

BARNSLEY METROPOLITAN BOROUGH COUNCIL

This matter is a Key Decision within the Council's definition and has been included in the relevant Forward Plan

REPORT OF THE EXECUTIVE DIRECTOR (CHILDREN'S SERVICES) TO CABINET

(15th DECEMBER 2021)

OUTCOMES OF THE JOINT LOCAL AREA INSPECTION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS IN BARNSLEY

1.0 PURPOSE OF REPORT

- 1.1 To inform Cabinet of the outcomes of the Joint Local Area Inspection of Services for children and young people with special educational needs, including a disability (SEND) which was recently undertaken in the Borough by the Care Quality Commission (CQC) and Ofsted, together with the next steps.

2.0 RECOMMENDATIONS

- 2.1 **That the outcomes of the Joint Local Area Inspection, together with the next steps, including the resulting action plan, be recommended for consideration at a meeting of Full Council.**

3.0 INTRODUCTION

- 3.1 Barnsley's Local Area SEND Inspection took place during the period 20th to 24th September 2021. The inspection was led by one of Her Majesty's Inspectors from Ofsted, with a team including an Ofsted inspector and a children's services inspector from the CQC.
- 3.2 The purpose of the inspection was to review how well the local area meets its responsibilities for children and young people (aged 0-25) who have SEND. The inspection team looked at evidence for how well children and young people with SEND are supported through three distinct areas:
1. How well we identify the needs of this group of children and young people.
 2. How well we assess and meet the needs of such children and young people.
 3. How successful we are at getting the best outcomes for children and young people with SEND.

- 3.3 During the week before the inspection, and throughout the week-long inspection period, the inspectors were provided with information about Barnsley's children and young people with SEND, as well as the available services on offer to support them and their families. Inspectors looked at case files, data, reports and other information that is published online or internal to Barnsley services.
- 3.4 Over thirty focus groups and meetings were held with a wide range of participants from education, health and children's social care services. This included leaders, managers and front-line practitioners who work directly with children and young people. The inspectors visited several settings, including primary and secondary schools, special schools, our further education college, alternative provision providers and early years settings to gather evidence.
- 3.6 It is estimated that inspectors met or interviewed around two hundred people, during the inspection. In addition, the Barnsley SEND Youth Forum, and children and young people in local schools/settings, had meetings with the inspection team and over six hundred parents and carers' completed an online survey in preparation for the joint inspection.

4.0 PROPOSAL AND JUSTIFICATION

- 4.1 The letter which details the outcome of the joint local area inspection was published on 19th November 2021 and is appended to this report. The inspection letter noted the significant progress which local statutory partners had made in addressing the needs of children and young people with SEND, together with their families and reported many strengths in the inspection letter.
- 4.2 We know that whilst significant progress has been made, we are not where we need to be, particularly in respect of the following two areas identified in the inspection letter as being areas of significant concern:
1. The engagement of, and communication with, parents and carers. Local statutory partners need to ensure that the lived experience of families is influencing their strategic plans for services and provision.
 2. Improving the identification of, and provision for, children and young people with SEND but without an Education and Health Care Plan.
- 4.3 Next Steps Following The Inspection
- 4.4 To address these areas, the Council, together with the Barnsley Clinical Commissioning Group (CCG) supported by the Barnsley Alliance for Schools and other partners will produce and submit a Written Statement of Action (WSoA) to Ofsted, no later than Monday 28 February 2022, which sets out our plan for improving these areas of significant concern. The process will consist of the following steps:

- i. The local area must submit a WSoA, within 70 working days of receiving the inspection report to, Ofsted and the CQC, and publish this on its Web site.
 - ii. Ofsted and CQC will review the fitness and purpose of the WSoA usually within 10 working days (if deemed 'not fit for purpose' the local area must re-submit within 20 working days).
 - iii. When the WSoA is deemed 'fit for purpose', the DfE, working with NHS England, will provide support and challenge to the local area, including on the development of the WSoA, with a minimum of four review meetings over an 18-month-period. Wider support will also be provided through funded delivery partners.
 - iv. As is the case for Barnsley, areas inspected after June 2021 requiring a WSoA will not be re-visited under this current framework. Any subsequent visit or inspection activity for these areas will be under the new area SEND inspection framework, which is currently being developed.
- 4.5 Once the WSoA has been approved by Ofsted and the CQC, the local statutory partners will continue to work together to implement these actions. This will form part of the ongoing Borough SEND Improvement Programme, which is already established and includes representatives from across the local area from education, health and children's care services. Cabinet will receive updates on progress through the quarterly SEND Finance and Performance reports schedule

For more information and advice on services and support available as part of our 'local offer' to families who have children and young people with SEND please visit our [local offer website](#).

5.0 CONSIDERATION OF ALTERNATIVE APPROACHES

- 5.1 The purpose of this report is to inform Cabinet of the outcomes of the recent joint local area inspection of services for children and young people with SEND and their families, together with the next steps

6.0 IMPLICATIONS FOR LOCAL PEOPLE/SERVICE USERS

- 6.1 The two significant areas of concern emerging through the joint inspection will be addressed particularly through the WSoA and the SEND Improvement Plan with the intention of improving and ensuring a consistent level of practice and provision across all areas of the Borough

7.0 FINANCIAL IMPLICATIONS

- 7.1 There are no financial implications directly arising through consideration of the inspection letter. However, it is unclear at this stage if the required Written

Statement of Action (which sets out our plan for improving these areas of significant concerns) to be submitted to Ofsted would give rise to any financial implications to the Council.

8.0 EMPLOYEE IMPLICATIONS

8.1 There are no implications for the children's services workforce directly arising through consideration of the inspection letter.

9.0 LEGAL IMPLICATIONS

9.1 There are no implications concerning the level of local compliance with statutory responsibilities and guidance emerging through the inspection letter. The areas of weakness identified in the inspection letter relate to the extent to which the quality of provision and practice has been fully embedded .

10.0 CUSTOMER AND DIGITAL IMPLICATIONS

10.1 The references in the inspection letter to engaging children, young people and families with the Web page for the SEND Local Offer, will be progressed via the WSoA and the SEND Improvement Plan

11.0 COMMUNICATIONS IMPLICATIONS

11.1 Similarly, improving the engagement of and communications with parents and carers, as part of ensuring their lived experience informs our SEND plans and strategies will also be addressed within the WSoA and SEND Improvement Plan

12.0 CONSULTATIONS

12.1 As well as the Barnsley CCG, the Council's Senior Management Team has been informed of the outcomes of the SEND local area joint inspection, together with the steps to be taken to address the two significant areas of weakness identified as part of the inspection.

13.0 EQUALITY IMPACT

13.1 Cabinet will note that the inspection letter also provides extensive reference to areas of strength, together with areas for development within the quality of SEND practice and provision. No formal equality impact assessment is required as children and young people with SEND have a protected characteristic under the Equality Act and the WSoA together with the SEND Improvement Plan will ensure that continual improvement is made to further promote their inclusion

14.0 THE CORPORATE PLAN AND THE COUNCIL'S PERFORMANCE MANAGEMENT FRAMEWORK

14.1 The percentage of children receiving SEN support is one of the critical success

factors within Outcome 5 of the 'Be Even Better' Strategy and our performance against the target will be reported to Cabinet as part of the quarterly SEND Performance and Finance schedule.

15.0 TACKLING THE IMPACT OF POVERTY

15.1 Our ambition is to enable all vulnerable children and young people to be able to achieve their aspirations through promoting inclusion and social mobility, particularly through improved health and education outcomes. External assessments such as the joint inspection will help focus our attention on those areas of practice and provision in need of further development, notably ensuring the continued expansion of in-Borough, mainstream school places for SEND pupils.

16.0 TACKLING HEALTH INEQUALITIES

16.1 The Ofsted and CQC inspection letter commends access to health provision for children and young people with SEND, together with use of the Borough's Joint Strategic Needs Assessment in meeting future health needs as part of reducing any inequality and promoting wellbeing..

17.0 REDUCTION OF CRIME AND DISORDER

17.1 There are no implications for tackling crime, disorder and anti-social behaviour emerging through the outcomes of the inspection.

18.0 RISK MANAGEMENT ISSUES

18.1 Any risks potentially impacting upon our progress in addressing the two significant concerns highlighted in the inspection letter will be managed and mitigated through the SEND Improvement Plan and Risk Register

19.0 HEALTH, SAFETY AND EMERGENCY RESILIENCE ISSUES

19.1 There are no implications for health, safety or emergency resilience arising through the report.

20.0 COMPATIBILITY WITH THE EUROPEAN CONVENTION ON HUMAN RIGHTS

20.1 The outcomes of the inspection will support the Articles and Protocols of the Convention, particularly the rights of children.

21.0 CONSERVATION OF BIODIVERSITY

21.1 No implications have emerged through consideration of this report

22.0 GLOSSARY

22.1 None, applicable

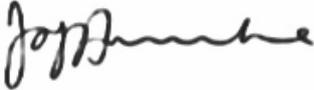
23.0 LIST OF APPENDICES

23.1 Appendix 1: CQC and Ofsted Inspection Letter (15th November 2021)

24.0 BACKGROUND PAPERS

24.1 If you would like to inspect background papers for this report, please email governance@barnsley.gov.uk so that appropriate arrangements can be made

Report author: Nina Sleight (Service Director: Education, Early Start and Prevention)

Financial Implications/Consultation

Joshua Amahwe (24/11/2021)
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(To be signed by senior Financial Services officer where no financial implications)