

Appendix BEarly findings of the independent expert - September 2019 (Sharon Scott)1. Introduction

1.1 An independent expert has been engaged by the London Borough of Sutton to undertake a review of the following:

- The progress of the local area's improvement plans and delivery.
- Practices within Cognus aligned to statutory Special Educational Needs (SEN) duties.
- Whether the arrangement between the Council and Cognus is the best possible operating model to continue to deliver education services.

2. Methodology of the review and evidence of the findings

2.1 To ensure a comprehensive triangulation of views and evidence, a detailed methodology was followed which can be found at the end of this report (appendix 1), along with the detailed evidence.

3. What progress has been made in the delivery of the local area's improvement plans?Findings:

3.1.1 Using the methodology set out in appendix 1 the findings would support the view that progress has been made in improving coherence, joint working and communication between the local area leaders.

3.1.2 The triangulation of evidence demonstrates that from what was a non-compliant system across the local area at the time of the inspection significant progress has been made in putting building blocks in place to ensure that within the three year period allowed for improvement the local area will achieve good outcomes for the children and young people in Sutton who have special educational needs and /or disabilities.

3.1.3 The 'stocktake day' which was held a year on from the agreed Written Statement Of Action (WSOA) demonstrated that a comprehensive approach was being taken to address all twenty seven actions within the WSOA. There were presentations provided by all partners giving examples of initiatives and projects that are addressing and responding to the WSOA. All the actions are recorded in the WSOA Tracker to monitor progress and to ensure that all the actions and initiatives compliment one another. All the activity recorded in the WSOA Tracker is reported to the Children and Family Executive Board to ensure that all local area partners are aware of all the activity that is taking place. In addition a WSOA report is submitted to every People Committee and progress is noted by all Members.

Next steps:

3.2.1 There now needs to be a period of time to enable the actions taken to address this key area to be embedded and to see evidence of the impact in the new ways of working. However, it is important that pace and momentum are not lost.

3.2.2 The key focus for local area partners needs to remain on the strategic actions that need to be undertaken and not to be sidelined onto individual issues.

4. What progress has been made in ensuring practices within Cognus are aligned to statutory SEN duties?Findings:

4.1 Using the methodology set out in appendix 1 the findings would support the view that progress has been made in addressing the poor oversight of quality and impact of Education Health Care plans (EHCP) in meeting the needs of children and young people. Schools, educational settings and some parents are also reporting that they are seeing improvements in the ways of working and engagement with Cognus and the local authority.

Next steps:

4.2.1 There now needs to be a period of time to enable the actions taken to address this key area to be embedded and to see evidence of the impact in the new ways of working.

4.2.2 To improve clarity and understanding of systems and processes it would be helpful if two guides could be produced; one for parents/carers and the other for professionals. The guide for parents/carers needs to set out what parents can expect to happen and why during the various stages of the Education, Health and Care Needs Assessment (EHCNA), the Education, Health and Care Plan (EHCP) process and during the mediation process and /or tribunal process.

The guide for professionals should set out what is expected from them in terms of the advice they provide for EHCNA and what advice and/or role they might have to play in a tribunal.

It is critical that these guides must be co-produced with the Sutton Parents Carers Forum and the views and voices of children and young people are also taken into account in producing these documents.

5 What progress has been made in reviewing whether the arrangement between the council and Cognus is the best possible operating model to continue to deliver education services?

5.1.1 This aspect of the review is at the planning stage of the activities which need to be undertaken to carry out this review. However, from the work undertaken so far

there is strong support for the review of the arrangements between the Council and Cognus.

5.1.2 It has been recognised by partners that there is now a much closer and stronger professional working relationship between the Council and Cognus as a result of the new leadership and management within the Council and this will continue to be developed throughout the review period. Experiences from elsewhere indicate that when partners work closely together with good leadership this can only be for the greater good for the children and young people with special educational needs and/or disabilities and this will be the case for those children, young people and their families in Sutton.

Next Steps

5.2.1 For the third strand of the brief to be undertaken and to produce a final report and conclusion.

5.2.2 To follow up on any other outstanding issues and to incorporate any additional findings into the final report with a conclusion.

6. Conclusion

6.1 From the non-compliant baseline in January 2018 and as evidenced by a WSOA, rapid and significant progress has been made. The stocktake day evidenced that 63% of local areas who had had their local area SEND inspection by Ofsted and CQC 2018/19 had a WSOA and 50% retained the WSOA after their first re-inspection. This shows the local area is a typical local area when it relates to SEND issues and not non-typical as some groups believe. However, the local authority acknowledges, there is still a way to go on the local areas improvement journey especially in bringing about the necessary cultural changes that are required throughout the local area and providing training opportunities for further professional development. Notwithstanding the journey still left to travel there is strong evidence to support the view that the local area has made sound progress in implementing and delivering on its improvement plans.

6.2 It is good that local area partners now have a stronger working relationship with one another and it is positive that Sutton Parents Carers Forum works closely with other interests groups. To ensure all views are represented and voiced this will need to be a continuing area of development.

6.3 From all the work undertaken to date as part of this independent review there is evidence to show that the working practices within the Cognus SEN team are compliant with SEND statutory duties.

6.4 There is much stronger leadership and management within the local authority which is able to support the work and direction of travel for Cognus.

6.5 There is strong evidence of a much better working relationship between the Local Authority and Cognus. This is because strategic leadership meetings are in place, the number of contract and performance meetings have increased and the recent development of the Local Authority being represented on the Cognus Management Board have all supported a greater clarity and understanding of the issues on both sides which enables effective solutions to be found to address the issues that arise.

6.6 There is also strong evidence from the independent review to demonstrate that a line should now be drawn under the past and attention should be focused on the present and going forward in order to continue to develop both excellent services for the local area and an excellent experience for the children, young people and their families in the London Borough of Sutton.

Appendix 1

Details of the methodology and evidence to support the findings

1. Methodology

1.1 To ensure a comprehensive triangulation of views and evidence extensive examination of key data as it relates to Sutton, its statistical neighbours and nationally has been undertaken along with data, performance and progress reports that relate to the written statement of action.

1.2 Documentation which relates to the EHC needs assessment and EHC plans has been reviewed and cross referenced against the requirements set out in the Children and Family Act 2014 and the Code of Practice 2015.

1.3 Meetings have taken place with parents, with representatives of the Sutton Parent Carer Forum, Chairs of the Headteacher forums, representatives from the SENCo networks, Elected Members, the Chief Executive for the London Borough of Sutton, the Strategic Director of People Directorate, the former Managing Director of Cognus, the Services Director for Cognus, the Assistant Director for Education and SEND, the Assistant Director for Children's Social Care, the Assistant Director for Adults Social Care, the Head of Service for SEN, SEN staff, the Principal Educational Psychologist, the Children's Health Commissioner, the Designated Medical Officer and the Designated Clinical Officer.

1.4 Observations of the SEN team at work have been undertaken. Evidence of their work and the reports from other parties that contribute to their work has been gathered and cross referenced in interviews with others and against the requirements in the Children and Family Act and the Code of Practice.

1.5 Attendance at SEN panel meetings as an observer to monitor the quality and compliance of the meetings with the Code of Practice.

1.6 Two open meetings have been held with parents and carers to gather their views on how the procedures and processes that relate to the EHC assessment and

planning process could be made better for them and their children. All parents and carers were invited to the open meetings and particular efforts were made by the Sutton Parent Carer Forum to ensure that those parents who had expressed concerns were invited to the meeting. (There were 19 parent/carer attendees at the morning meeting and 10 at the evening meeting). Parents and carers were also given an open invitation to email the independent expert with their particular concerns. Four emails were received, three relating to individual concerns and one relating to the use of evidence.

1.7 In addition to the aforementioned meetings with parents, there were also meetings held with a number of elected members across the council who were keen to ensure they fed-back issues raised with them by parents and carers of children and young people SEND. This was further supplemented by meetings with the Sutton Parents Carers Forum.

2. Evidence to support the findings that progress has been made in the delivery of local area's improvement plans.

2.1 The publication of Sutton's Local Health and Care Plan for 2019/20 for the people of Sutton includes priorities for children and young people inclusive of SEND which gives a strong message that children and young people within Sutton are and remain a priority.

2.2 Evidence to support progress in this key area is the publication of the Graduated Offer to schools. This is a multi-agency document and was produced by Headteachers, SENCo/Inclusion managers and key stakeholders in the local area. The Graduated Offer is a toolkit of resources for schools to enable them to be more inclusive; support emerging social, emotional and mental health (SEMH) needs sooner, more effectively and with a range of creative solutions for meeting SEMH needs and to prevent avoidable exclusions. The use of the Graduated Offer is referred to in SEN panel meetings when discussing cases that have come to the panel for a decision on whether to assess or issue a plan.

2.3 The Early Help 'Change Up' programme has been shared with schools. This consolidates a range of bespoke interventions for children and young people who are beginning to experience issues that might be exacerbated without appropriate intervention and/or lead to exclusion. The 'Change Up' programme is part of the Graduated Offer.

2.4 There is a new service level agreement with the Pupil Referral Unit (The Limes College) which will refocus the way it works in order to support more pupils having their SEMH needs met in schools.

2.5 The Sutton Education Partnership has now been constituted and a meeting was held in August to start to plan the three work streams as they relate to the High Need Block Review (HNBR). The first full meeting of the Sutton Education Partnership took place in September.

2.6 The Education Bulletin has been well received by schools and provides updates on a variety of educational issues including the WSOA, feedback from the national SEND conference, the promotion of revised EHC documentation, joint working protocols and key events.

2.7 The WSOA evidence tracker and self assessment is used effectively along with a programme to share with the wider local area to ensure an opportunity for feedback/joint ownership of the assessment and to provide evidence of progress.

2.8 A year on from the agreed WSOA a 'stocktake day' has taken place with partners across the local area. It was an opportunity to reflect on what progress had been made against the WSOA and what needed to happen next. The reflections concluded that many actions had taken place but it was still too early to see evidence of impact from the actions.

2.9 The draft SEND Learning and Development Strategy has been completed and £30,000 has been set aside to implement the programme of work set out in the strategy in tandem with the input from the Council for Disabled Children for dedicated health and social care training with a further focus where possible on multi-agency approaches.

3. Evidence to support the findings that progress has been made in ensuring practices within Cognus are aligned to statutory SEN duties.

3.1 Examination of the policies, procedures and practices, observations of staff at work and interviews confirm that the service now has a clear vision for what good looks like and have embarked on the journey to deliver improved outcomes and focused EHCPs.

3.2 The service has adopted a child centred approach to ensure that the needs of the child or young person are met. This is evidenced at the SEN panel meetings, through the EHC assessment and plan documentation and observations of staff at work.

3.3 All final EHC documentation and a summary of the relevant parts of the Code of Practice, as referenced in the Joint Working protocols, have been published on the Local Offer and disseminated via the Education Bulletin.

3.4 There is responsible leadership and management in Cognus and an internal quality assurance process for final EHCP's has been implemented. There is also a programme of continual professional development for staff which includes improving communication with parents and families. Early evidence suggests this is working.

3.5 Since April 2019, 100% of EHCPs have been issued in 20 weeks and the percentage of advice received from professionals within six weeks now stand at 86%.

3.6 Quarterly quality assurance audits take place and the evidence from these audits which involves local area partners shows the quality of the EHCPs is improving.

3.7 A new system is in place for transition planning and evidence shows that secondary transfer arrangements are working well and schools will have more time to put transition arrangements in place for September 2020.

3.8 A sampling exercise and attendance at SEN panels showed that agreement to assess requests were being made appropriately and when they were not agreed to these were for valid reasons; for example, the school was stating they could meet the child's needs within existing resources and the child was making progress, or there was insufficient information about the graduated response to the child's needs from the school.

3.9 Attendance at the SEN panel meetings confirmed the panel is appropriately constituted and works well. This was also confirmed by Headteachers and SENCos who attend panel meetings.

3.10 The number of cases going to a full tribunal hearing is decreasing and is now in line with the national average and lower than Sutton's statistical neighbours.

3.11 There continues to be a good offer for continuing professional development opportunities for SENCos and partners through workshops and surgeries.

3.12 A Health Systems Study Day has been undertaken in understanding the role of health professionals in the Education, Health and Care Needs Assessment (EHCNA) process and their roles and responsibilities as they relate to the Children and Families Act and the Code of Practice.

3.13 Regular reviews (at least monthly) of Social Care advice is taking place looking at the timeliness of the advice and the content with a view to evidencing where further learning/development is needed.

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