



16 October 2023

Agenda Item: 5

**REPORT OF THE CORPORATE DIRECTOR FOR CHILDREN AND FAMILIES
AND THE CHIEF NURSE, NOTTINGHAM AND NOTTINGHAMSHIRE
INTEGRATED CARE BOARD**

**PARTNERSHIP PROGRESS IN IMPROVING THE EXPERIENCES AND
OUTCOMES FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL
EDUCATIONAL NEEDS AND DISABILITIES**

Purpose of the Report

1. To inform Committee of the progress made by the Nottinghamshire local area Special Educational Needs and Disabilities (SEND) Partnership in implementing improvements to the experiences and outcomes of children and young people with SEND, informed by the priority areas for action and areas for improvement identified during the Ofsted/Care Quality Commission (CQC) local area [inspection](#).
2. To inform Committee of the new requirements arising from the Government response to the SEND Green Paper, the [SEND and Alternative Improvement Plan](#), and to outline the implications for the Partnership's improvement activity.

Information

3. The Nottinghamshire local area SEND Partnership continues to undertake focussed work to improve the experiences and outcomes of children and families. This work is captured in a joint [Improvement Plan](#), that was approved by Ofsted and the CQC on 14 July 2023, and responds to [findings](#) of the Ofsted/CQC local area SEND inspection that took place in January/February 2023.
4. Revised SEND governance arrangements have been implemented across the local area partnership and continue to be embedded. This includes the establishment of a SEND Partnership Improvement Board, which meets monthly to provide oversight, challenge and scrutiny of the partnership's performance, progress and implementation of the actions needed to improve services and the provision of care. The Board is independently chaired by Dame Christine Lenehan, a recognised sector expert and Strategic Director of the National Children's Bureau.
5. External support for the Improvement Programme has been agreed through the Council for Disabled Children, achieved via the Research and Improvement for SEND Excellence (RISE) partnership with the Department for Education (DfE). This includes supporting the local area partnership with the development of a Strategic Outcomes Framework, an

outcomes-led SEND Partnership Strategy and exploration of data indicators to enable the partnership to evidence progress and impact. Improvement capacity has also been implemented across the partnership to drive improvement activity and ensure progress is made at pace. This includes a joint programme manager and dedicated project managers across the Local Authority and NHS Nottingham and Nottinghamshire Integrated Care Board (ICB), as well as administrative support for the Improvement Programme.

6. The DfE and NHS England (NHSE) remain in regular contact with the local area to engage with and support the partnership’s improvement progress. In line with external monitoring arrangements, the DfE and NHSE are undertaking a six-monthly SEND Deep Dive of the local area in September 2023, seeking to assess the partnership’s progress of the Priority Action Plan and Areas for Improvement at an operational level. Deep dives will be supplemented by six-monthly Stocktake Meetings, which will focus on engagement with senior officials from the partnership to identify concerns, agree next steps and agree on DfE support where needed.

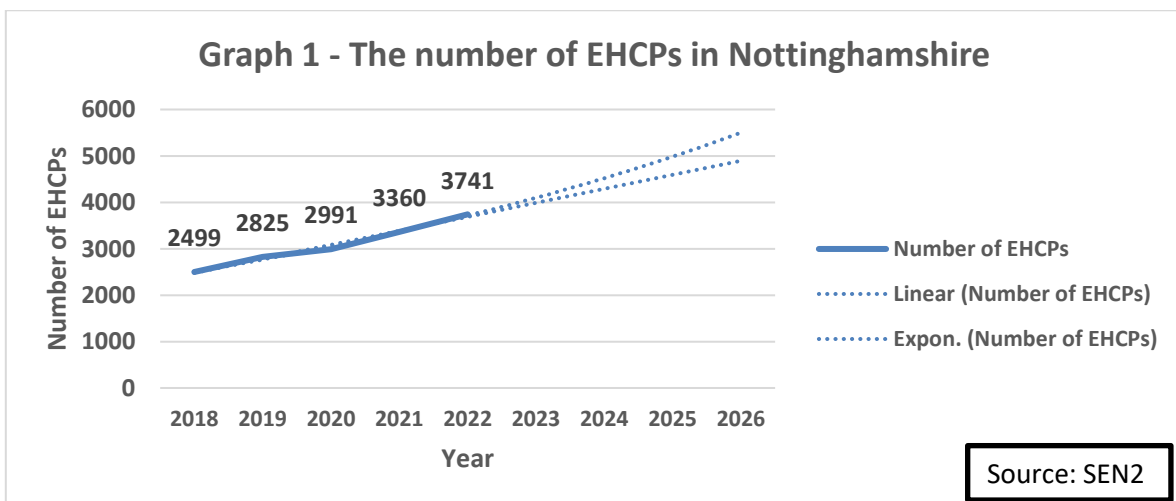
Progress against the Priority Areas for Action

Area for Priority Action 1:

Leaders, NHS Nottingham and Nottinghamshire Integrated Care Board and education, health and care providers should cooperate to urgently identify, assess and provide for the needs of children and young people with SEND. This includes assessment of needs, timely issuing of Education, Health and Care (EHC) plans and holistic oversight of these plans through annual reviews.

Joint Leads: Peter McConnochie, Service Director – Education, Learning and Inclusion, Nottinghamshire County Council (NCC) and Nicola Ryan, Deputy Chief Nurse, NHS Nottingham and Nottinghamshire Integrated Care Board (ICB).

7. Improvement activity has initially focused on improving access to timely assessment of need and issuing of Education, Health and Care (EHC) Plans through statutory processes against a backdrop of increased demand for assessments and a continued increase in the number of EHCPs issued across Nottinghamshire as detailed in Graph 1. By the end of August 2023, the number of EHCPs had reached over 4000 in line with Graph 1 projections.



8. This has involved a comprehensive review of the Council's service responsible for EHCPs, the Integrated Children's Disability Service (ICDS) processes and operating model to identify service improvements. The continued increase in demand for EHC Needs Assessments (up by 34.3% in the first eight months of 2023 compared to the same period in 2022) and subsequent issuing of EHC Plans has required an uplift in staffing across the ICDS to better manage and respond to demand. Additional Covid-19 recovery funding has been utilised to increase staffing in year including 6 additional EHC Co-ordinators, 2 Plan Writers and 1 Service Organiser. The additional capacity is intended to be in place for two years whilst further SEND systems work is undertaken along with a further review of the establishment and structures in place within the service to ensure long term sustainability.
9. Draft changes have been proposed, and consulted upon with parents and carers, to the decision-making process for EHC Needs Assessments, to include structured conversations to support EHC Assessments and provide improved contact with parents and carers. This includes the piloting of Education Pathway Officers to provide guidance and support at this early stage of the EHCP process.
10. Recruitment is underway to secure 5 Education Pathway Officers. It is expected that the role will support the Local Authority to improve the quality of decision-making and ensure that children and young people receive the right support at the right time.
11. To reduce the length of time it takes to provide Educational Psychology advice for an EHC Needs Assessment and thus reduce the overall average length of time taken to issue an EHCP, the capacity of the Educational Psychology Service has been reviewed and a proposed increase in establishment over the next three years of 9 FTE posts is being developed. In the interim, work has been undertaken to secure additional agency Educational Psychologist capacity through a commissioning process. It is expected that the additional agency capacity will provide an additional 30 EHC assessments each month. Some of this capacity will be used to reduce the backlog of EHC requests requiring an EHC Needs Assessment.
12. As a result of the steps taken so far, 23.19% of EHCPs were issued within 20 weeks at the end of August 2023 year to date. This is an improvement from 4.5% issued within 20 weeks for the whole of 2022 (SEN2). The average time between request for assessment and the issuing of an EHC Plan is also decreasing. Between January 2023 and August 2023, the number of days between first contact and date the final EHCP was issued reduced by 37.8 days and the average time in August 2023 was 26 weeks.
13. To ensure that mainstream education settings are enabled to better provide for the complex and varied needs of children and young people with SEN, the funding available to schools has been increased by 20% in 2023-2024. A revised 'SEND Funding Tracking Tool' has been developed to be tested by school Special Educational Needs Co-ordinators (SENCOs) in partnership with Family SENCOs to improve the oversight and of provision for children and young people with SEND both with and without an EHC Plan in mainstream settings. The Tool will be trailed this Autumn term to judge its likely impact on the monitoring of funding and how the focus on early intervention will help to improve the sustainability of mainstream placements for children and young people with SEND.
14. Improvements to the annual review process have included the recruitment of 6 additional Plan Writers to carry out annual reviews and issuing of amended EHCPs within statutory timescales. The EHC Plan Writers started in June 2023 and have already cleared the

existing backlog of 450 EHCPs that need amending. Further work is now underway to strengthen pupil voice within the EHC process.

15. Future activity is planned to further improve the outcomes and experiences of children, young people with SEN support and their families through the Graduated Response ('Assess, Plan, Do, Review' cycle). This will include using District moderation activity throughout 2023/2024 to review the quality and robustness of the SEN support offer in mainstream settings, identifying and sharing best practice, and representing the voices of children and young people with SEND. With a focus on early intervention prior to EHC needs assessment requests will enable needs to be met earlier and more effectively without recourse to the EHCP process.
16. The oversight and impact of these developments is scrutinised through regular Priority Action 1 workstream executive leadership meetings. Further work will also be undertaken during the 2023/2024 academic year to listen and learn from education settings, parents, carers and stakeholders to identify additional areas for improvement and opportunities for meaningful co-production.

Area for Priority Action 2:

Leaders, including commissioners and providers, should act urgently to identify and address the delays and gaps in access to some health services, particularly speech and language therapy, neurodevelopmental pathways and equipment services. They should also ensure that they use available performance data to identify where gaps exist and whether actions taken to address these are effective.

Joint Leads: Karon Foulkes, Head of Maternity and Children's Commissioning and Transformation, NHS Nottingham and Nottinghamshire ICB and Laurence Jones, Service Director, Commissioning and Resources, NCC

17. System partners have acted at pace to collaboratively scope current health service provision for children and young people with SEND, in order to better identify, understand and address delays in access to services, commissioning gaps in service provision and duplication in service offer. Specific focus has been had on Speech, Language and Communication Needs (SLCN), Services Physiotherapy (PT), Occupational Therapy (OT) and Neurodevelopmental Services. There is a shared, system-wide understanding of the pressures on these services and the challenges currently being faced. This mapping will be further refined, and consideration had around how integrated commissioning can be utilised to increase efficiency and effectiveness of services. Dates have been identified for the initial meetings to discuss this.
18. Review processes have a specific focus on the lived experience of service users and their families. A co-production group is well established as part of the review of the neurodevelopmental pathway. A detailed engagement programme is planned for November 2023 to review the experiences of children, young people and their families who access specialist health services, colleagues providing the services and professionals who refer into these services. The recommendations made by these groups will be utilised to inform future modelling and commissioning arrangements.
19. Initial data has been collated for health services and shared with system partners. Commissioners and providers continue to work collaboratively, having a shared

understanding of the scope of data required going forward. This will be regularly reported and utilised to better understand the changing needs of the local population and inform future modelling and commissioning arrangements. A dedicated Data Analyst post has been recruited within the ICB to embed data flows from provider to ICB to generate data, insight and intelligence to drive quality improvement, monitor impact, reduce waiting times and improve access to services.

20. An in-depth review of the entire Neurodevelopmental Pathway is ongoing, with initial scoping completed. Key areas of risk highlighted have included the long waiting times from referral to accessing the service. Immediate work has focused on significantly reducing these waiting times from over 90 weeks in December 2022 to an average of 62 weeks and ensuring that those on waiting lists are ‘waiting well’. This includes a newly developed suite of key information that is being shared with families at the point of referral. This review will continue and include capacity and demand with partners and undertaking quick wins at pace. The development of the neurodevelopmental website will continue to be coproduced with service users and families.
21. Initial scoping into equipment services has been done and findings shared with the Nottingham and Nottinghamshire Integrated Community Equipment Loan Service (ICELS) lead with a view to initiating improvements across process and interaction with families.

Progress on Areas for Improvement

22. Four areas for improvement were identified as part of the local area inspection in addition to the two areas for priority action:

Area for Improvement 1	Leaders across the partnership should continue their work to gather a wider range of views of children and young people with SEND and their families so that they can use these views to inform their planning for, and evaluation of, SEND services
Progress to date	<p>The partnership has approached this improvement priority by coming together to develop a shared set of principles for how coproduction can be at the heart of the approach to improvement, whilst also recognising the value and importance of engagement and communications. A mapping exercise has been done to identify what existing coproduction activity is already taking place with children and young people, and parents and carers and to begin to identify opportunities to strengthen this. At the heart of the approach to coproduction, engagement and communication is keeping a focus on the impact on the experiences and outcomes of children and young people with special educational needs and their families and disabilities.</p> <p>Leaders have met with the Pioneers, Nottinghamshire’s Youth Engagement Forum for children with disabilities, to explore the issues they are experiencing in respect of the EHCP process and access to wider support. This Forum will continue to shape the work of the improvement programme with a further session planned for November 2023. As part of this, consideration will be given to establishing a SEND Children and Young People’s Forum to influence the work of the SEND Partnership Assurance and Improvement Group.</p>

	<p>An event was held in May 2023, supported by KIDS, which is delivering the national ‘Making Participation Count’ programme, to feed back the views of 280 children and young people with SEND to 50 leaders from across the Nottinghamshire SEND Partnership. Attendees pledged actions in response to the feedback from young people and this will be monitored to ensure impact. Following the event, the partnership has been establishing groups of children and young people with SEND across educational settings in Nottinghamshire. Groups have been established in different settings such as mainstream and specialist settings as well as alternative provision to ensure a representative view is captured. During the next academic year, these groups will be visited regularly to build strong relationships directly with children and young people and collate their experiences to gather the impact of improvement activity and feed into the wider SEND Improvement Programme.</p> <p>To strengthen the influence of children and young people on strategic decisions, and specifically the work of the SEND Partnership and Assurance and Improvement Group, there is the intention to develop a SEND Children and Young People’s Forum.</p> <p>The partnership is committed to strengthening parent and carer engagement and coproduction including through the Nottinghamshire Parent Carer Forum. The partnership has supported the forum to successfully obtain a funding grant through the Local Authorities Contain Outbreak Management Fund. This will enable further capacity within the forum to establish consultation groups across the county, ensuring the forum’s reach is far-reaching and gathering a wider range of parent/carer views.</p> <p>Parents/carers have come forwards following post-inspection briefings to express interest in being part of an advisory group to ensure that the improvement programme is focussing on the issues which matter most to children, young people and families, and this is now being progressed.</p> <p>An e-bulletin is being developed for families in Nottinghamshire to raise awareness of the partnership’s improvement priorities and progress and to encourage the involvement of families in the improvement work that most matters to them.</p>
<p>Intended Impact and Outcomes</p>	<p>Children and young people will feel engaged in coproduction of service developments that feel meaningful to them.</p> <p>Children, young people, parents and carers will feel that they are actively shaping services that matter to them.</p> <p>Children, young people, parents and carers will understand the impact of their engagement on service developments and when change is not possible, will understand why.</p>

	A greater range of children and young people, and parents and carers will feel engaged in coproduction and engagement.
--	--

Area for Improvement 2	Leaders across the partnership should establish effective processes for the quality assurance of EHC plans and use these to improve the quality of new and existing plans.
Progress to date	<p>The partnership has taken the opportunity to review the current approach to quality assurance through its existing cross-authority steering group. The membership and terms of reference of the group are being reviewed in order to ensure that the scope and impact of the approach to quality assurance are as robust as they need to be. There is work already underway across the partnership to strengthen the approach to multi-agency quality assurance of finalised EHCPs through a new approach to auditing which was piloted in July. The learning from this pilot is being taken forward and a schedule of audits being developed for the next year.</p> <p>The steering group will, through the review of its scope, extend its remit to cover quality assurance of the end to end EHC journey, including the quality of individual agency advice submitted as part of the EHC assessment process, the quality of draft EHC Plans, and crucially, the way in which learning from quality assurance is used to improve practice, through stronger engagement of practitioners and a focus on workforce development. The intention is also to engage with children, young people and parents/carers to ensure that there is a shared understanding of what a meaningful plan looks like, and that it supports improving children’s experiences and outcomes.</p>
Intended Impact and Outcomes	<p>There is a shared understanding of ‘what good quality EHC Plan looks like?’ across the system.</p> <p>Children, young people and their families who have commenced the EHC assessment process will have an improved experience.</p> <p>Approved plans will be of good quality and multiagency audits will continue to identify opportunities for improvements, which will then be acted upon, to improve children and young people’s experiences and outcomes.</p>

Area for Improvement 3	Leaders across the partnership should use performance data and information effectively to inform their evaluation and joint commissioning of SEND services.
Progress to date	Initial work undertaken by the partnership to improve the use of performance data and information has focussed on two areas:

- prioritising operational reporting related to the two main priority areas to ensure core data and reports are available to drive and track improvements in timeliness, as well as support a deeper understanding of the underlying challenges impacting on timeliness.
- Creating a joined-up approach across the ICB and Council to developing a revised outcomes and performance framework for SEND. The framework for reports being developed considers the different levels of strategic, management and operational, for individual services and the partnership.

Partnership data, insight and intelligence working group established and scoping approach to data, insight and intelligence.

Partnership Oversight of the Experiences and Outcomes of children with SEND

A dataset proposal has been developed to ensure effective performance reporting into the Partnership Assurance Improvement Group. Recommendations align with the current SEND inspection framework Annex A requirements, with additional health provider information to obtain assurance for monitoring and oversight.

Nottinghamshire local partnership will be receiving support from the Council for Disabled Children; RISE programme at a planned event on 6 November 2023, with partners across the system working collaboratively to explore appropriate data indicators to evidence strategic outcomes.

Strengthening the tracking of the timeliness of EHCPs

A vital signs Power Business Intelligence (BI) dashboard report has been developed so that the Council's Corporate Leadership Team now has visibility of the performance of key SEND indicators. A new monthly management information report is being developed for discussion at the Education, Learning and Inclusion Senior Leadership Team. This will include all of the key indicators for the service area including those covering the EHCP processes. This report will be available for Quarter 2 reporting.

A new operational BI report is being developed to track cases through the entire EHCP Assessment process for management oversight and timescale tracking. This will include the educational psychologist process that until now has only been available within the team. The report is currently under development and will be complete in September. Separate discussions are underway to develop a dashboard to give managerial oversight of timescales to enable proactive management of any issues or delays.

Strengthening the tracking of the timeliness of access to key health therapies

	<p>Significant progress has been made with specialist service health providers around the sharing of data that is currently available and future data requirements. Baseline data for PT, OT, SLCN and neurodevelopment services has been provided and trajectories for the services are under development. Additional data describing a further breakdown in referral information around diagnosis and pathways (as has been done for SLCN) will be provided for other services and data will be broken down to better understand whether referrals are new patients to the service, or if they are children already known to the service who were previously discharged for their initial presenting needs. This will be utilised to inform future modelling arrangements for services provided. Data detailing current staffing levels and service models will also be provided.</p>
<p>Intended Impact and Outcomes</p>	<p>Leaders will gather accurate, timely information about children and young people with SEND in their local area and monitor the changing needs of the population, including using the perspectives of children, young people and families.</p> <p>Leaders will jointly evaluate whether their services and provision are improving outcomes for children and young people with SEND, not only whether children and young people have received the services.</p> <p>Leaders will monitor whether there are sufficient services and provision to meet the needs and aspirations of the children and young people in their area and take appropriate action as a result.</p>
<p>Improvement Area 4</p>	<p>Leaders across the partnership should put in place the appropriate governance arrangements to deliver their SEND plans both individually and across the wider partnership.</p>
<p>Progress Update</p>	<p>The substantive governance arrangements to deliver SEND plans in Nottinghamshire have been revised. The SEND Accountability Board will be replaced by a new governance structure mirroring the Safeguarding Partnership Arrangements, with a SEND Executive Leadership Group setting strategic direction and supported by a SEND Partnership Assurance and Improvement Group (PAIG) with a much wider reach in terms of membership. The SEND Executive Leadership Group has met and the Partnership Assurance and Improvement Group will meet for the first time in November. The terms of reference have been developed and will be subject to approval at this first meeting. The meeting will also consider a proposed, revised performance metric set, to ensure assurance and oversight of SEND system arrangements.</p> <p>As outlined in paragraph 5, the partnership is working with the Council for Disabled Children to develop a revised partnership SEND strategy. The key steps towards developing the strategy are below:</p>

	<p>29 September 2023, 10:00 - 15.00: Developing & Embedding a Strategic Outcomes Framework</p> <p>6 November 2023, 10:00 - 15.00: Exploring data indicators to evidence strategic outcomes</p> <p>4 December 2023, 10:00 - 15.00: Developing an Outcomes-Led SEND Strategy.</p>
Intended Impact and Outcomes	<p>Leaders will have an ambitious strategy that defines the shared outcomes they will work collectively to achieve for all children and young people with SEND, and they embed an aspirational culture of high expectations and quality across services and provision.</p> <p>Leaders will challenge themselves and each other to improve experiences and outcomes for children and young people with SEND.</p> <p>Leaders will jointly evaluate whether their services and provision are improving outcomes for children and young people with SEND</p> <p>Leaders will have an accurate, shared understanding of the needs of children and young people in their local area.</p> <p>Leaders will create an environment for effective practice and multi-agency working to flourish.</p>

SEND and Alternative Improvement Plan

23. In March 2023, the Government published the SEND and Alternative Provision Improvement Plan Right Support, Right Place, Right Time in response to the SEND Green paper that was published in March 2022.
24. The Improvement Plan sets out a threefold mission:
 1. **fulfilling children's potential** and improving outcomes with an emphasis on preparing for adulthood, particularly in relation to employment
 2. **rebuilding parental trust** in the system, and
 3. **providing financial sustainability**.
25. The Improvement Plan describes the need to develop a single system for SEND underpinned by national standards which details the various elements of support available to meet need, along with the partners that should provide and fund these.
26. A system of funding bands and tariffs will be explored along with a new approach to funding for Alternative Provision (AP). This will be delivered by local inclusion partnerships which will produce inclusion plans based on an assessment of need.
27. The future role of AP is focused on early intervention and how the expertise in this sector can be used as an intervention rather than a destination.

28. The Improvement Plan has a focus on the workforce and leadership, including early years, SENCOs and educational psychologists.
29. As the national implementation approach for the Improvement Plan becomes clear, the local area partnership will integrate the relevant elements within its existing plans. For example, the Plan talks about developing local Inclusion Partnership. The intention locally will be to align this with the developing governance arrangements for SEND including locality working groups that support delivery under the countywide Partnership, Assurance and Improvement Group.

Other Options Considered

30. No other options have been considered.

Reason/s for Recommendation/s

31. The local area partnership is committed to improving the experiences and outcomes of children and young people with SEND and will continue to focus on implementing the improvement plan and wider improvement arrangements moving forwards.

Statutory and Policy Implications

32. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

33. Local authority costs associated with the improvement programme and associated partnership governance arrangements have been subject to the relevant approvals in line with financial regulations.

RECOMMENDATION/S

That the Select Committee:

- 1) considers the content of the report and confirms whether Members have any further questions or recommendations in relation to progress with the required improvements.
- 2) agrees to receive a further update on progress in implementing the improvement plan at each meeting.

Colin Pettigrew
Corporate Director, Children and Families

Rosa Waddingham
Chief Nurse, Nottingham and Nottinghamshire Integrated Care Board

For any enquiries about this report please contact:

Chris Jones
SEND Strategic Lead
T: 0115 993 2714
E: Christopher.1.jones@nottscc.gov.uk

Constitutional Comments (CEH 04/10/23)

34. The Children and Families Select Committee has the remit to consider the report.

Financial Comments (SS 03/10/23)

35. Local authority costs associated with the improvement programme and associated partnership governance arrangements have been subject to the relevant approvals in line with financial regulations.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

[Improving the experiences and outcomes for children and young people with Special Educational Needs and Disabilities](#) - report to Cabinet on 25 May 2023

[Progress in Improving the Experiences and Outcomes for Children and Young People with Special Educational Needs and Disabilities](#) – report to Cabinet on 22 June 2023

Electoral Division(s) and Member(s) Affected

All.

CFS0013