

Report to:	Strategy and Resources Committee	Date:	8 June 2020
Report title:	Education Update Report: Written Statement of Action		
Report from:	Nick Ireland, Strategic Director of People Services		
Ward/Areas affected:	Borough Wide		
Chair of Committee/Lead Member:	Councillor Marian James, Chair of the People Committee		
Author(s)/Contact Number(s):	Fiona Phelps, Assistant Director, Education and SEND, 020 8770 4604		
Corporate Plan Priorities:	<ul style="list-style-type: none"> • Being Active Citizens • Making Informed Choices • Living Well Independently • Keeping People Safe 		
Open/Exempt:	Open		
Signed:		Date:	26 May 2020

1. Summary

- 1.1. Children, young people and their families are at the centre of Sutton's ambition to ensure that its residents can make informed choices about their lives, to stay active, to live well independently and to stay safe.
- 1.2. The Local Area partnership of the London Borough of Sutton, education settings and Cognus education services, parents and young people, Health and other colleagues, is working collaboratively to ensure the best possible outcomes for young people can be achieved. This effective Local Area partnership work has resulted in significant improvements in the provision and impact of services for children and young people with Special Educational Needs and Disabilities (SEND). This report highlights the success as reported in the recent Ofsted and the Care Quality Commission Revisit.

2. Recommendations

- 2.1. To note the outcome of the recent Revisit of Her Majesty's Inspectorate (HMI) for Ofsted and the Care Quality Commission (CQC) in March 2020.

3. Background

- 3.1. Since the commencement of the Written Statement of Action (WSOA) in July 2018, the People Committee has provided scrutiny and challenge regarding the progress of the implementation of

the Children and Families Act 2014, with a specific focus on the three areas of significant weakness identified in the SEND Local Area Inspection in January 2018.

- 3.2. This report provides an update on the relevant developments in the Local Area and specifically, on the judgements of the Inspectors on the progress made.

4. Issues

- 4.1. As detailed in previous reports for the People Committee, the SEND Local Area Inspection in Sutton (January 2018) offered local area leaders from Education, Health and Social Care, an opportunity - and a mandate - to focus efforts on improving SEND services and practice in Sutton. As noted in HMI's letter in response to our submission, the Written Statement of Action (WSOA) provided a "comprehensible framework" identifying relevant actions already taken, 27 proposed future actions with timescales for completion. The three key weaknesses identified during the inspection formed the focus for the statement with "Local Area leaders considering them carefully and thoroughly and ensuring that measures of success were mainly focused on impact".
- 4.2. Between 2 and 4 March 2020, Sutton received its Joint Area SEND Revisit from Ofsted and CQC. The purpose of the Revisit was to determine whether the Local Area had made "sufficient progress" (this is the specific and sole criterion) in addressing each area of serious weakness as detailed in the WSOA.
- 4.3. Inspectors met with parents and professionals from across the Local Area, leaders from education settings, and children and young people from a range of settings. They studied all the evidence presented, listened carefully to the different representatives of the Local Area, and then challenged and triangulated the information in order to reach their conclusions.
- 4.4. The outcome of this revisit was published on 20 May. Because of the COVID-19 situation, this was longer than the usual 28 working days from the last day of the Revisit.
- 4.5. The outcome of the Revisit can therefore now be shared, and is as attached (Appendix A). In summary, Sutton's Local Area has made "sufficient progress" in all three areas. The letter notes the key findings, such as:
- Leaders have secured the confidence and support of leaders in education settings - there has been a 'seismic shift' in this area
 - Health professionals are visible and playing a much more significant part in addressing the weaknesses identified at the initial inspection
 - Children and young people feel confident when making choices about future training and careers and appreciate the guidance their schools give them in developing skills which can support their social participation and independence
 - The number of exclusions has reduced for pupils with education, health and care (EHC) plans in primary schools.
 - There is an improving level of engagement and buy-in from parents
 - Leaders have a secure oversight of EHC plans and EHC plans are improved in quality

- The Information Advice and Support Service is functioning well and has a growing positive reputation; caseworkers get out and about to meet parents in different settings which is seen as a strength by provider leaders
- 4.6. Therefore, as the area has made sufficient progress in addressing all the significant weaknesses, the formal quarterly support and challenge visits from the Department for Education and NHS England will cease: Sutton no longer has a Written Statement of Action.
- 4.7. This outcome is testament to the significant change in the practice, approach and engagement with SEND that has taken place across services, settings and organisations. Some of the more recent developments as shared with and scrutinised by Ofsted are attached as Appendix B.
- 4.8. It should also be noted that following a Revisit, fewer than half of Local Areas are deemed to have made sufficient progress on all of their areas of weakness , so Sutton's outcome is notable.
- 4.9. Although not the view of parents as a whole, the Outcome Letter does also record the differing views of some parents, for example:
- Some parents remain concerned that part-time timetabling is being used to distort exclusion rates.
 - Some parents feel that leaders continue to lack a secure oversight of the quality and review of plans.
- 4.10. Therefore, a key focus for the Local Area now is to support parents further to ensure they have increased confidence in the services and settings throughout the Local Area, and to continue to focus on constructive working relationships that will allow work that is in the best interests of children and young people to continue.
- 4.11. This, and other areas that the Local Area has identified in partnership, forms the basis for the SEND Continuous Improvement Plan that is being developed. As well as focusing on co-production with parents and young people, improving outcomes and Preparation for Adulthood, this will encompass further developments for the Local Offer website, joint commissioning, the High Needs Block Review, learning and development, and quality assurance.
- 4.12. In conclusion however, the Ofsted inspection in January 2018 and the resulting WSOA acted as an important catalyst for improvement in the Local Area. As a result, the Local Area has:
- Strengthened leadership capacity and governance in the Local Area across partner organisations
 - Improved how we communicate and engage across the Local Area
 - Improved the range and nature of the support that is available to educational settings to support young people with SEND and those at risk of exclusion
 - Improved the EHC Needs Assessment processes, ensuring they are in line with the Children and Families Act
 - Improved the quality of oversight and impact of EHC Plans in Sutton
 - Strengthened our independent information / advice and mediation services to better support families of young people with SEND

- Improved our Local Offer website, refreshing the content and providing more up to date

4.13. This endeavour has demonstrated that by underpinning all the work with:

- a clear, joint vision, co-produced with partners, including parents
- a public commitment to change
- area-specific knowledge and understanding
- strong, committed and consistent leadership in a range of relevant areas
- open, transparent communications leading to targeted (and scrutinised) actions
- an outcomes-focused approach

“seismic” change for the good is possible.

5. Options Considered

5.1. Given that this report provides an update rather than requiring decisions, there are no options to consider.

6. Impact and Implications

Financial

- 6.1. Sutton’s High Needs block for 2020/21 is £42.1m and this provides funding for all high needs provisions including maintained, academies, non-maintained and independent settings.
- 6.2. To support the implementation of the High Needs review, unallocated growth funding (currently £1.4m) is proposed to be used to enhance the mainstream offer in Sutton schools. This will provide additional devolved funding for predictable needs from September 2020 to support the Notional SEN funding already included in the individual school budget allocations for 2020/21. It is proposed to allocate £233k of unallocated growth funding for predictable needs in 2020/21.
- 6.3. Cluster arrangements are also part of the proposed changes to help develop cross-phase joint working practices. Additional funding of £170k is required to support this work and will be made available in 2020/21.

Legal

- 6.4. New duties regarding provision for children and young people with special educational needs were brought in by the Children and Families Act 2014, which came into force in September 2014. These include the replacement of statements of special educational needs with Education Health and Care Plans (‘EHC plans’). An EHC plan is one document which sets out a child’s or young person’s special educational needs; the outcomes sought for him or her; the special educational provision required by him or her; and any health care provision and/or social care provision reasonably required by the learning difficulties and disabilities which result in him or her having special educational needs. The Children and Families Act also includes general duties to support and involve children and young people; to promote the integration of educational provision and training provision with health care provision and social care provision; to make joint commissioning arrangements and to cooperate with partners; and to keep

education and care provision in the authority's area under review and consider the extent to which it is sufficient.

- 6.5. The Minister of State for Children and Families has tasked Ofsted and the Care Quality Commission (CQC) with inspecting local areas on their effectiveness in fulfilling their duties under the Part 3 of the Children and Families Act. These inspections are carried out under section 20 of the Children Act 2004.

7. Appendices and Background Documents

Appendix letter	Title
A	Appendix A: Letter regarding the Outcome of the Revisit
B	Appendix B: A sample of information shared and scrutinised during the Revisit

Background documents
None

Audit Trail		
Version	Final	26 May 2020
Consultation with other officers		
Finance	Yes	Sue Holmes
Legal	Yes	Sarah Willis
Equality Impact Assessment	No	N/A

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