

Background

The Children's Scrutiny Committee previously completed an Education, Health and Care Plan (EHC Plan) Task Group in 2019, whose recommendations were accepted by Cabinet in July 2019, but implementation was partial and has lacked the urgency needed.

Since then, the Children's Scrutiny Committee has received regular updates on progress. Progress had been made before the COVID-19 Pandemic on improved timeliness of EHC plans, where Devon had increased from 4.3% in 2018 to 54.5% in 2020. The Committee was concerned about the progress made since COVID-19 pandemic as EHC Plan timeliness had fallen back to 40% by September 2021, and the impact of rising demand on staff and resolved to set up a task group.

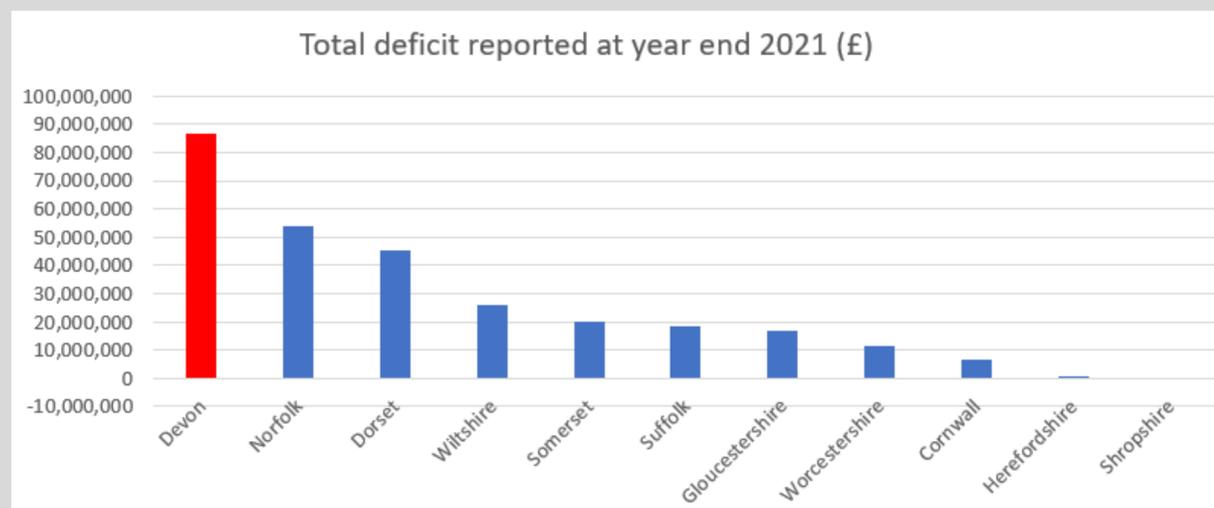
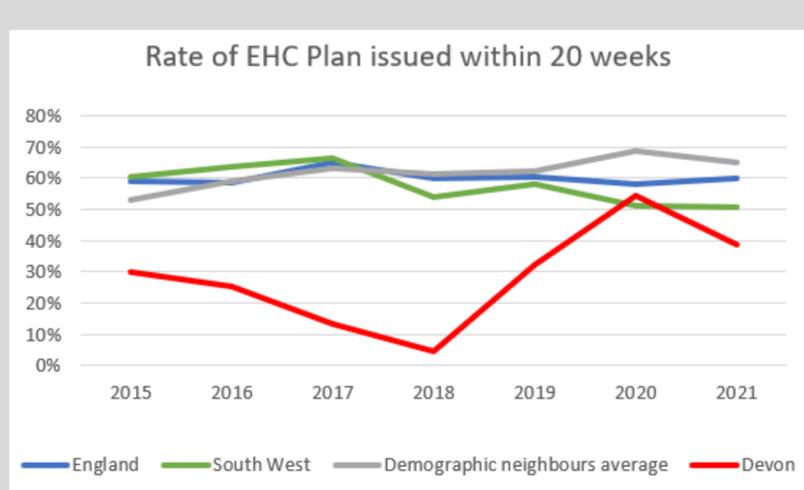
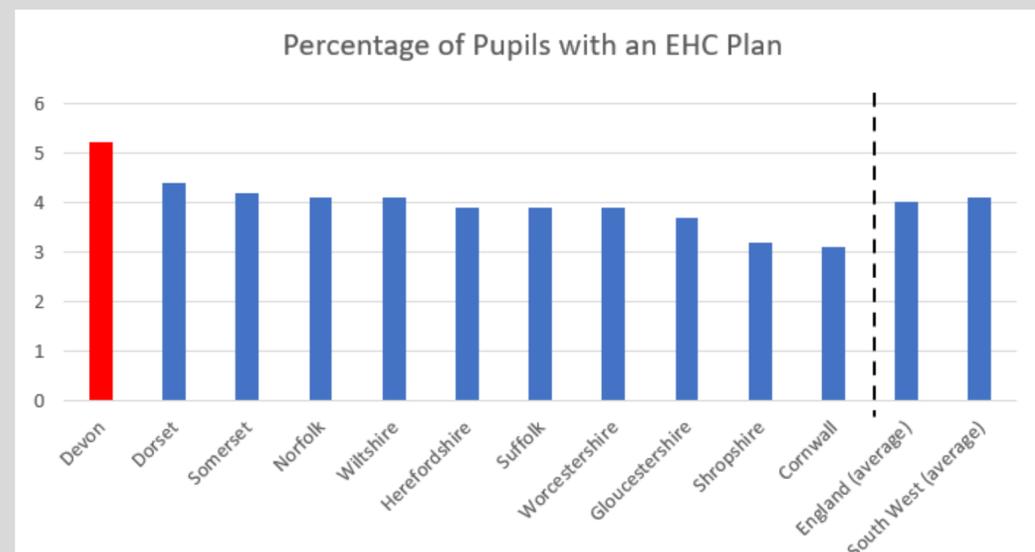
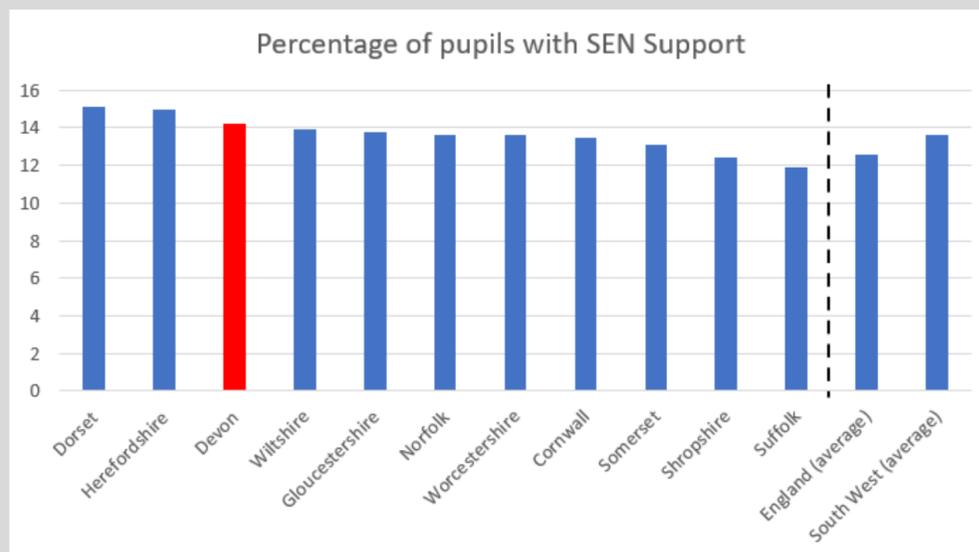
Scope of the review

In the formulation of the scope of the task group, Members recognised that Special Educational Needs and Disabilities (SEND) as a topic is too large to be completed by one task group reporting back to Committee within a year and as such had to focus in depth on the most pressing concerns:

- To examine the performance of the SEND service.
- To explore the culture of the service and wellbeing/morale amongst staff.
- To explore the relationships between the service and its partners in the system including schools, parents and carers.
- To propose key areas of development for the future of the service to ensure it is an outstanding service.

The current picture in Devon

There is no doubt that in Devon our SEND system is under severe strain and that demand is increasingly outstripping the capacity of the 0-25 team, the high needs block budget and the services who work to support children, young people, parents and carers. Devon is in a very concerning position, with the local area's performance lagging well behind the national average and those of our demographic neighbours.



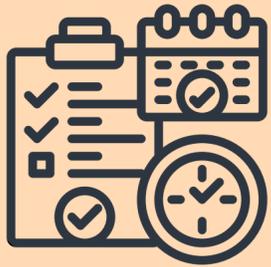
Local Area SEND Inspection

In December 2018, Devon's local area SEND Inspection report determined that a written statement of action (WSOA) was required because of 4 areas of weakness in the local area's practice.

Devon was revisited in May 2022 and inspectors concluded that the local area **"has not made sufficient progress in addressing any of the significant weaknesses"**.

Findings

The task group found that Devon's performance is poor, our quality of practice is poor and our spending is too high. Long standing issues around poor communication, exhausted staff, low thresholds for accepting EHC needs assessments, issuing too many EHC plans as well as our use of independent sector settings have contributed to this.



Officers have a caseload of around 500 cases, well above our demographic neighbours (200-270).



This means officers have 4 minutes and 36 seconds per case in a standard 37 hour working week.



The SEN 0-25 Team are "bogged down". Officers do not have the capacity to deal with the level of demand and workload that they currently face and are effectively firefighting every day and the impact of the lack of capacity reverberates through many parts of the SEND system.



"How can we make the time to make a quality plan when we don't have the time for a lunch break?"



Staff don't have the time to build relationships and communicate with families and schools. The lack of a 'human touch' in communications and physically picking up the phone was missing.

"Cut our caseloads to a reasonable number so we can actually case manage, build relationships, know our cases, complete tasks, feel in control of our work, and do a good job"



Emails are unanswered, calls aren't returned and parents are increasingly concerned. Staff don't have the time to have early conversations with parents and resolve situations. As such disagreements get escalated, leading to a cycle of more work and a rise in statutory services.



Witnesses related the poor relationships with parents and lack of trust as a direct impact of the demand in the system. Parents and carers do not trust that the system has their child's interests at its heart.



Devon needs to tackle rising demand for an EHC Plans and create a better service by creating a consistent earlier intervention culture.



Earlier interventions would mean support for a child with SEND would be put in place earlier, where inclusive schools and partners are able to deliver early help services that meet children's needs in a timelier manner and avoid escalation.

Witnesses to the Task Group

Between November 2021 and October 2022, the task group gathered evidence across 10 evidence gathering sessions and 14 school and college visits.

The task group met with 33 witnesses from 11 organisations. This included other local authorities, the voices of young people with SEND, teams within Devon County Council, Devon Information Advice and Support (DIAS) and the Parent Carer Forum.

Data collected included witness interviews, a staff survey and the use of secondary evidence.

What does an outstanding SEND service look like?

The task group presented ambitions for a future SEND service based on asking staff, service users and partners on what 'good' looks like.

These ambitions were based on system wide improvements, underpinned by ensuring trust and confidence in the system and good outcomes for children and young people with SEND. The task group presented its recommendations based these against ambitions:

- A workforce that has the capacity to meet demand
- A commitment to earlier intervention
- A human touch in communications
- Efficient services working well together

A service where every child's needs are fully met and children meet their full potential

Achieving the right support, at the right time

Capacity to deal with the workload

Proactive so we can be involved early

Quality conversations

Easy, simple communication within appropriate timeframes

Recognising when we get things right

Clear procedures, uncomplicated systems and less paperwork

Equal and realistic expectations

Access to good quality information and advice

Shorter waiting times

Parents and partners have confidence

Appropriate funding that meets the needs of children

Well trained, skilled staff in both schools and the Council

Access to specialist services

Seamless - One where it doesn't matter where services operationally sit

Recommendations

The response needs to be two-pronged. There is a short term need to increase capacity to ensure that demands are met. But in the long term, there must be a system wide culture change to earlier intervention to meet needs at the right time and ensure that partners work together to do this. Earlier intervention would reduce demands on the system and allow staff to carry out their work at the highest quality.

A workforce that has capacity to meet demand

- The Cabinet takes immediate action to ensure that there are enough staff to deal with the caseloads.
- The Cabinet Member be asked to write to the Secretary of State for Education to lobby for the Government's plans to address the national shortage in the number of Educational Psychologists
- The Children's Scrutiny Committee be asked to complete a spotlight review on recruitment and retention.

A commitment to earlier intervention

- The Cabinet Member be asked to write to the f40 Group and the Secretary of State for Education to lobby for: A) Local Authorities to be funded for the entire of 0-25 age range for SEND based on current numbers in a year and not historical data; B) The Government to recognise the flaws in the Children and Families Act and urgently release its plans for the High Needs Block overspend once the statutory instrument ends to give certainty to Local Authorities; and C) The Government to pay off the deficits of local authorities in their High Needs Block.
- The Cabinet Member be asked to write to The Secretary of State for Health and Social Care to lobby for improvements to accessing CAMHS services in Devon.
- Upon implementation of the Local Area SEND Improvement Plan as a response to Ofsted, the Council and its partners should produce a system wide Improvement Plan for an outstanding future SEND service.
- Senior Leaders to support and attend future roundtables with demographic neighbours.
- The Children's Scrutiny Committee ensure that there are future opportunities to hear from young people with SEND, the Parent Carer Forum and DIAS on their work programme.

A 'human touch' in communications

- The local offer website and communications are reviewed via a stakeholder focus group to reflect the needs of parents, carers and professionals.
- Ensure that the language and functionality of the EHC Hub is reviewed.
- Ensure that the new templates and plans are understood across the professionals that use them and that appropriate training is delivered.
- Ensure that there is training and the provision of clear guidance on where, when and how parents and professionals can raise concerns and minor edits to EHC Plans.

Efficient services working well together

- The Cabinet Members for Children's Services and Integrated Adult Social Care must ensure that transitions begin at 14.

The Task Group's Members were Councillors Su Aves (Chair), Frank Letch MBE (Vice Chair), Janet Bradford, Christine Channon, Linda Hellyer, Lois Samuel and Jeffrey Wilton-Love.