

Meeting: Children and Young People's Overview and Scrutiny Sub-Board

Date: 22 April 2024

Wards affected: All Wards

Report Title: Torbay Local Area SEND Joint Inspection Written Statement of Action

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When does the decision need to be implemented?

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1. Purpose of Report

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The purpose of this quarterly update is to detail to the Board the progress being made against the SEND Written Statement of Action. Torbay are now more than two years past the Local Area SEND Inspection of November 2021 which identified the eight areas of improvement as follows:

- Joint Commissioning
- SEND Strategy
- Culture
- Joint Working
- Graduated Response
- Becoming an Adult
- Quality Assurance and Community Engagement
- Resilience

Since the original inspection a number of new national developments which are important to note are the new SEND reforms (green paper) recommending a new Local Inclusion Plan (LIP) and other measures (guidance on a LIP are yet to be published) as well as a New Ofsted Inspection Framework for SEND Local Area Inspections which now sees areas being judged within three categories for all future inspections:

Outcome 1 - The local area partnership's arrangements typically lead to positive experiences and outcomes for children and young people with SEND. The local area partnership is taking action where improvements are needed.

The next full area SEND inspection will be within 5 years.

Ofsted and the CQC ask the local area partnership to update and publish its strategic plan based on the recommendations set out in this report.

Outcome 2 - The local area partnership's arrangements lead to inconsistent experiences and outcomes for children and young people with SEND. The local area partnership must work jointly to make improvements.

The next full area SEND inspection will take place within approximately 3 years.

Ofsted and the CQC ask that the local area partnership updates and publishes its strategic plan based on the recommendations set out in this report.

Outcome 3 - There are widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with SEND, which the local area partnership must address urgently.

A monitoring inspection will be carried out within approximately 18 months. The next full area SEND inspection will take place within approximately 3 years.

HMCI requires the local area partnership to prepare and submit a priority action plan (area SEND) to address the identified areas for priority action.

These new inspections will judge areas in the following ways:

31. Inspectors will evaluate the impact of the local area partnership's SEND arrangements on the experiences and outcomes of children and young people with SEND, including the extent to which:

- children and young people's needs are identified accurately and assessed in a timely and effective way*
- children, young people and their families participate in decision-making about their individual plans and support*
- children and young people receive the right help at the right time*
- children and young people are well prepared for their next steps, and achieve strong outcomes*
- children and young people are valued, visible and included in their communities*

32. Inspectors will evaluate how the local area partners work together to plan, evaluate and develop the SEND system, including the extent to which:

- *leaders are ambitious for children and young people with SEND*
- *leaders actively engage and work with children, young people and families*
- *leaders have an accurate, shared understanding of the needs of children and young people in their local area*
- *leaders commission services and provision to meet the needs and aspirations of children and young people, including commissioning arrangements for children and young people in alternative provision*
- *leaders evaluate services and make improvements*
- *leaders create an environment in which effective practice and multi-agency working can flourish*

You can read more about the new arrangements here - [Area SEND inspections: framework and handbook - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/area-send-inspections-framework-and-handbook)

Torbay recently attended an “Annual Conversation” meeting with Ofsted on the progress being made in SEND across our Local Area (February 2024) however a full revisit and Local Area inspection is expected (and is currently overdue) it is thought towards the end of 2024.

Despite other developments within the Bay such as the Safety Valve agreement and advent of Family Hubs any revisit will seek to measure us against the new framework as well as revisiting the original eight areas identified above. The Local Area Partnership will need to significantly re-double its efforts in the next six months if we are to be able to prove to the Inspectorate that we have made enough progress and impact on our families to gain the middle (amber) judgement.

The summary below seeks to give an overview of our progress to date for the first quarter of our new governance arrangements between January – March 2024..

2. Reason for Proposal and its benefits

2.1 This section seeks to give members an overview of progress for the first quarter of 2024.

1. Summary

Key Summary of Progress this Quarter: January – March 2024

Governance

For 2024 the Governance surrounding the Written Statement of Action has been re-modelled to align with our SEND Strategy ([Special Educational Needs and Disability \(SEND\) - Torbay Council](#)).

This strategy sets out the five key priority areas which the whole partnership is focusing upon. The eight areas of the Written Statement of Action are now integrated into the five priority areas.

The governance of these priorities has also changed whereby a ‘Project Board’ oversees the activity in each of the five priority areas, meeting every six weeks, whilst the SEND Executive Strategic Board (meeting quarterly) has reports by exception to track progress and make key decisions.

Participating observers have been created to have oversight across the governance. The Check and Challenge Group continues to meet as before to ensure overview and scrutiny of the SEND work as a whole. Children and Young People voices are central to our governance

arrangements and, with support from the Participation Officer, have time at the Executive Board to feed in their ideas and feedback.

It is important to note that our audit work, now integrated into our systems, plays a key role across all five areas. This is an area of progress with our Quality Assurance feedback showing that Education submission to the EHCP is largely rated as Good (88%) and Outstanding (4%), supporting the quality of EHCPs. This audit framework is now being integrated into each workstream activity, so this audit work is present from the design of each action.

Each of the five priority areas are currently creating action plans which will be time bound to try to instigate a faster pace of change. There is concern about the pace of improvements versus the impact for our families. It has been a real concern that our improvement work has seen little tangible improvements for our families to date; this will be a key line of enquiry in any future inspection.

Torbay SEND Improvement Priorities Update

Priority 1 – SEND is Everybody’s Business

The coproduced, high-level action plan has been reviewed and revised to reflect the progress that had been made prior to the establishment of the Priority 1 work and to focus on the consistent embedding of the key components in the health, social care and education sectors:

The embedding of the Torbay SEND Pledge and Coproduction Charter across the system:

- The SEND Pledge and Coproduction Charter have been developed. Further work is required to complete the organisational sign-up process and co-design of the products so that they are easily understandable to children and young people with a learning disability.

The creation and application of a ‘Coproduction Quality Mark’:

- Presently, there is no ‘coproduction quality mark’ or process for qualifying for this kite mark. A workstream under Priority 1 is being established to take this forward, building on work that has been done within education, health and social care.

The publication of the Year 2 SEND Survey and development of a sustainable model for a lived experience feedback cycle:

- The publication of the Year 2 SEND survey has been challenging due to the scale and complexity of the survey and limited resources available. While alternative options to hasten publication have been explored, pace has not been able to be accelerated significantly. The survey is expected to be published in June, with initial findings being shared in the next SEND newsletter.
- For further years, learning will be taken from the survey experience to date with more ‘real time’ evidence-based methodologies being implemented to establish a responsive feedback cycle that gathers insights into [1] CYP and families experience of the system ‘as is’ at any point in time; [2] their awareness of implemented changes; and [3] their experience of implemented changes.

Priority 2 – Early Intervention & Lived Experience

The group has focused on determining the KPIs in the original Strategy document to formulate its next steps.

Identifying Needs Early

- Using the Early Years Settings and with the support of the Family Hubs a training offer for early identification of need is being focused upon.

Communications

- A group to enhance the communication around the early support offer is being drawn together, ensuring that the lived experience is promoted and is central to the messages we communicate.

Tell it Once

- *Use the creation of the Tell it Once approach to enable our service users to feel like partners in the decisions about their own support.*

Priority 3 – Needs and Joint Commissioning

The group has focused on addressing the agreed KPIs and development of an action plan which includes:

Joint Commissioning Model:

- This has included a short review of JSNA (2022) which supports the continued priority areas for commissioning focus.
- Updated budget and contract information is being collated. A workshop has been booked for June (intention to hold late March but due to key people's availability this has had to be re organised) to bring together the Executive Group and the Needs and Joint Commissioning Group (facilitated by Islington SLIP partner) to reach shared understanding of language, challenge and opportunities and to agree our principles and protocols of a Torbay Joint Commissioning Model with a shared language.

Commissioning Priorities:

- **Speech Language Communication Needs** - action plan drafted and aims to join up the system wide work and activity and priorities to make best use of resources and opportunities. This takes account of the current models and investment already being made by individual schools.
- **Neurodiversity (Support for Families)** - Autism and Us parent programme delivered in January which was coordinated by SFVT. Evaluation to be completed which will inform the costed options for a sustainable Torbay joint commissioned/funded programme. This is dependent on capacity across organisations including SFVT. Pump priming for this development has been identified from NHS and has been transferred to LA under s256.
- **Individual Funding** – this is paused whilst outcome and feedback from discussions are being taken forward at an executive level of local authority and NHS.
- **Reduction in Higher Needs Block** – the group acknowledged and agreed that whilst this sits in Needs & Joint Commissioning Group the achievement of this spans across several of the priority workstreams and links to the Safety Valve work. Therefore, it will need to be reflected in other priority feedback.

Priority 4 – Inclusion

The Inclusion priority group has an action plan completed focusing on three key areas:

The embedding of the Graduated Response in mainstream schools to meet need early and well:

- Schools have been working with a suite of materials to embed the toolkits after the launch with roadshows for each school. This action plan instigates a series of training opportunities to upskill colleagues in schools, supported by the SEND team and wider colleagues to deliver this support and training. The training schedule has already begun and is planned to continue through 24/25 academic year.

The reduction of suspensions and exclusions for SEND Support and EHCP:

- Suspensions and Exclusions data shows that although permanent exclusions have continued to decline the suspension rates have increased. When we look at this against national levels Torbay rates are still too high. Some of the reductions we have seen are attributed to case conferences and new processes for children and young people with EHCP's and an indication of cultural change. Our action plans seek to address suspensions particularly.

The wider response to inclusion, including the health waiting lists and 'waiting well' agenda:

- We have an action plan to support the wider response which includes some 'Bridging the Gap' support for families. However, we are concerned that this will not mitigate the waiting lists enough to have impact for our families.

Priority 5 – Becoming an Adult

The Becoming an Adult priority has attempted to meet on several occasions with sporadic engagement due mostly to system pressures. However, the action plan is beginning to take form with some meaningful contributions added. Key areas for further focus include:

- **Addressing and embedding** the recommendations from the Becoming an Adult commissioned Adult Report, whilst organising an appreciative enquiry led by Stuart Heron and Education colleagues which will aim to capture lived experience and further help improve the experience for young people and their carers.
- **Supporting** the ongoing creation and subsequent delivery of employment, training and voluntary opportunities across all partners working within the Bay. Torbay Council and TSDFT are leading discussions in this area and plan to develop proposals with providers to increase access to opportunities.
- **To co-produce and further develop** information available to individuals so they can be clear about their options and make informed choices about next steps in their transition. This will include more webinars to support parent carers in their own transition as their young people move towards adulthood.

3. Recommendation(s) / Proposed Decision

With many colleagues reporting "SEND" Fatigue it is important that we dig deep in each of our own organisations to find the determination and resilience to continue working to improve the area of SEND, especially against the national backdrop of a very challenging context for SEND.

It is essential that we now develop some planning and self-evaluative processes in readiness for a forthcoming inspection. We should use our newly constructed self-evaluation documentation to do this and identify the possible lines of enquiry, gather case studies and formulate our communications strategy so we are ready to report the good work which has been accomplished as well as report on the themes where progress is still being made.

We would ask this Board to continue to support the SEND work and lend its expertise to preparing for a forthcoming inspection.

We would wish to return to this Board in November to report back on how progress towards our original areas for improvement are progressing.

Background Documents

[Written Statement of Action - Torbay Council](#)

[Special Educational Needs and Disability \(SEND\) - Torbay Council.](#)

[Area SEND inspections: framework and handbook - GOV.UK \(www.gov.uk\)](#)