

19 November 2019

Ms Merlin Joseph
Managing Director of Children's Services
Oldham Council
West Street
Oldham
OL1 1XJ

Dr Carolyn Wilkins, OBE, Chief Accountable Officer, Oldham Clinical Commissioning Group (CCG) and Chief Executive, Oldham Council
Andrew Sutherland, Local Area Nominated Officer, Oldham Council

Dear Ms Joseph and Dr Wilkins

Joint area SEND revisit in Oldham

Between 23 and 26 September 2019, Ofsted and the Care Quality Commission (CQC) revisited Oldham to decide whether the area has made sufficient progress in addressing the significant weaknesses detailed in the written statement of action (WSOA) issued on 31 October 2017.

As a result of the findings of the initial inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) determined that a written statement of action was required because of significant areas of weakness in the local area's practice. HMCI determined that the local authority and the area's clinical commissioning group (CCG) were jointly responsible for submitting the written statement to Ofsted. This was declared fit for purpose on 16 March 2018.

The area has made sufficient progress in addressing three of the five significant weaknesses identified at the initial inspection. The area has not made sufficient progress in addressing two significant weaknesses. This letter outlines our findings from the revisit.

The revisit was led by one of Her Majesty's Inspectors from Ofsted and a Children's Services Inspector from the CQC.

Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers, and local authority and National Health Service (NHS) officers. More than 200 parents and carers contributed to the revisit. Inspectors looked at a range of information about the performance of the area in relation to the actions outlined in the WSOA and sampled more than 20 education, health and care (EHC) plans.

Main findings

- The initial inspection found that:

There was a lack of effective leadership and joint partnership in leading, developing and evaluating the reforms.

Following the initial SEND inspection, new leaders inherited a 'broken system and broken teams'. This leadership team swiftly set about putting in place the foundations needed to resolve the endemic weaknesses.

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.

Following a period of considerable turbulence as new leaders and staff came into post, everyone has 'rolled their sleeves up' and set about putting in place the policies and processes needed to sort things out. 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.

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.

The area has made sufficient progress to improve this previous area of weakness.

- The initial inspection found that:

Illegal practice may be happening in Oldham.

Leaders worked with a range of partners to find and resolve any possible illegal practice. Firstly, they systematically reviewed the possible illegalities which were identified during the initial inspection. Following this review, appropriate legal

advice was sought. This provided assurance that all aspects of the area's work were compliant with the SEND regulations.

Leaders overhauled the transport policy and related arrangements. Also, they put in place a new process for considering all requests for EHC needs assessments. These decisions are now based on a transparent process, in line with statutory guidelines and overseen by a multi-agency panel.

Leaders have sought assurance from headteachers that they do not use 'unofficial' exclusions. The local partnership has worked together to formalise a range of alternative options to exclusion. However, it is too early to evaluate the impact of these plans on children and young people with SEND.

This is an action that leaders recognise requires ongoing monitoring if they are to be reassured that all SEND policy, processes and practice continue to be legally compliant. To this end, the local partnership routinely uses information and advice from different partners to challenge any possible illegal practices.

The area has made sufficient progress to improve this previous area of weakness.

- The initial inspection found that:

Transport arrangements for children and young people who have SEND were defective.

The local partnership took swift and decisive action to put in place transport arrangements which put the needs of the children and young people first. Leaders sought assurance from their legal team that the policy and associated arrangements were compliant with statutory requirements.

Officers apply this policy consistently when considering applications. They ensure that health risk assessments are completed when applications are approved. The specific health needs of children and young people are considered routinely when officers make safe transport plans.

All passenger assistants have received training to help them do their jobs well. Those who support children and young people with complex health needs receive additional targeted training. Consequently, this team manage pupils' needs competently and confidently.

The local partnership has started to look at how it supports young people to travel independently. This reflects the local partnership's ambition to ensure that young people are well prepared for their transition into adulthood.

The local area has made sufficient progress to improve this previous area of weakness.

- The initial inspection found that:

The EHC process was dysfunctional and the quality of plans was inadequate.

The local partnership had to start from scratch. Following the inspection, leaders recognised the pressing need for structural change as well as capacity building. This took time. Once new leaders and teams were in place, comprehensive training was delivered to all staff involved in EHC processes and plans. Leaders used audit processes to evaluate the quality of each stage of the EHC assessment process and to inform further staff training. Over the past 12 months, the timeliness and quality of advice from all partners have improved.

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 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.

There is a recovery plan in place now to review all the plans issued before the new quality standards were introduced in September 2018. However, at this time only one in 10 of these plans have been amended or rewritten. This means that many children and young people continue to have poor-quality plans.

The area has improved information-sharing with key groups of professionals. The special educational needs coordinator forums, POINT events and the link EHC officer role, have helped to reassure schools and families about the progress that is being made to resolve the most pressing issues.

Leaders have not put in place a mechanism to evaluate the impact of EHC plans. Consequently, leaders do not have assurance that the provision set out in each plan is helping the children and young people achieve their intended outcomes.

The area has not made sufficient progress to improve this previous area of weakness.

- The initial inspection found that:

Children and young people with SEND underachieved considerably and had high rates of fixed-term exclusions and persistent absence.

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. However, despite considerable investment, improving pupils' outcomes at key stage 4 continues to be a challenge. In 2018, the achievement of pupils with SEND declined. Moreover, despite a reduction in the number of fixed-term exclusions following the inspection, there has been a significant increase month-on-month since February 2019. There is also considerable variability across schools. There are schools who have successfully made adjustments so that pupils' needs are better met. In these schools, the number of fixed-term exclusions for pupils with SEND is low.

A worrying trend is in relation to permanent exclusions from secondary schools. The number of permanent exclusions from secondary schools has risen considerably. Pupils receiving support for SEND are disproportionately more likely than their peers to be excluded. Last year, despite only representing around a tenth of the cohort, they accounted for half of all permanent exclusions.

The local partnership has plans in place to reduce the persistent absence of children and young people with SEND. However, these plans have stalled. The local partnership is setting up a new 'task and finish' group to lead this work but this group is not yet operational.

The area has not made sufficient progress to improve this previous area of weakness.

The area has made sufficient progress in addressing three of the five significant weaknesses identified at the initial inspection. The area has not made sufficient progress in addressing two significant weaknesses. As not all the significant weaknesses have improved it is for the Department for Education and NHS England to determine the next steps. Ofsted and the CQC will not carry out any further revisit unless directed to do so by the Secretary of State.

Yours sincerely

Pippa Jackson Maitland
Her Majesty's Inspector

Ofsted	Care Quality Commission
Andrew Cook, HMI Regional Director	Ursula Gallagher Deputy Chief Inspector, Primary Medical Services, Children Health and Justice
Pippa Jackson Maitland, HMI Lead Inspector	Lucy Harte CQC Inspector

cc: Department for Education
Clinical Commissioning Group
Director Public Health for the local area
Department of Health and Social Care
NHS England