

CHILDREN'S SERVICES OVERVIEW AND SCRUTINY COMMITTEE



Report subject	Statutory direction in relation to special educational needs and disability services (SEND) issued 26 February 2024
Meeting date	19 March 2024
Status	Public Report
Executive summary	<p>BCP Council received statutory direction in relation to special educational needs and disability services provision (SEND) from the Department for Education (DfE) in February 2024 following a monitoring visit in July 2023. The document, published by the Department for Education (DfE), calls on all partners including Bournemouth, Christchurch and Poole (BCP) Council, NHS Dorset, schools and colleges, multi-academy trusts, early years settings, and parent and carer groups to work together at pace to improve services.</p> <p>A diagnostic has taken place since this monitoring visit in July 2023 and a new SEND Improvement Plan has been created to ensure progress is made at pace. All partners across the SEND system are working together to deliver meaningful support to ensure children get the right support, in the right place at the right time, creating better outcomes for Children and young people.</p> <p>Progress has been made in the SEND provision including improved timeliness of the decision-making process and requests for Education Psychology advice.</p>
Recommendations	<p>It is RECOMMENDED that:</p> <p>The Statutory Notice is shared for information.</p>
Reason for recommendations	This report is for information.

Portfolio Holder(s):	Richard Burton, Portfolio Holder for Children and Young People
Corporate Director	Cathi Hadley, Corporate Director of Children's Services
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Wards	Council-wide
Classification	For Information

Background

1. In July 2021 SEND services across the BCP system were subject to a CQC/Ofsted Inspection, this resulted in a Written Statement of Action (WSOA) for the service. As a result, there was a co-produced WSOA Improvement plan put in place, signed off by the DfE and the previous DfE Advisor. It included a number of co-produced workstreams which was overseen by the SEND Improvement Board (SIB) Chaired by the Local Government Association.
2. The Review by DfE and NHS England in July concluded the plan was not demonstrating the impact and outcomes desired and or at pace, resulting in the Statutory Direction for SEND services issued in February 2024.
3. A robust diagnostic into the service and partnerships was undertaken and the SEND Improvement plan was developed. This plan has been reviewed and agreed by the DfE and NHS England and was signed off by the SEND Improvement Board in February 2024.
4. A statutory direction has been published, regarding Special Educational Needs and Disability (SEND) services in Bournemouth, Christchurch, and Poole (**Appendix 1**), reflecting the findings and recognising the improved measures that have already been put in place.
5. The document, published by the Department for Education (DfE), calls on all partners including BCP Council, NHS Dorset, schools and colleges, multi-academy trusts, early years settings, and parent and carer groups to work together at pace to improve services.
6. The new SEND Improvement plan has been created following a review in July 2023, when all partners alongside the Department for Education (DfE) agreed the pace of improvements across the SEND system were too slow and too many children were experiencing delays in accessing services.
7. A new DfE Improvement Advisor was appointed in April 2024, John Coughlan, who is currently the DfE Improvement Advisor for Children's Social Care, this appointment will offer continuity across the whole of BCP Children's Services.

What the Statutory Direction means for the BCP Area

8. Since 2021 the Bournemouth, Christchurch and Poole Local Area SEND Partnership has been subject to a Written Statement of Action Plan (WSOA). This

set out key areas of improvement needed to be undertaken to improve outcomes for children and young people with SEND.

9. Progress against that work has been overseen by a SEND Improvement Board (SIB) made up of key partners from across the SEND system including the Local Authority, Health, Education, and Parent/ Carer forums, and supported by the DfE.
10. During July 2023, partners from across the SIB worked with officials from the DfE and NHS England to review the impact of the WSoA. At that time there was a collective agreement across the Partnership that the pace of change was too slow and too many children were experiencing delays in service provision.
11. The published Statutory Direction by the DfE is supported by NHS England which requires BCP Council and the council's partners to take steps to improve its SEND provision. Even though addressed to the Council, the Direction states clearly that it expects all partners to work together to improve outcomes for children with SEND.
12. Since July a thorough independent review of the SEND system has been undertaken and this has informed the critical actions set out in a new SEND Improvement Plan which focuses on eight strategic areas:
 - Leadership, Management and Governance,
 - Communication and Coproduction,
 - Early Identification and Intervention,
 - Inclusion,
 - Pathway,
 - Sufficiency,
 - Preparation for Adulthood and
 - Managing Resources.

This plan was approved by the SIB Board in February 2024. Work is now underway to deliver this plan.

13. The plan comes at a time when BCP Council alongside many other local authorities are facing increasing requests for provision of SEND services, however, are in receipt of inadequate funding. The current SEND funding system does not work for councils, or, more importantly, the young people who trust us with their education.

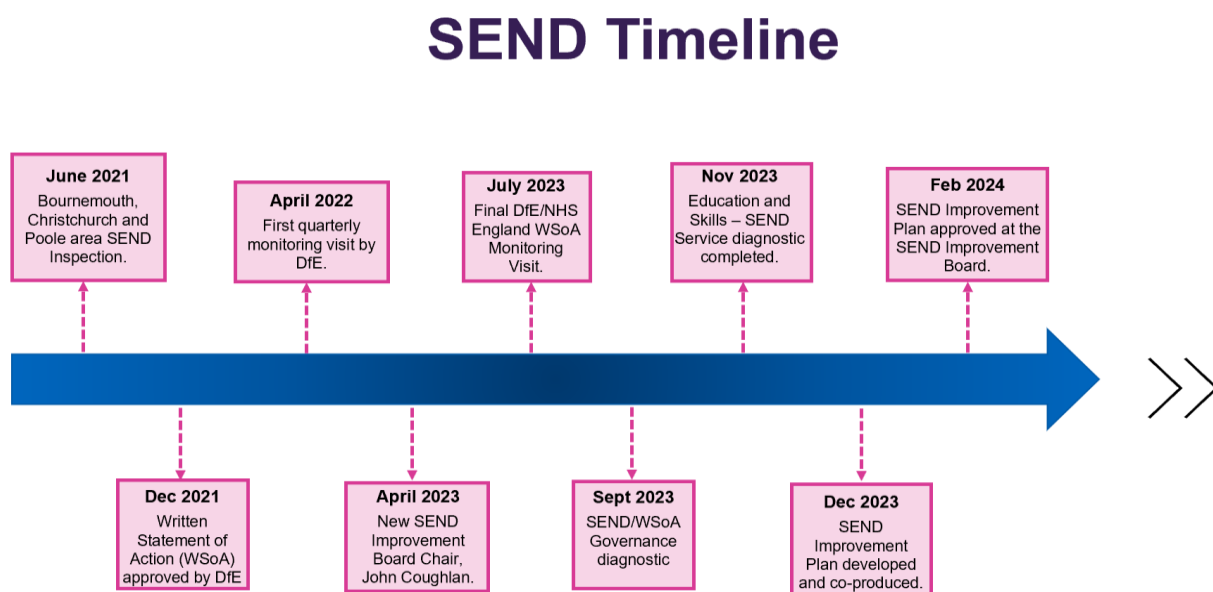
Partnership Working

14. All partners across the SEND system are working together to deliver meaningful support that will ensure children get the right support, in the right place and at the right time. There are improvements to be made across all services and we are working, in particular, with our colleagues in health services to provide a better all-round service to children and young people. Our strong working relationships mean that we are clear about how we can work together to improve our services for children and their families.
15. The SEND Improvement plan, which involves BCP Council, NHS, Parents / Carers and schools will make sure the SEND service is responsive, child-led and offers early identification and support. Partners have set out the key changes they will make to improve services and create better outcomes for children and young people.

Progress achieved

16. To provide reassurance, a thorough independent review of the SEND system has been undertaken and this has informed the critical actions set out in the new SEND Improvement Plan including a strengthened Quality Assurance framework against the SEND Improvement plan.
17. Meaningful progress has already been made in the SEND provision including;
- improved timeliness of our decision-making process so that in January 2024, 96.1% of decisions to proceed with assessment are made within 6 weeks, up from 10.7% in January 2023.
 - 94.3% of requests for Education Psychologist advice received a response within 6 weeks, up from 0% a year earlier.
 - Education, Health and Care Plans (EHCPs) issued to children more quickly:
In January 24, 27.9% of new EHCPs were issued in 20 weeks, compared to 0% in Jan 2023 and Aug 2023.
 - Reduction in EHCP backlog:
 - From 211 waiting over 30 weeks for completion in January 2023 to 137 in January 2024.
 - Reduction in backlog of those waiting for Educational Psychologist (EP) advice:
 - 294 cases in January 2023 down to 123 in January 2024.

SEND Progress Timeline



Options Appraisal

18. No option appraisal.

Summary of financial implications

19. N/A - this report provides an overview of the work of the SEND Statutory Direction.

Summary of legal implications

20. N/A – this report provides an update of the SEND Statutory Direction.

Summary of human resources implications

21. N/A – this report provides an update of the SEND Statutory Direction.

Summary of sustainability impact

22. N/A – this report provides an update of the SEND Statutory Direction.

Summary of public health implications

23. Public Health colleagues are involved in the work of the SEND Improvement Plan and are therefore appropriately engaged.

Summary of equality implications

24. N/A – this report provides an update of the SEND Statutory Direction.

Summary of risk assessment

25. N/A – this report provides an update of the SEND Statutory Direction.

Background papers

Published Works – SEND Statutory Direction, BCP Children's Services.

Appendices

Appendix 1 – SEND Statutory Direction, BCP Children's Services

Appendix 2 – SEND Statutory Direction covering letter to BCP LAP