloting a new model of locality-based ASD assessment service from December 2021.

To better understand the reasons for the increase in demand, the CCG ‘User-experience’ project took place between August and October 2021 and the findings being used to develop solutions, including a shift from a diagnosis-led service to a needs-led pathway. Meetings were held with parent carers, education and health partners and two workshops took place in September and October with a range of stakeholders to begin the co-production journey. The outcome of these workshops will be a three-year system-wide transformation of the autism pathway.

### Education Health and Care Needs Assessments and Plans

**NB: all year end 2021 data in this section is provisional until the final SEN2 submission in March**

Despite the increased resources in Statutory Assessment Team and Educational Psychology Service, the exponential increase in new requests for EHCNAs, and varying vacancy levels, has meant that overall timeliness has fallen short of target at year end 2021.

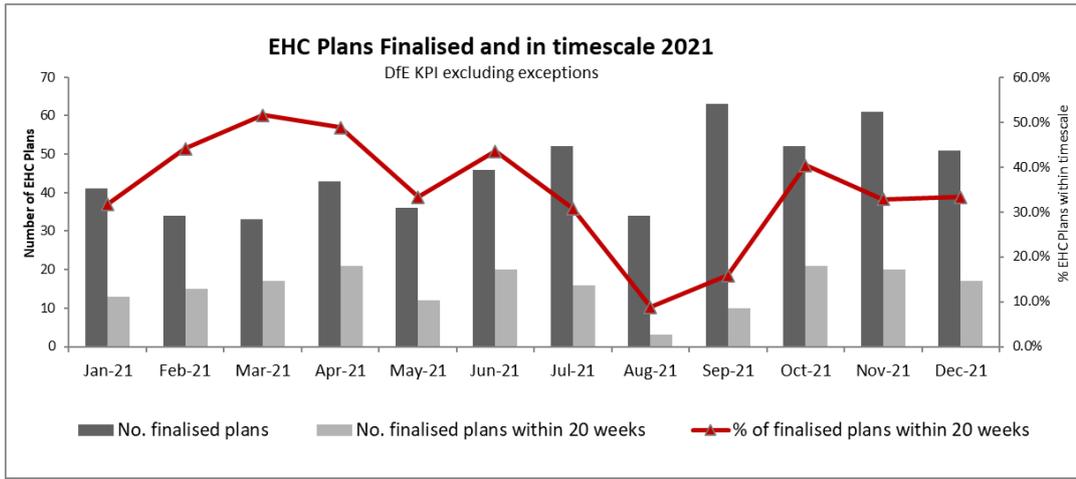
- EHCP timeliness (excluding exceptions) improved from 0% in 2019 to 33.9% of EHC plans finalised within the 20-week timescale year to end December 2021 (excluding exceptions), significantly improved on the same time period in 2020 (21.9%)

In line with other Local Authorities, of concern is the continued rise in new EHCNA requests:

- In 2020, **728** EHCNA requests were received.
- in 2021, **850** EHCNA requests were received: a 17% increase.

Despite this increase in requests:

- 579 EHC plans were finalised between January 2021 and December 2021 (all plans finalised for the first time including exceptions and those with a mediation / tribunal prior to issue)
- 546 EHC plans finalised – DfE cohort excluding exceptions (excludes those where an EHC plan was issued following mediation and/or an appeal and exception cases)
- 53 plans issued in December 2021

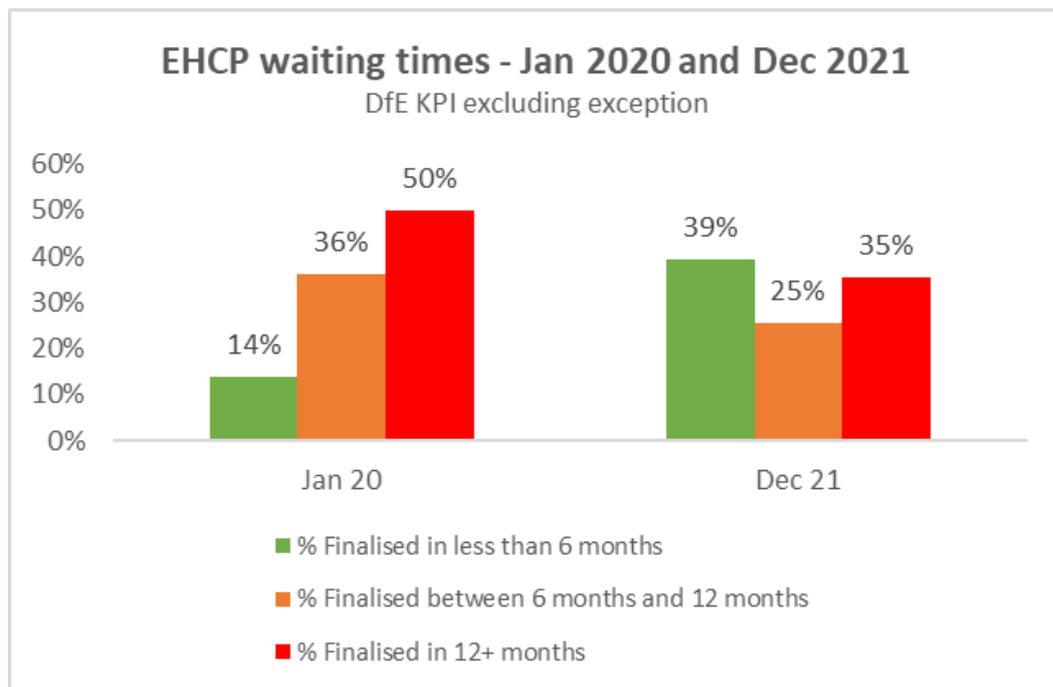
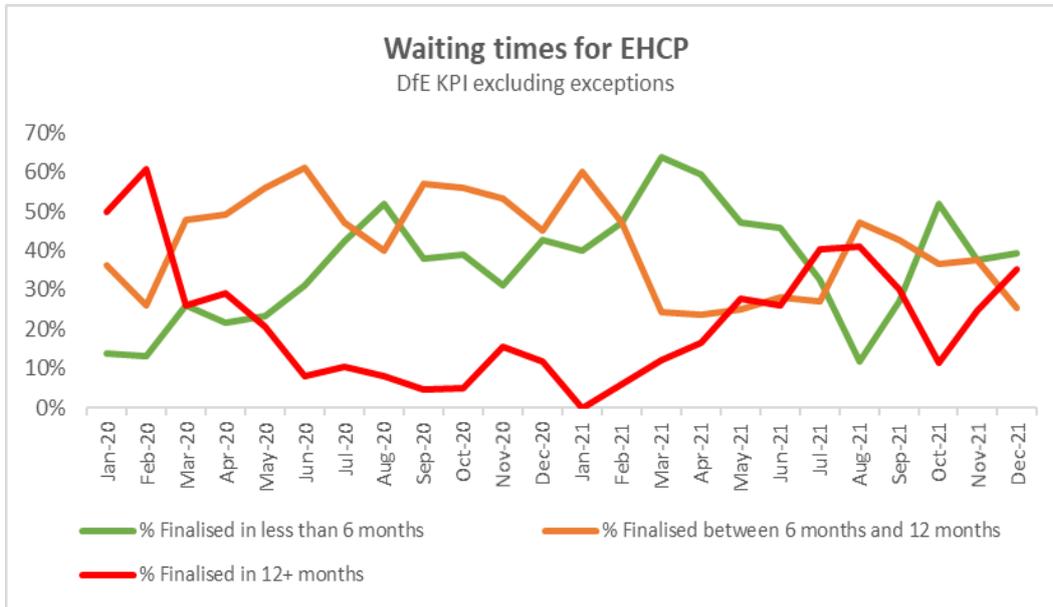


Although there has been fluctuation, the figures at the end of December 2021 are an improvement on the start of January 2020 when 50% of all plans were taking more than six months to finalise. This proportion has reduced significantly and has not risen to that rate since.

The graphs on the next page show EHC plans finalised within the month by the time taken to complete the EHCNA assessment (from date request received to date plan issued).

The dip in timeliness during the summer 2021 was due to the assessment team operating at reduced capacity from February to July 2021. To improve retention, the roles were upgraded and this secured better recruitment outcomes. However, the team continues to suffer from fluctuating capacity, due to sickness and some assessment co-ordinators securing promotions within the wider SEND team. Recruitment for fixed term positions has been successful with new staff joining by the end of February 2022.

To address the shortfall in the Assessment Team and the increase in demand, additional Plan Writers were first contracted in May 2021. This proved a successful model, so is being repeated as necessary, using the same people.



Weekly meetings take place between the SEND service Manager; SEND Assessment Team Manager; Assistant Principal EP; Service Manager and Team Manager of Disabled Children and Specialist Services. Once a month Specialist Health Advisors for SEND also join this meeting. The purpose of the meeting is to discuss:

- Data regarding EHCNA requests and the issuing of Final EHCPs for the month.
- Planning of allocation of caseworkers from the EP Team and the Assessment Team to ensure that teams are focusing on the same cases.
- Discuss priorities regarding allocation – for example Children in Care, Key Stage Transfer.

The meeting has enabled SEND managers to better plan allocations to EPs and Assessment Coordinators and agree the balance of overdue cases and those that can be issued within 20-week timescale.

In 2022, an improved communication strategy has been implemented which will ensure that all parent carers who have not yet been allocated a case officer, or are awaiting an EP assessment, are contacted and kept informed of next steps.

### **Progress since July 2021 against **Priority Three**: The dysfunctional EHC plan process, and inadequate quality of EHC plans**

#### **EHC Plan Process and Quality**

As previously reported, a significant programme of work began in 2020 to co-design improvements to all aspects of EHC Processes. This is called the ‘Time for Change’ collaborative programme and has five project areas:

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

Over the last 18 months each project area has gone through a comprehensive review, co-production and development; and going into 2022, is entering the implementation phase.

A dedicated programme manager was appointed in November 2021 to take this work forward.

#### The new EHCP template

Several co-production workshops with parent carers and professionals led to the new, person centred, design. The plan is for professionals to input their contributions directly to the new template via the professional portal. In the meantime, a ‘Word’ version of the template is being rolled out from January 2022. A request template was also introduced from January.

#### Child and young person’s voice

The child and young person’s voice is at the centre of all the Time for Change programme developments and is critical in identifying their hopes and dreams and where / how they would like support to achieve their aspirations. Collaborative working groups designed two new forms to collate the child or young person’s voice, providing them with a choice of forms to complete and promoting creative means of obtaining their views for EHCNA as well before annual reviews. There is also a form for families to share their views. These new templates are available on the Local Offer and were promoted in the Local Offer (LO) January 2022 newsletter.

### **Progress since July 2021 against **Priority Four**: The underachievement and lack of inclusion of children and young people with SEND, including the high rates of persistent absenteeism and fixed-term exclusions**

#### **Inclusion for all children and young people**

October 2021 saw the official launch of Bristol’s new [Belonging Strategy](#), including ‘Belonging in Education’. The Belonging Strategy sets out our clear ambition to put children and young people front and centre as we re-build and improve, in response to the pandemic. Councillor Asher Craig – the new Lead Member for Children, Education, Skills and Equality – formally endorsed the strategy at the One City Children and Young People’s Board, along with the strategy’s overarching ambition to reduce inequality and build inclusion in Bristol.

### **Outcomes of School Ofsted Inspections (SEND element)**

Analysis of the Bristol schools' OFSTED inspections letters (of those inspected since February 2020), shows that, even in schools where they are judged less than good, their leadership and support for SEND pupils is positive. These findings speak of stronger SEND leadership in schools, as well as provision meeting need more effectively, and indicates the early impact of the SENDCO training and support, the Ordinarily Available Provision guidance, Local Authority leadership and the work of specialist teams.

### **Scrutiny of Exclusion Data – Excellence in Schools**

Excellence in Schools is Bristol's Education Standards Board. Since autumn 2021 the board has broadened its remit to include data pertaining to attendance, exclusion and SEND. The board has representation from all sectors and is attended by CEOs of Multi Academy Trusts and Headteachers and identifies where challenge and support are required across individual schools and settings.

### **Sufficiency of Specialist Places**

The specialist provision project delivered 82 SEND placements for September 21; there are a further 24 places due to open in September and 36 in January 2023.

The Council has committed to deliver 450 SEND placements within the next three years. Specialist Provision Phase 2 began in November 2021, and will contribute to fill the gap between placements in the pipeline and this commitment.

### **Alternative Learning Provision Review – addressing the high number of pupils with SEND in ALP**

An [independent review](#) of Alternative Learning Provision (ALP) was commissioned and undertaken in October and November 2020. The review provided 31 recommendations for improvement of the ALP system. The [ALP Improvement Plan](#) sets out the themes and priorities for action in 2022.

### **Progress since July 2021 against **Priority Five: The fractured relationships with parents and carers, lack of co-production and variable engagement and collaboration****

#### **Bristol Parent Carer Forum (BPCF)**

The council has been liaising with Forum leads and 'Contact' (the delivery partner of the Department for Education in supporting parent carer participation in England) to enable BPCF to develop effective structures and ways of working. To support this work, BCC leaders met regularly with the Contact consultant and BPCF steering group. BCC's engagement officer organised two workshops in December 2021 and January 2022 with senior officers from the council and Bristol North Somerset and South Gloucestershire Clinical Commissioning Group (BNSSG CCG) and BPCF members to build trust and agree the 'how' of co-production.

In January 2022 the BPCF held a Special General Meeting to vote for new officers. 37 parents attended and a new chair, vice-chair and treasurer were appointed. BPC representation is now secured for strategic groups and boards.

#### **Extending partnership engagement reach to other parent carer groups and seldom heard voices**

In addition to liaison with and support for BPCF, the engagement officer has successfully reached out to, and is now in regular contact with a wide range of parent carer and community groups, including the Somali community and other Black, Asian and Minoritised community groups. In her contact, the

officer is also seeking general feedback about the SEND system and raising awareness of all aspects of Bristol's SEND improvement agenda as well as support and services such as FLORA and the Local Offer. Some of these groups are now working with officers on a range of projects and taking part in co-production opportunities and parent led initiatives.

In January 2022 the engagement officer brought together representatives from eleven parent carer groups, including the BPCF to meet each other and senior officers across the partnership, including the Lead Member for children and families and the Director, Education and Skills. The meeting was a welcome opportunity to hear the views and experiences of a diverse group of parents and carers and clear themes emerged from the discussions that will feed in into the developing SEND Partnership Plan. Feedback from all attendees was really positive and the group has decided to continue meeting regularly as a 'Community of Groups' to discuss topics of concern and interest to them.

### **The 'Empathy Project'**

Making contact with 'Murmuration', a Community Interest company supporting parents and carers of SEND, led to an exciting project that started autumn 2021. Murmuration leads talked to the engagement officer about the most frequent issues raised in their parent groups, one of which related practitioners who may find it hard to acknowledge parents' feelings and therefore appear to lack empathy. The idea for the 'Empathy Project' was formed and is being part funded by the council.

Murmuration leads liaised with BPCF and 'SEND and You' (SAY) and facilitated a series of workshops with parents and carers to capture their experiences and suggestions for how SEND professionals could show greater empathy in the language they use and their day-to-day contact with families of children and young people with SEND.

The themes emerging from the workshops are being captured and analysed, alongside an on-line survey. The themes and key messages will be used to make a video and develop training to help professionals understand parents' concerns and reconnect with their values.

### **The Local Offer (LO)**

The most recent LO developments are the launch of [School finder map](#) in response to requests from parents, and a '[Contact Us](#)' page providing a comprehensive list of education, health and care contact information in one place.

During January 2022, the LO officer has been running surveys and hosting a series of workshops with parent carers and young people to ask what they want from the LO and test the new framework that will improve navigation – feedback has been really positive.

## **2b. Context – Next Steps**

A new SEND Partnership Plan is in development and will continue to build on the progress to date in tackling the areas of weakness identified in the inspection, as well as additional areas that were not highlighted in the inspection findings, but that parent carers have told us are important to them. The new SEND Partnership Plan will ensure SEND is firmly embedded in Bristol and is incorporated into all four pillars of Bristol's Belonging Strategy.

Bristol Parent Carer Forum asked parents for their top three SEND priorities in the summer of 2021 and this feedback, alongside that of other parent carers, is informing the developing plan as follows. The outline themes and draft priorities have been agreed by the SEND Partnership, including the Parent Carer Forum and will be incorporated into the draft plan currently being written. The draft will be shared for further input and refinement during the spring/ summer.

### **SEND Partnership Plan Themes and Draft Priorities**

#### **Theme 1: Communication, Engagement and Support for parents and carers of Children and young people with SEND**

Theme 1 Priorities:

- Clear, accessible communication on all aspects of SEND, including processes, and where to go to get help and advice
- Ongoing development of the [Local Offer website](#)
- Engagement and Co-production Framework that encompasses Bristol's diversity
- Enhancing Direct Support for all Parents and Carers e.g. Advice Clinics / [FLORA](#)
- Developing support for those parents who have their own additional needs
- Extending training and the wider support for parents and carers
- Continued development of Family Hubs and Integrated Centres e.g. Autism Hub

#### **Theme 2: Early Identification of SEND**

Theme 2 priorities:

- Building on the SEND Data developments including deeper analysis for greater understanding of needs / trends / service targeting
- Earlier identification of SEMH
- Continuing to extend and enhance staff training and guidance on identification of SEND across education settings and health practitioners
- Continuing development of the Family Local Offer Resources and Advice (FLORA) team
- Further work with education settings School Based Stages of the Code of Practice – identifying SEND

#### **Theme 3: Assessing and Meeting Needs**

Theme 3 priorities:

- Improving Health Pathways
- Needs led Autism support
- Improving access to Therapies
- Extending Mental Health Support
- Bristol SEND Support Plans (quality and consistent use of)
- Holding education settings to account for the meeting needs within the School Based Stages of the Code of Practice
- Delivering 'Time for Change' (EHCNA / EHCP processes and quality; accountability of settings to deliver)
- Extending and Embedding Joint Commissioning
- Improving support for children with disabilities (e.g. Direct payments; PAs)
- Respite for children and their families
- Improving transitions to adult services

#### **Theme 4: Inclusion in Education**

Theme 4 priorities:

- Ordinarily Available Provision – meeting needs
- School Improvement – quality teaching and learning
- Children not in school: attendance, suspensions and all forms of exclusion e.g. off rolling; inappropriate part time timetables etc.)
- Transitions from Early Years to post 16
- Workforce Development
- SENDCO clusters etc. (peer networks)
- School accountability for outcomes
- Access to wider curriculum (sports/ after school clubs etc.)
- Alternative Learning Provision Review Action plan
- Sufficiency of Specialist Provision

#### **Theme 5: Community Inclusion**

- Accessible / inclusive clubs / leisure and play activities across the city (for children and young people without their parents)
- Support during school holidays
- Normalising neurodiversity
- Disability Friendly City

#### **Theme 6: Transition to Adulthood**

- Preparation for adulthood e.g. schools offering independent living skills
- Post 16 education employment and training
- Activities for post 16/18 with SEND
- Transition to adult services
- Advice for parent carers / young people relating to transitions

### **3. Policy**

The above links directly to the outcomes of the 2019 SEND Locality Inspection and Written Statement of Action

### **4. Consultation**

#### **a)Internal**

Not applicable

#### **b)External**

Not applicable

### **5. Public Sector Equality Duties**

- 5a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the

need to:

- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.
- 5b) By improving use of existing data and developing and widening communication strategies, the actions identified will reduce barriers to access and increase participation for all families.

**Appendices:**

Hyper-links to all relevant documents are embedded in the report

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

**Background Papers:**

None