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## Report to OVERVIEW AND SCRUTINY BOARD

# Update on the SEND Inspection Re-visit

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### **Purpose of the Report**

To give the Overview and Scrutiny Board (O&S) an update on the outcome of the SEND re-visit which took place on the week of September 26<sup>th</sup>, 2019. Due to the election there was a delay in the final publication of the letter, and it went live to the public on the Local Offer on December 23<sup>rd</sup>, 2019.

### **Executive Summary**

The Local Authority, together with the local Clinical Commissioning Group (CCG) ('Local Partnership') have responsibility under the Children and Families Act 2014 for an effective SEND provision. An Inspection by Ofsted & the Care Quality Commission (CQC) in 2017 found that arrangements were not satisfactory and required the Council and CCG to co-produce with parents/carers a Written Statement of Action (WSOA) by 2 March 2018 on five recommendations. In September 2019 an Ofsted/CQC re-visit took place and three of the five recommendations were signed off as completed. Two recommendations required further action, and these are being worked on at present. It is important to note that the re-visit letter praised the the Local Partnership in significantly taking forward all the recommendations including the two outstanding recommendations. This report summarises the key points made in Ofsted CQC revisit and sets out our strategy in taking forward the remaining recommendations.

### **Recommendations**

1. The Overview and Scrutiny Board commend the Local Partnership for their efforts made between 2017 - 2019 which has resulted in a positive Ofsted re-visit letter that commends the transformational changes and improvement in outcomes achieved over the two years
2. The Overview and Scrutiny Board request an update report in 6 months seeking advice on the progress made in the two areas of the original written statement of action not signed off in the re-visit letter.

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## Update on the SEND Inspection Re-visit

### 1 Background

- 1.1 Between 2 - 6 October 2017 Ofsted and the Care Quality Commission (CQC) inspected the arrangements within Oldham to meet the needs of children, young people with Special Educational Needs and Disability (SEND). The Inspection letter containing the findings of the inspection was published on the Ofsted website on 28 November 2017 and required the Council and the CCG to develop with key stakeholders a Written Statement of Action (WSOA). This statement was co-produced with parents/carers, children and young people and submitted to Ofsted by 2 March 2018. This report details the Inspection outcome and the measures taken by the Council and its partners to address the issues raised

### 2 Current Position

- 2.1 There were five areas in the original written statement of action. The inspection team said that sufficient progress had been made against three areas with two remaining outstanding. One of the key areas that received positive commendation was leadership of change by the local partnership. Below are some excerpts of the report in this category.

Ofsted reported in the re-visit letter (23<sup>rd</sup> December) that: 'leaders have worked hard to earn the confidence, trust and respect of their colleagues across the local partnership. This local partnership includes children's services, health services, the parent carer forum and schools. The positive relationships they have developed have been key to resolving the most pressing issues. Effective co-production has been at the heart of Oldham's SEND journey. The contribution of the parent carer forum to this improvement journey is valued by everyone'.

- 2.2 The re-visit letter also identified: 'strong oversight by the governance boards and the timely interventions of the transformation assurance board (TAB) have brought the right level of challenge and support. The TAB has made sure that leaders have kept their plans on track. As a result, there is a 'buzz' across the local partnership as stakeholders work together to realise their ambitious vision for children and young people with SEND'.
- 2.3 It also reported that: 'leaders have made sure that they now have the information they need to accurately understand the strengths and weaknesses in Oldham's SEND arrangements. Leaders' use of this information is dynamic and continually refined in response to developments. Most importantly, the information is informing leaders' actions and the challenge by governance boards. As a consequence, staff morale is good, communication with stakeholders has improved considerably and parental concerns are resolved more efficiently and effectively. No one is in any doubt about the considerable amount of work still to be done. However, the shared endeavour of the local partnership is gathering momentum and starting to make some of the positive differences needed for children and young people with SEND and their families'.
- 2.4 The re-visit letter also noted that the local partnership had acted swiftly to remove any potential illegal practices and the home to school transport policy was now legal and demonstrated good practice. (Further detail can be found in the re-visit letter attached to this report as appendix 1.)
- 2.5 The re-visit letter noted separately that: 'the new EHC process has improved the quality of plans. Intensive training and support have increased the knowledge and skills of the new team of EHC officers. Quality assurance processes are helping to bring plans up to the high standard set by leaders, but a small number of plans which do not meet this high standard are still being signed off. EHC plans checked by inspectors confirmed the
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variability and inconsistency identified by the local partnership's most recent audit. This means that some children and young people continue to have plans that do not meet the local partnership's high standards.

As a result, this finding, which was flagged up by the local partnership team to the inspectors on day one, meant that sufficient progress had not been made to sign off this recommendation. It is worth noting that the re-visit letter benchmarked progress against our own high standards and recognised the progress that had been made. The challenge facing the partnership was the logistical number of annual reviews in the system needing updated. A plan is in place to manage this and we are confident that sufficient progress will have been made over the next six months to also sign off this recommendation.

- 2.6 The final recommendation which was not signed off was the 'persistent absence underachievement and exclusion of children and young people with SEND'. The re-visit letter did note that: 'Investment in building positive working relationships between the area leaders and its education providers has been a springboard for raising the achievement of children and young people with SEND in Oldham. Leaders routinely hold headteachers to account for their school's performance and schools are more open and transparent now to share information, discuss challenges and find solutions. One consequence is that school leaders have taken on the development of some key tasks following the inspection. For example, they have worked well with the local partnership to formalise positive alternatives to exclusion, such as managed moves and discipline placements. These managed moves give eligible pupils the opportunity to have a 'fresh start' at a new school. The discipline placements provide a 'breathing space' for both school and pupil. The pupil attends another school for a very short period before returning to their own school. In the early years and primary phases, children with SEND in particular benefit from the focus on improving communication, language and literacy.

The investment by the local partnership coupled with the Opportunity Area investment has targeted resources at schools and settings with the greatest need. The academic achievement of children with SEND in Oldham is improving faster than that of their classmates across the early years, key stage 1 and key stage 2.'

The reasons that this areas was not signed off on, which the Local Partnership brought to the attention of the inspectors on day one, was that in Key stage 4, performance is not yet at the required standard and we had an increase in exclusions at secondary level in 2019 benchmarked against the positive baseline of 2018. We are working closely with secondary schools to improve performance in these areas and Opportunity Area funding in 2020 will focus on a range of interventions to accelerate improvement.

- 2.7 Ofsted have now concluded their inspection with the local partnership. A nominated DfE adviser will link with the partnership to review progress in the remaining two areas over the next six months.

### 3 **Key Issues for Overview and Scrutiny to Discuss**

- 3.1 Overview and Scrutiny may wish to discuss how the SEND strategy 2019-22 will link to the final two recommendations still to be achieved and seek further clarification on next steps in reporting progress to the DfE.

### 4 **Key Questions for Overview and Scrutiny to Consider**

- 4.1 An update report will be issued in 6 months updating on the two outstanding recommendations.
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5. **Links to Corporate Outcomes**

5.1 SEND links to all the corporate priorities impacting on children and young people. It also links to the health and wellbeing priorities of the council and partners and the SEND strategy 2019-22.

6 **Additional Supporting Information**

6.1 N/A

7 **Consultation**

7.1 N/A

8 **Appendices**

8.1 Appendix 1: The SEND Re-visit Letter issued on 23<sup>rd</sup> December 2019

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