

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 24 January 2023

TITLE	Local Area Re-inspection October 2022		
Ward(s)	All Wards		
Author: Richard Hanks	Job title: Interim Director, Education and Skills		
Cabinet lead: Cllr Asher Craig Cabinet Member for Children’s Services, Education and Equalities	Executive Director lead: Abi Gbago Executive Director, Children’s and Education		
Proposal origin: Mayor			
Decision maker: Cabinet Member Decision forum: Cabinet			
Purpose of Report: To inform Cabinet of the outcome of the Local Area Re-inspection of October 2022 and to seek approval of next steps to deliver the recommendations.			
Evidence Base: <u>Inspection</u> Local Area Inspection and Written Statement of Action October 2019 <ol style="list-style-type: none"> 1) Between 30th September and 4th October 2019, Ofsted and the Care Quality Commission (CQC) jointly inspected the effectiveness of Bristol’s approach to implementing the special educational needs and disability (SEND) reforms as set out in the Children and Families Act 2014. The specific focus was on how effectively the local area identifies the needs of children and young people with SEND, assesses and meets those needs, and improves their education, health and care outcomes. As a result of the inspection findings, Her Majesty’s Chief Inspector (HMCI) determined that a Written Statement of Action was required to address five areas of significant weakness in Bristol’s practice: <ul style="list-style-type: none"> • The lack of accountability of leaders at all levels, including school leaders • 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 • The dysfunctional EHC plan process, and inadequate quality of EHC plans • The underachievement and lack of inclusion of children and young people with SEND, including the high rates of persistent absenteeism and fixed-term exclusions • The fractured relationships with parents and carers, lack of co-production and variable engagement and collaboration. 2) BCC and BNSSG CCG were jointly responsible for submitting and delivering the written statement. This statement of action set out: <ul style="list-style-type: none"> • Our vision for improvement and the values that will drive the required change. • The governance structure to provide strategic oversight of improvements. • The high priority actions we will take to address the weaknesses identified by inspectors and to work towards continuous improvement. 3) Each of the priority areas for improvement identified in the Written Statement of Action (WSOA) was delivered through a detailed action plan, with operational oversight by the SEND Partnership Group. Overall progress was monitored by the SEND Improvement Board. 			

4) Local Area Reinspection October 2022

Between 3rd and 7th of October OFSTED and the Care Quality Commission (CQC) jointly re inspected the effectiveness of Bristol's approach to implementing the special educational needs and disability (SEND) reforms as set out in the Children and Families Act 2014. The specific focus was on the progress made by the local area since 2019. Ofsted and the Care Quality Commission (CQC) revisit report, was published on Friday 25 November, it recognises that Bristol and the local area have improved special education needs and disabilities (SEND) services.

The report's main findings show that **four of the five** areas highlighted in the 2019 inspection are showing '**sufficient progress**' in addressing key areas. Council staff have worked with pace to improve services and outcomes for children in the city. The improvements took place during the pandemic – a time where new working practices and new duties also had to be undertaken.

Inspectors judged that difficult relationships with parents and carers found at the last inspection had continued. However, the report goes on to note that; 'the majority of parents and carers accessing services and support more recently, are positive about their experience'.

5) Main Report Findings:

- Improvements in accountability are leading to better support for children and young people (CYP) with SEND and that school leaders value the transformation of systems and processes that has taken place since the previous inspection.
 - The identification and assessment of CYP with SEND in Bristol is improving, with the Ordinarily Available Provision document detailing interventions to meet needs, within typical school assessment and support processes. There has been a cultural shift in the way that professionals and schools, work together which is improving the way that they work together to meet the needs of children and young people with SEND.
 - Effective joint working between professionals has resulted in real improvements to the timeliness and quality of education, health and care (EHC) plans. There is a stronger focus on improving outcomes and ensuring the child or young person and their family's voice has been captured. This work is resulting in children and young people being placed at the centre of the EHC assessment process.
 - The support in Bristol for children and young people with SEND is getting better. Even so, leaders know there is more to do to ensure that all children and young people attend school regularly. The proportion of children and young people with an EHC plan who have been excluded from school has fallen. A range of strategies have been introduced to ensure that pupils who are at risk of exclusion get the help they need from schools and professionals.
 - Parents and carers have a more mixed view of the quality of support available to children and young people with SEND than at the time of the last inspection. Some parents and carers continue to lack trust in the system and feel that leaders are not acting in the best interests of their children. However, the majority of parents and carers accessing services and support more recently, are positive about their experience. Plans are progressing to re-establish a formal body to represent parents and carers.
- 6) The report also notes that inclusion is central to Bristol's Belonging Strategy, which was launched in October 2021, and which puts children and young people at the heart of the city's recovery from, and in response to, the pandemic.

Next Steps

7) Summary

Our final WSoA milestones were signed off by the DFE in July 2021 and our reinspection formalised the progress made. However, there is still much to do before Bristol's CYP with SEND and their families have consistently good experiences of education, health and care. The new **SEND Partnership Plan** will continue to tackle the areas of weakness identified in the inspection, the re-inspection report and feedback from partners. The local area benefitted from the structure and format of the WSOA and the new partnership plan will take a similar approach. The SEND Partnership Plan will also reflect the new local area SEND updated

inspection framework which focusses on experiences and outcomes as opposed to the implementation of the 2014 reforms.

We have received written confirmation that we will require an **Accelerated Action Plan** for Area 5 which is the relationships with parents and carers. We are already in conversation with the DFE about how to progress this work.

8) Detailed Next Steps:

- **Next steps – 1. Accountability of leaders.** Leaders know that some children and young people with SEND still do not get the support they need quickly enough. Improvements are not yet being experienced by all parents and carers. While some parents and carers have a more positive experience, many still feel that professionals do not communicate well and believe that their children are not well supported. Co-production is not a fully established way of working between area leaders and parent and carers. We need to address these points.
- **Next steps – 2. Identification and assessment.** Parents and carers remain worried that many schools do not give children and young people with SEND the support they need. There has been a cultural shift in the way that professionals and schools work together. However, this is not yet experienced by many parents and carers, who still have difficulty getting the right support for their children to stay in education. Addressing these areas will improve how the local area identifies and assesses CYP with SEND.
- **Next steps – 3. EHCs** Some children and young people still have to wait too long for an EHC plan to be in place. We aim to improve average wait times for families and ensure that no one has to wait for 52 weeks for an EHC NA.
- **Next steps – 4. Inclusion** Leaders know there is more to do to ensure that all children and young people attend school regularly and get a good deal. Parents and carers continue to report that some schools do not support their children. Some parents and carers also say that a number of schools are reluctant to admit children who have SEND. The proportion of children and young people with an EHC plan who have been excluded from school has fallen but is still higher than the national average. The local area needs to work with schools to improve inclusive practice.
- **Next steps – 5. Relationships with parents and carers.** Some parents and carers continue to lack trust in the system and feel that leaders are not acting in the best interests of their children. There is currently no formal structure in place to ensure co-production, engagement and collaboration continues. Parent and carer representatives, along with area leaders, are committed to working in partnership in the best interests of children and young people with SEND. Plans are in place to re-establish a formal body to represent parents and carers. Until this is in place, parent and carer representatives and area leaders must ensure that coproduction with parents and carers is maintained. Our Accelerated Action Plan will address this area.

Recommendations:

9) Agree and submit an Accelerated Action Plan (AAP) by 1st February deadline.

Outcomes we are aiming to achieve through the Accelerated Action Plan:

- Improved relationships at all levels with established systems and processes for co-production, engagement, collaboration, and joint working.
- To facilitate a consistent view of the quality of support and improved trust in systems. This will be established through continuing to develop informal systems and through the development of a formal structure.
- To work together to ensure that the shared commitment to getting the best outcomes for children and young people is used as a firm foundation on which to build future developments.

To enable the above outcomes to be achieved the AAP will need to ensure:

- a. Governance arrangements across the local area are transparent and include parents and carers.
- b. Clear shared approaches to co-production, engagement and collaboration will be developed across Education, Health, and Care.

- c. Systems for ensuring good communication with all our parents and carers will be continued and developed. This includes our Community of Groups work, our Local Offer, and our Social media posts.
- d. Continuous quality improvement will be an embedded culture of working practice with a particular focus on relationships through effective communication and on improving the experiences and outcomes for children and young people and their families.
- e. A formal structure for Bristol will be developed to enable the voice of children, young people and their parents and carers, to plan future services and approaches to working with children and young people with SEND.
- f. Informal and formal structures will be inclusive and ensure that diverse communities across Bristol are represented.
- g. Proactive steps will be made for resolution and repair when difficulties in relationships or conflicts of interest arise.

10) Align the SEND Partnership Plan (SPP) with the outcomes of the Local Area inspection

Further develop the Partnership plan under 6 key themes with underpinning priorities:

- Communication, engagement and support for parents and carers of children and young people with SEND
- Early Identification of SEND
- Assessing and meeting the needs of children and young people with SEND
- Inclusion in Education
- Community Inclusion
- Transition to adulthood

11) Set up clear governance arrangements to ensure Local Area leaders are held to account and progress with the plans is monitored and reported regularly.

It is proposed SEND Partnership Plan and the Accelerated Action Plan is overseen by the SEND Partnership Group (SPG) which meets every 6 weeks and is co-chaired by the Service Director, Education and Skills and the Director of Transformation, Bristol, North Somerset and South Gloucestershire.

The SPG will be responsible for ensuring that the milestones in the SEND Partnership Plan and the Accelerated Action Plan are achieved and progress and impact reported to the multi-agency SEND Improvement Board.

Cabinet Member / Officer Recommendations:

That Cabinet:

1. Note the outcome of the Local Area Re-inspection October 2022.
2. Approve the identified next steps required following inspection as outlined in this report (Recommendations 9-11):
 - a. To agree and submit an Accelerated Action Plan (AAP) by the 1st February deadline (fuller details in 9. of Recommendations);
 - b. To align the SEND Partnership Plan (SPP) with the outcomes of the Local Area inspection under 6 key themes (fuller details in 10. of Recommendations);
 - c. To set up clear governance arrangements to oversee the SPP and AAP including a SEND Partnership Group (SPG) (fuller details in 11. of Recommendations).
3. Authorise the Executive Director Children and Education in consultation with the Cabinet Member for Children's Services, Education and Equalities to develop and implement the SEND Partnership Plan and Accelerated Action Plan.
4. To note that future updates on the implementation and impact of the Plans will be brought back to Cabinet for information.

Corporate Strategy alignment:

(CYP3) The inspection outcome and the planned next steps will help improve educational outcomes and reduce educational inequality at all stages of education. The plan will continue our work with education providers to become an inclusive and ensure sure high quality specialist provision is effectively targeted.

City Benefits:

The continued improvement in support for children and families will ensure that appropriate education and support is available to all citizens who require it, leading to improved outcomes for children and young people.

Consultation Details:

The SEND partnership themes are informed by feedback and discussions with stakeholders including parents and carers for example through the regular parent survey and is aligned with what our families tell is important. Engagement is currently taking place with Service Leads in Education, Health and Social Care, the Community of Groups and representatives from educational settings to develop the milestones under each of these themes.

Background Documents: [Bristol City Council LASEND final inspection report](#)

Revenue Cost	£N/A	Source of Revenue Funding	N/A
Capital Cost	£N/A	Source of Capital Funding	N/A
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:
1. Finance Advice: The report presents no direct financial implications to Bristol City Council. Actions/next steps will be further reviewed as they further develop.
Finance Business Partner: Andrew Osei 14 December 2022.
2. Legal Advice: The Children and Families Act 2014 provides the legal framework by which statutory agencies must work to support children and young people with SEND. Bristol City Council has a duty to publish and maintain a clear, accessible local offer of services to support children and young people with SEN and disabilities and their families.
Legal Team Leader: Kate Meller Team Leader Litigation, Regulatory and Community Team. 12 December 2022
3. Implications on IT: I can see no implications on IT in regard to this activity.
IT Team Leader: Alex Simpson Senior Solution Architect 23 December 2022
4. HR Advice: The report is informing cabinet of the next steps following the SEND Local Area Inspection and there are no significant HR implications arising from this for Bristol City Council employees.
HR Partner: Lorna Laing, People HR Business Partner 13 December 2022

EDM Sign-off	Christina Gray	7 December 2022
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Cabinet Member sign-off	CLlr Asher Craig	12 December 2022
For Key Decisions - Mayor's Office sign-off	Mayor's Office	16 January 2023

Appendix A – Further essential background / detail on the proposal	NO
Appendix B – Details of consultation carried out - internal and external	NO
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	NO
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	NO
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Exempt Information	NO
Appendix J – HR advice	NO
Appendix K – ICT	NO
Appendix L – Procurement	NO