

Corporate Improvement Scrutiny Committee – Meeting held on Thursday, 22nd February, 2024.

Present:- Councillors Shaik (Chair), Khawar (Vice-Chair), Hulme, Iftakhar, Matloob, Mohindra, O’Kelly and Stedmond

Also present under Rule 30:- Councillor Bedi

Apologies for Absence:- Councillors Escott and Mann

PART 1

39. Declarations of Interest

No declarations were made.

40. Minutes of the last meeting

Resolved - That the minutes of the meeting held on 30 January 2024 be approved as a correct record, subject to the amendment below. Page 5, paragraph 8 to read:

‘The Lead Member for Community Cohesion, Public Health, Public Protection, Leisure and Planning was asked if savings identified in his area were on track to being achieved?’

41. SEND statutory services update

The Chair welcomed the Lead Member for Education and Children’s Services at Slough and Councillor Barry Anderson, from Leeds City Council to the meeting.

He advised that, at their pre-meeting, Members had agreed the following four key lines of enquiry regarding the SEND (Special Educational Needs & Disability) report: partners & stakeholders; processes; data; workforce, learning & training. He invited the Lead Member to introduce the report.

The Lead Member Education and Children’s Services stated that her administration was committed to supporting children’s services and driving forward improvements in SEND provision. SEND services had achieved significant improvements recently, for example:

- interim education psychologists had been appointed to help tackle the significant backlogs in processing EHCPs (Education, Health & Care Plans). This had enabled the completion of a large number of EHCPs in the second half of 2023 – which was a significant achievement, and the team were now focusing on new cases;

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- improvements in overall quality had been achieved by dint of a stronger SEND team, targeted training programmes and streamlining SEND statutory processes;
- quarterly progress reviews provided comprehensive data on progress to date and efforts were focussed on translating improvements into tangible outcomes for children.

The Lead Member added that she was committed to supporting the service to monitor progress, sustain the pace of improvements while remaining adaptive to challenges. She praised staff at the service for their commitment and hard work.

Members questions focussed on the following areas:

- Whether there were there any agreed data sets used by partners to assess the effectiveness of SEND provision and to hold partners to account;
- The considerable backlogs and waiting lists in EHCP and other assessments, the reasons for these and whether cases were being appropriately prioritized;
- How such delays could be justified when the national average was 20 weeks, but this figure was 12 months in Slough;
- To what extent the delays and complaints were attributable to poor internal systems and processes, lack of resources and high staff turnover;
- Whether the current level of resources, IT systems, staff capacity and procedures were sufficient to deal with the backlogs and complaints;
- The currently high level of complaints, especially long-running ones, the timescales for resolution and processes for escalation;
- Risks associated with the use of interims, particularly interim education psychologists;
- How the issue of poor communication with residents, which had been highlighted by the DfE, was being addressed.

With regard to accountability, the Lead Member advised that there were regular joint meetings where staff and partners could discuss and raise any concerns.

The SBC Executive Director People, Children, advised that the written statement of action, the statutory directions, the SEND Board and the 'Getting to Good Board' were each helping to develop the partnerships and have oversight of them.

With regard to data, this made was available and included information on social care, SEND, CMEs (children missing education), complaints & mediation, appraisals, tribunals, etc. However, this information needed refinement. This data was shared across the partnership to help inform next actions and ensure deadlines were being met. A benchmarking exercise was in process. Further improvements in data provision would enable the service

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to become more robust, help monitor the team's performance and allow evidence-based reporting. She added that the Special Needs & Inclusion Board engaged in mutual challenge and scrutiny of each other's work.

The Lead Member stated that poor communications with families and partners had been flagged up by the DfE as an area of concern and work to improve this was underway.

The Executive Director advised that improving communications with families and partners was an area of concern and priority – measures included the use of digital communication tools, improving the quality and accessibility of information on the website, providing staff contact details and an FAQ section regarding how allocations were made, the appeals process etc. Work to develop schools' partnerships and use them to disseminate information to the community was ongoing.

She added that a previously unidentified backlog of two hundred cases had come to light and the interim education psychologists had focused their efforts on clearing these, however, these had been superseded by new cases, leading to new backlogs. The principal educational psychologist had implemented improved processes and allocated cases, prioritizing the most urgent. However, depending on resources available and levels of new demand, it may take up to a year to clear the current batch. This was a continuous juggling act and would require the proper allocation of staff and resources to resolve it. She accepted that some children and their families were not currently well served by the service, however, it was important to remember that the service had begun from a very low base.

She added that complaints were reviewed weekly and were dealt with by herself and members of her team, supported by the Council's complaints officer and a project manager who also supported the SEND Board. She, the Council's complaints officer and a project officer monitored the complaints tracker and aimed to respond to complaints within 10 days wherever possible. However, some complaints required detailed investigation, and may take longer to resolve. She asked Members to inform her of any long-standing unresolved complaints reported to them by parents, so these could be investigated.

She further added that the tracking software used by the team was not particularly robust. There was software available that would enable live data analysis on a daily basis and would help to resolve many of the issues currently being experienced by the team. However, for now, there was a need to manage the service within limited resources.

Lead Member concurred that the service would benefit greatly from increased resources, improved IT systems and software to support and enable its work.

- Following a question, the Executive Director clarified that the SEND dashboard provided benchmark figures across a year. Extrapolating Slough specific data was currently difficult.

With regard to delays in completing assessments, she advised that the quality of input from social care had been poor, a matter which would take time to rectify. Current delays stemmed from mainly from the Education service. Systems to monitor the quality of EHCPs had been introduced, which in turn would prompt further improvements.

She added that the main delays related to writing the plans and collating the necessary information, questions about how to meet a child's needs, capacity issues in the team and parents not accepting some aspects of the final EHCP.

The interim educational psychologist was highly experienced and his expertise would save resources in the long-term. Some SEND case officers had left and these posts were proving difficult to recruit to. Currently there was a mix of permanent and interim staff. There had been some issues around the hybrid working of the interim staff. Recruitment of permanent SEND staff was ongoing and once appointed, they would be required to work from the office three days per week – which would be more productive in terms of collaboration, training and staff development. A fully staffed team would restore stability to the team. The interims were aware of the permanent posts being recruited to but had chosen to move to longer interim contracts elsewhere. It was important that the permanent appointees be of a high calibre.

- Members then asked about access to any additional sports and leisure facilities outside school for SEND children;
- The use of trainee educational psychologists to carry out assessments by some schools and whether they were sufficiently qualified to undertake these;
- Alternative SEND provision and whether schools were accommodating SEND pupils; How EHCPs were being quality assured;
- The current shortage of SEND places in schools and some schools were seeking to increase this provision.

The Lead Member advised that the 'Breakaway' programme provided respite care for children with special needs and their families in Slough. Going forward there would be additional provision at the community and family hubs. Slough schools were becoming more inclusive, a local charity, 'Together as one', was dedicated to working with young people and further opportunities for activities jointly provided by local community and faith groups would be explored.

Executive Director advised that schools could commission their own education psychologists, however, the SEND service was not obliged to accept these. There were three stages to the assessment process, one of these being a panel chaired by the principal educational psychologist, who would assess whether the child's level of need met the threshold or if the child's needs could be met elsewhere.

She added that the current INMSS (Independent Non-Maintained Special Schools) provision was being reviewed. Places were full and the service was

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stretched. Some pupils had been attending on a non-statutory basis, and the service could not continue to pay for them from statutory funding as alternative provision existed for these pupils. Places should be allocated on the basis of need rather than want. Additional funding had been approved to increase the capacity of Specialist Resource Provision (SRP/DU) Designated Units. There were plans to bid for additional capital funding to increase special school provision.

The Lead Member stated that all schools were now on board with inclusion policies and were applying processes correctly, adding that a recent inclusion conference had been well attended by schools. The Executive Director added that the autumn schools' visits would be undertaken by a consultant head teacher, who would evaluate how well the inclusivity agenda had been embedded at each school.

With regard to complaints and casework relating to SEND, the Lead Member emphasised that Councillors should in the first instance, log these through the casework system (rather than approach the head of service for a resolution) and then escalate the matter if no response was forthcoming.

The Executive Director advised that there was a need to take a strategic, planned approach to SEND places at Slough schools and that there was in place a commissioning strategy which would ensure adequate provision. Schools wanting to increase their SEND provision should contact the Council direct.

- Following questions about how the progress of assessments for Looked after Children (LACs) was tracked and arrangements for their transition to adulthood, the Executive Director clarified that not all LACs needed EHCPs, although some may receive additional support in schools. She added that there was also a virtual school which had responsibility for ensuring that arrangements to improve the educational experiences and outcomes of LACs, including those placed out-of-borough, were in place. A new staff 'preparing for adulthood', learning from the lived experience from LACs. Every EHCP was reviewed annually and trackers were used to monitor the transition process.

She added that an EHCP must reflect the child's needs and be of good quality. A quality assurance mechanism was being developed to this end. The involvement of the principal education psychologist, the DfE advisors; the Director of Education and the Director of Operations attending the Children's Improvement Group meetings; SIG board meetings where heads of service were held to account for the quality of their work; the SEND quality assurance processes being aligned with those in social care; all of these would form part of the assurance mechanism. The improvement journey had begun from a low base. Notable improvements had been achieved in some areas, however, overall, the service could not be described as good.

- Following a question regarding the complaints process, the Executive Director confirmed that the corporate complaints procedure was separate

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from the one for social care, which was specified by the Children Act. It provided process maps, was available on the Council's website, where the google translate facility was available.

Action 1: The Executive Director undertook to request that complaints be made a standing agenda item at future SEND boards. She added that this item would be scrutinised by partners and parents' representatives could provide feedback to the Board.

- Following a question regarding the number of home-educated children and those missing education, the Executive Director advised that this figure had not been queried at the SEND board under exception reporting and it was rated green, which to her indicated that the figure was acceptable. There could be several reasons why children missed school, and it was not always a case of truancy.

Action 2: Following a question about the SEND & Inclusion strategy, the Executive Director confirmed that it had been updated and she would ensure that the latest version was uploaded to the website.

- Members then asked about the SEND written statement of action, associated timescales and when the Directions could be expected to end.

The Executive Director confirmed that the statement of action was a comprehensive document that had seven areas of focus, with ninety-four actions attached. Only twenty of the actions had been completed by the summer of 2023, nine of which were health related. To date, less than a quarter of the total number of actions had been completed, but the remainder were on track to be completed this year. The partnership could not sign off any actions, only the DfE, could do so and would require significant evidence to support this.

She confirmed that the service was scrutinised by both NHS England and the DfE. The DfE Commissioner would be sending a SEND and Social care report to the Minister in April 2024.

The service was on a positive trajectory with improvements being embedded and would be in a better position in twelve months' time, however, she could not predict whether this would be sufficient to achieve a 'good' rating and an end to the statutory intervention.

Following a suggestion that Members and SEND officers work jointly to resolve long-standing complaints and issues with residents, the Lead Member re-iterated the importance of using the casework system, which would ensure issues were correctly logged, documented and followed up. The Member could then escalate the matter if needed.

Action 3: It was agreed that further training for Councillors on SEND and its complaints process would be provided at a future date.

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Resolved – That the report be noted.

42. Attendance Report

Resolved – That the attendance report be noted.

43. Date of Next Meeting

26 March 2024.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 8.20 pm)