

## BARNSELY METROPOLITAN BOROUGH COUNCIL

**REPORT OF:** INTERIM EXECUTIVE DIRECTOR (CHILDREN'S SERVICES)

**TITLE:** LOCAL AREA JOINT INSPECTION OF SERVICES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND/OR DISABILITIES: WRITTEN STATEMENT OF ACTION (ACTION PLAN)

<b>REPORT TO:</b>	<b>CABINET</b>
<b>Date of Meeting</b>	<b>18 MAY 2022</b>
<b>Cabinet Member Portfolio</b>	<b>CHILDREN'S SERVICES</b>
<b>Key Decision</b>	<b>Yes</b>
<b>Public or Private</b>	<b>Public</b>

### **Purpose of report**

To inform Cabinet of the recent approval of the Written Statement of Action (WSOA) by Ofsted and the Care Quality Commission. The WSOA sets out the improvements to be undertaken in response to the outcome of the local area joint inspection of services for children and young people with special educational needs and/or disability (SEND).

### **Council Plan priority**

The WSOA will primarily support the **Healthy Barnsley** outcome of enabling young people to live independently with good physical and mental health as far as possible, together with the **Learning Barnsley** outcome of enabling all children and young people to fulfil their potential through improved educational attainment.

### **Recommendations**

That Cabinet:

- 1.1. Endorses the Council's and Barnsley Clinical Commissioning Group's (CCG) Written Statement of Action, approved by Ofsted and the Care Quality Commission (CQC) in April 2022, together with the overall improvements to be undertaken as part of the SEND Improvement Programme.**

## 1.0 INTRODUCTION

- 1.1 Barnsley's local area SEND inspection took place from the 20th to 24th September 2021. This was carried out by Ofsted and the CQC to review how well the local area meets its responsibilities for children and young people (aged 0-25) who have special educational needs and/or disability (SEND). 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.
- 1.2. During the week the inspection team spoke with children, young people parents and carers, partners and stakeholders including managers and leaders from Barnsley's education, health and social care services.
- 1.3. The purpose was to review how well Barnsley meets its responsibilities for children and young people (aged 0-25) who have SEND, focusing on three areas:
  - 1.3.1. How well we identify the needs of children and young people.
  - 1.3.2. How well we assess and meet needs of children and young people.
  - 1.3.3. How successful we are at getting the best outcomes for children and young people with SEND.
- 1.4. On 15 December 2021, Cabinet considered the outcomes of the joint inspection of services for children and young people with SEND and recommended that they be formally be considered at the meeting of Full Council on 3<sup>rd</sup> February. A copy of this report can be viewed via the link: <https://barnsleymbc.moderngov.co.uk/ieListDocuments.aspx?CIId=135&MIId=6930&Ver=4>
- 1.5. The inspection letter noted the significant progress which local statutory partners had made in addressing the needs of children and young people with SEND in Barnsley. However, the joint local area inspection also highlighted two areas of provision which were of significant concern, as follows:
  - 1.5.1. 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.
  - 1.5.2. Improving the identification of, and provision for, children and young people with SEND but without an Education, Health and Care Plan (EHCP).
- 1.6. As a result, it was determined that the local area, namely Barnsley Council and Barnsley CCG, must produce a Written Statement of Action (WSOA) to address the two areas identified. Key partners and stakeholders including the Barnsley Schools Alliance, have contributed to the development of the WSOA, which has now been approved by Ofsted and the CQC, who confirmed that:
- 1.7. *'This letter is written in accordance with The Children Act 2004 (Joint Area Reviews) Regulations 20151 to inform Barnsley Metropolitan Borough Council and NHS Barnsley Clinical Commissioning Group (CCG), as principal authorities, that Ofsted and the Care Quality Commission have jointly*

*evaluated the written statement of action submitted to us on 28 February 2022. The statement of action is deemed to be fit for purpose in setting out how the local area will tackle the significant areas of weakness identified in the published report letter. You clearly address the two significant areas of weakness identified by inspectors from Ofsted and the Care Quality Commission in September 2021.'*

- 1.8. Barnsley Council, Barnsley CCG and the Barnsley Schools Alliance, along with partners are wholly committed to getting this right, both in making and sustaining the improvements identified in the WSoA and those highlighted in the inspection report as a whole. We are committed to ensuring that the areas of concern are addressed in full and that we build the trust and confidence of children, young people and parents/carers in Barnsley's provision and services across education, health and care.
- 1.9. The WSoA includes specific, time-based and measurable actions. It's clear which organisation is responsible for actions, how this will be monitored and how we will evidence that we've met our aims.
- 1.10. The WSoA and wider SEND Improvement Programme are intended to create a culture of inclusion across Barnsley. We want all children and young people to thrive, achieve positive outcomes, and be engaged in their local community, regardless of their starting point and their identified needs. We are fully committed to building on our partnerships with children, young people and parents/carers and strengthening the invaluable influence and contribution that they can offer, in shaping and delivering services. Equally, we are committed to improving early identification of need so that all children and young people with SEND in the local area get the right support and provision so that they can achieve the best outcomes.
- 1.11. Our aspiration goes beyond the WSoA as our SEND Improvement Programme and governance arrangements are in place to help all children and young people with SEND achieve their potential. The improvements in the WSoA will form part of the wider SEND Improvement Programme and performance framework, which includes:

Priority 1a	Engagement, participation and coproduction: children and young people
<b>Priority 1</b>	<b>Engagement, participation and coproduction: parent/carer (forms part of the WSoA)</b>
<b>Priority 2</b>	<b>Early identification and SEN support (forms part of the WSoA)</b>
Priority 3	Meeting needs through specialist support and provision (SEND sufficiency)
Priority 4	Communication and interaction (autism and speech, language and communication needs (SLCN))
Priority 5	Preparation for adulthood
Priority 6	Early years identification, support and provision
Enabler 1	Quality of data
Enabler 2	Local offer

- Enabler 3 Financial balance
- Enabler 4 Workforce development

1.12. Implementation will be governed by the system wide SEND Oversight Board and progress will be monitored and reported to the Cabinet on a quarterly basis as part of the Quarterly SEND Performance and Finance report arrangements.

## **2.0 PROPOSAL**

2.1 The WSoA has now been deemed, 'fit for purpose' by Ofsted and CQC and has been published on the Council and CCG websites. The next stage will see the Department for Education (DfE), in collaboration with NHS England, providing support and challenge to the local statutory partners in the local area, including monitoring 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.

2.2 Any subsequent visit or inspection activity for these areas will be undertaken through the new area SEND inspection framework, which is currently being developed and Ofsted will soon be consulting on this.

## **3.0 IMPLICATIONS OF THE DECISION**

### **3.1 Financial and Risk**

3.2 Consultations have taken place with representatives of the Service Director - Finance (S151 Officer).

An assessment of the WSoA showed that there are unlikely to be any significant financial implications arising from implementing the detailed actions as set out under the two main areas of focus/priorities.

3.3 At this stage, it is assumed that any capacity requirements or costs (e.g., website, printing, promotion, comms, etc.) can be resourced within existing Education Inclusion Service or SEND/high needs budgets.

### **3.4 Legal**

3.5 There are no legal implications for the Council emerging through endorsement of the WSOA. The Local Area Joint Inspection corroborated that the Council remains compliant with its statutory responsibilities concerning Part 3 of the Children and Families Act (2014) together with the SEND Code of Practice.

### **3.6 Equality**

3.7 No formal equality impact assessment is required as children and young people with SEND have a protected characteristic under the Equality Act. Both the WSoA together with the SEND Improvement Programme will ensure that continual improvement is made to ensure specific needs are met; to further promote their inclusion and enhance the quality of their experience.

### **3.8 Sustainability**

3.9 There are no implications for sustainability arising through consideration of this report.

### **3.10 Employee**

3.11 The actions in the SEND Improvement Programme will include the continuous professional development of the workforce across the local SEND system including partners across education, health and care.

### **3.12 Communications**

3.13 Improving the engagement of and communications with parents/carers, as part of ensuring their lived experience informs our SEND plans and strategies and is also be addressed within the WSoA and SEND Improvement Programme.

## **4.0 CONSULTATION**

4.1 Key statutory partners and stakeholders have contributed to the WSoA. Children, young people and parents/carers, both individual and through groups have also been able to share what key actions they feel should be included in the WSoA and wider SEND Improvement Programme.

## **5.0 ALTERNATIVE OPTIONS CONSIDERED**

5.1 The purpose of this report is to inform Cabinet of the next steps following recent approval by Ofsted and the CCG of our WSoA to address the findings from the local area inspection of services for children and young people with SEND and their families.

## **6.0 REASONS FOR RECOMMENDATIONS**

6.1 The recommendation is in response to the outcomes of the 2021 Local Area Joint Inspection of services for children and young people with SEND and particularly the two significant areas of weakness identified by the inspection team. The WSOA ensures that the required improvements in the quality of practice and provision will be hastened as part of our overall ambitions for these vulnerable groups of children and young people

## **7.0 GLOSSARY**

7.1	CCG	Clinical Commissioning Group
	CQC	Care Quality Commission
	DfE	Department for Education
	EHCP	Education, Health and Care Plan
	SEND	Special Educational Needs and/or Disability
	SMT	Senior Management Team
	WSoA	Written Statement of Action

## 8.0 LIST OF APPENDICES

- 8.1 Appendix 1: Appendix 1: Ofsted approval letter  
Appendix 2: Special Educational Needs and Disabilities (SEND) Written Statement of Action (WSOA)

## 9.0 BACKGROUND PAPERS

- 9.1 If you would like to inspect background papers for this report, please email [governance@barnsley.gov.uk](mailto:governance@barnsley.gov.uk) so that appropriate arrangements can be made

## 10. REPORT SIGN OFF

<b>Financial consultation &amp; sign off</b>	Senior Financial Services officer consulted and date  <i>Joshua Amahwe (29/04/2022)</i>
<b>Legal consultation &amp; sign off</b>	Legal Services officer consulted and date  <i>Jason Field 03/05/22</i>

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