



## People and Communities Select Committee

Special Educational Needs & Disability (SEND): Post  
Ofsted/CQC Inspection Improvement Planning

**Chris Snudden, Director Learning & Inclusion**

21 May 2020

Ms Sara Tough  
Executive Director of Children's Services, Norfolk County Council  
Ms Melanie Craig  
Accountable Officer, NHS Norfolk and Waveney Clinical Commissioning Group

County Hall  
Martineau Lane  
Norwich  
Norfolk  
NR1 2DH

Copied to: Ms Lisa Flood-Powell, Inspection and Development Project Officer, Local Area Nominated Officer

Dear Ms Tough and Ms Craig

#### Joint area SEND inspection in Norfolk

Between 2 and 6 March 2020, Ofsted and the Care Quality Commission (CQC) conducted a joint inspection of the area of Norfolk to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014.

The inspection was led by one of Her Majesty's Inspectors (HMI) from Ofsted, with a team of inspectors, comprising two Children's Services Inspectors from the CQC and two HMI.

Inspectors spoke with children and young people with special educational needs and/or disabilities (SEND), parents and carers. Inspectors met with leaders from the area for health, social care and education, including local authority officers and National Health Service (NHS) officers. Inspectors visited a range of providers and spoke to leaders, staff and governors about how they are implementing the disability and special educational needs reforms. Inspectors looked at a range of information about the performance of the area, including the area's self-evaluation, the local offer and joint commissioning.

As a result of the findings of this inspection and in accordance with the Children Act 2004 (Joint Area Reviews) Regulations 2015, Her Majesty's Chief Inspector (HMCI) has determined that a written statement of action is required because of significant areas of weakness in the area's practice. HMCI has also determined that the local

The final letter /  
report...with a date of  
21 May 2020 but  
received on 1 June 2020

1 June 2020

Ms Sara Tough  
Executive Director of Children's Services, Norfolk County Council

Ms Melanie Craig  
Accountable Officer, NHS Norfolk and Waveney Clinical Commissioning Group

County Hall  
Martineau Lane  
Norwich  
Norfolk  
NR1 2DH

Dear Ms Tough and Ms Craig

I am writing in connection with the written statement of action which the local area was asked to submit in accordance with The Children Act 2004 (Joint Area Reviews) Regulations 2005<sup>1</sup> following the area SEND inspection in Norfolk. Regulation 4(2) (reflected in Paragraph 66 of the local area SEND inspection handbook) requires that the written statement should be submitted to Ofsted within 70 working days of receipt of the final report. During the period of the Covid-19 pandemic, this legal requirement has been temporarily amended. The area is now required to submit the statement to Ofsted within 70 working days of receipt of the report, or as soon as reasonably practical.

Please could you respond to this letter with an indication of the time frame in which you expect to submit the written statement of action.

Following the receipt of the statement, Ofsted and the Care Quality Commission will review the content and provide a response to you within 10 working days of receipt. The evaluation we make focuses on whether the statement is fit for purpose and will enable the area to tackle the areas of significant concern. We will write to you confirming our decision. If we deem that the statement is not fit for purpose, you will be required to revise and re-submit your statement for further review within 20 working days of receiving the request.

Your likely time frame and the written statement of action should be sent to the Area Send Inspection Support Team at [lasend.support@ofsted.gov.uk](mailto:lasend.support@ofsted.gov.uk). Please ensure that

And an accompanying letter  
setting out the requirements  
for a Written Statement of  
Action and a reminder of the  
timescales



# Written Statement of Action: next steps

## June 2020 Immediate Actions

**1<sup>st</sup> June – Advance copy of Final Letter/Report**

**1<sup>st</sup> June – Letter setting out WSoA requirements**– confirmation of 70 working days timescale but with COVID regulatory optional extension, i.e. ‘or reasonably practicable’ + **request for indication of likely timescale for WSoA submission to Ofsted**

**8<sup>th</sup> June – NCC / CCG to have published letter / report on our website(s) + ‘...can now be made available to any member of the public on request...’**

**9<sup>th</sup> June – Ofsted publish report on their website**

## June to August (70 working days)

We have responded to set out our priorities – Lead current plan to submit WSoA on 1<sup>st</sup> Sept 2020 prior to 7 Sept 70 working day timescale

**Governance and Monitoring**– determine metrics for monitoring implementation of action plan(s) and reporting cycle to DfE (4 times during 18 month period before re-inspection) + clarify which elements of Area SEND Strategy 4 Priorities / SEND & AP Transformation are relevant to WSoA.

## September 2020 to February 2022

**WSoA 3 Priorities** – workstreams/groups take forward action plan and report progress regularly (frequency TBC) to relevant Board(s)

**DfE Review & Re-inspection preparation**– performance monitoring framework and reporting

# Written Statement of Action: next steps



- Too many EHC plans and annual reviews are not completed in a timely manner and are of poor quality. This limits the scope and impact of joint commissioning, including the timeliness of services to meet speech, language and communication needs; for children and young people with social, emotional, mental health needs; and for those with ASD.
- Plans and provision for young people as they move into adulthood are not sufficient to meet their needs. There is a lack of support for the young people to become active, independent citizens in the community, in a way that matches their needs and aspirations. Joint commissioning of services for 18- to 25-year olds is not sufficiently well informed because leaders do not know enough about what the young people want and need.
- Too often, communication with parents and carers is poor. Co-production with children, young people and their families is too limited. These weaknesses particularly affect, but are not exclusive to, children and young people with SEND who do not have an EHC plan. Families are not sufficiently informed about what help is available to them and what the area is doing to address the weaknesses in provision and services for children and young people. Many families are understandably frustrated and anxious and believe that no one is listening to them. The confrontation between some parents and area leaders is diverting essential time, resources and focus from the urgent work needed. This is not best serving the needs of children and young people with SEND across Norfolk.

Yours sincerely

Kim Pigram  
**Her Majesty's Inspector**

**...we have to draw attention to the fact that Norfolk's inspection report identifies 3 serious weaknesses following the Ofsted inspection...**

**...this requires Norfolk to prepare a Written Statement of Action which will be used to address the issues and will be the basis of a reinspection in approximately 18 months time...**

**...however, the inspection also demonstrated that the leadership in NCC and the CCG for SEND has improved significantly in the past 2 years. Also, that our Self Evaluation was accurate, we have the right plans to improve, we have the leadership capacity to see these improvement plans through to full implementation...**



# Written Statement of Action: next steps



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- Plans and provision for young people as they move into adulthood are not sufficient to meet their needs. There is a lack of support for the young people to become active, independent citizens in the community, in a way that matches their needs and aspirations. Joint commissioning of services for 18- to 25-year olds is not sufficiently well informed because leaders do not know enough about what the young people want and need.
- Too often, communication with parents and carers is poor. Co-production with children, young people and their families is too limited. These weaknesses particularly affect, but are not exclusive to, children and young people with SEND who do not have an EHC plan. Families are not sufficiently informed about what help is available to them and what the area is doing to address the weaknesses in provision and services for children and young people. Many families are understandably frustrated and anxious and believe that no one is listening to them. The confrontation between some parents and area leaders is diverting essential time, resources and focus from the urgent work needed. This is not best serving the needs of children and young people with SEND across Norfolk.

Yours sincerely

Kim Pigram  
**Her Majesty's Inspector**

...3 Main Weakness Areas via  
a focussed improvement plan,  
senior board oversight,  
identified sponsors and  
leads...

...joint planning and transformation  
re-set and re-launched to cover  
multi-agency inspection  
commentary...

...other themes and insights from  
inspection report extracted for each  
agency/service to include in other  
improvement planning...

Timeline: 70 (working) days to WSoA submission

Start Date 1 June 2020 to End Date 7 September 2020

Initial  
communi-  
cations

(Member  
s, Staff,  
Partners,  
Stakehold  
ers)

8/6/20

16/6/20

Workshop:  
Communica-  
tion & Co-  
production

1/7/20

Workshop:  
EHCP

21/7/20

WSoA  
submit-  
ted to  
DfE/Of-  
sted

1/9/20

...with an initial 'check-in'  
meeting between DfE and  
NCC/CCG 23 July

12/6/20

23/6/20

17/7/20

30/7/20

Workshop:  
18-25

C&YP  
PB  
update  
on draft  
plan

37 days left of the 70 working  
days

**We Are Here,...today is the second of  
three workshops...one on each of the 3  
weaknesses identified by Ofsted/CQC...**

Senior Leadership  
Teams across  
Children's/Adult's  
Services & CCG to  
sign-off WSoA  
end of August /  
start of  
September

Timeline: 4 x DfE reviews & 18 months to re-inspection

Start Date September 2020 to End Date February 2022



# Co-producing the workshops...and briefing stakeholders...

## Communication & Co-production workshop x 4 planning meetings since 1<sup>st</sup> June

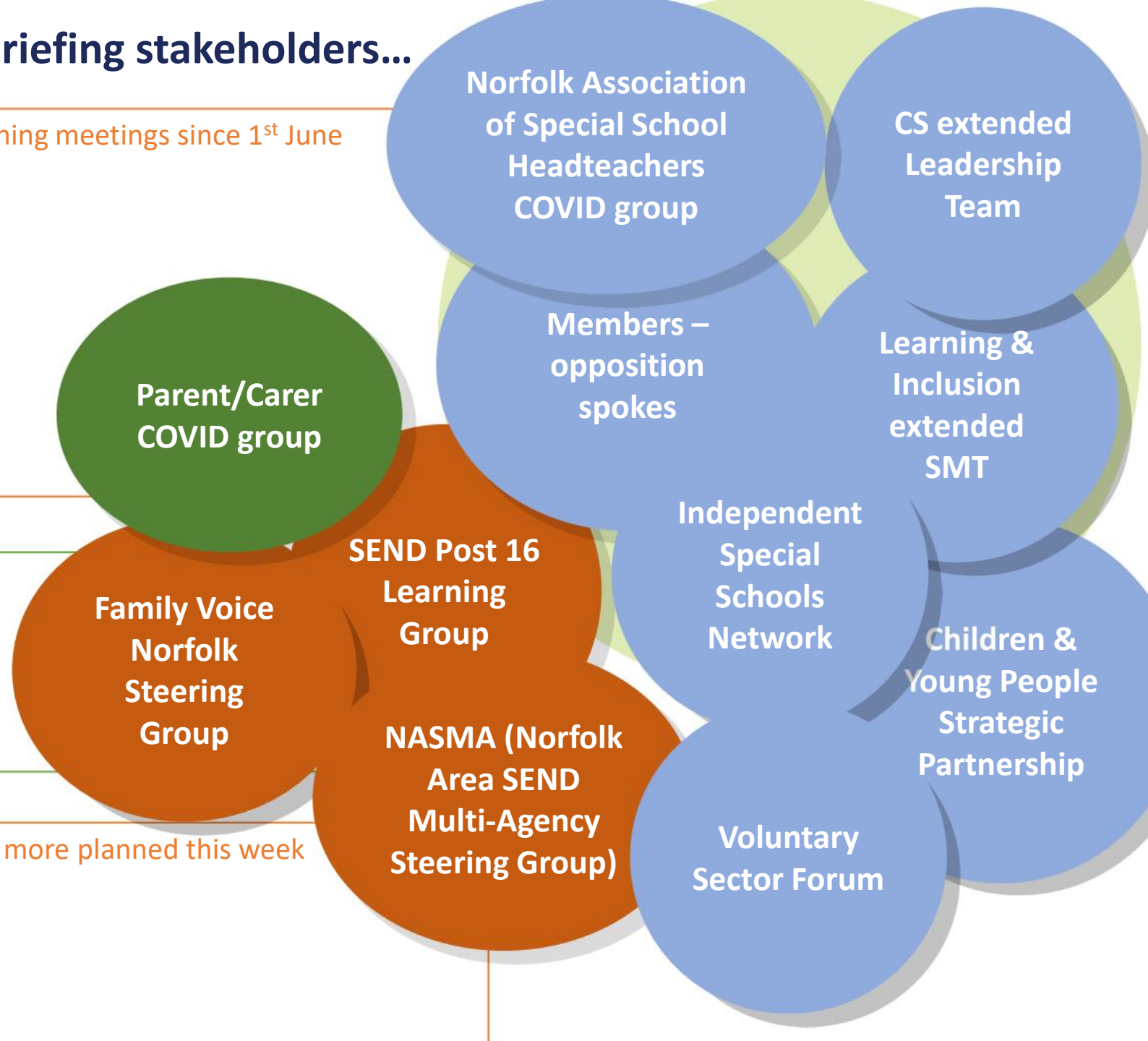
- Family Voice Norfolk
- SENSational Families
- SEN Network
- SENDIAS
- Learning & Inclusion management teams
- CCG leads

## 18-25 workshop x 5 planning meetings since 1<sup>st</sup> June

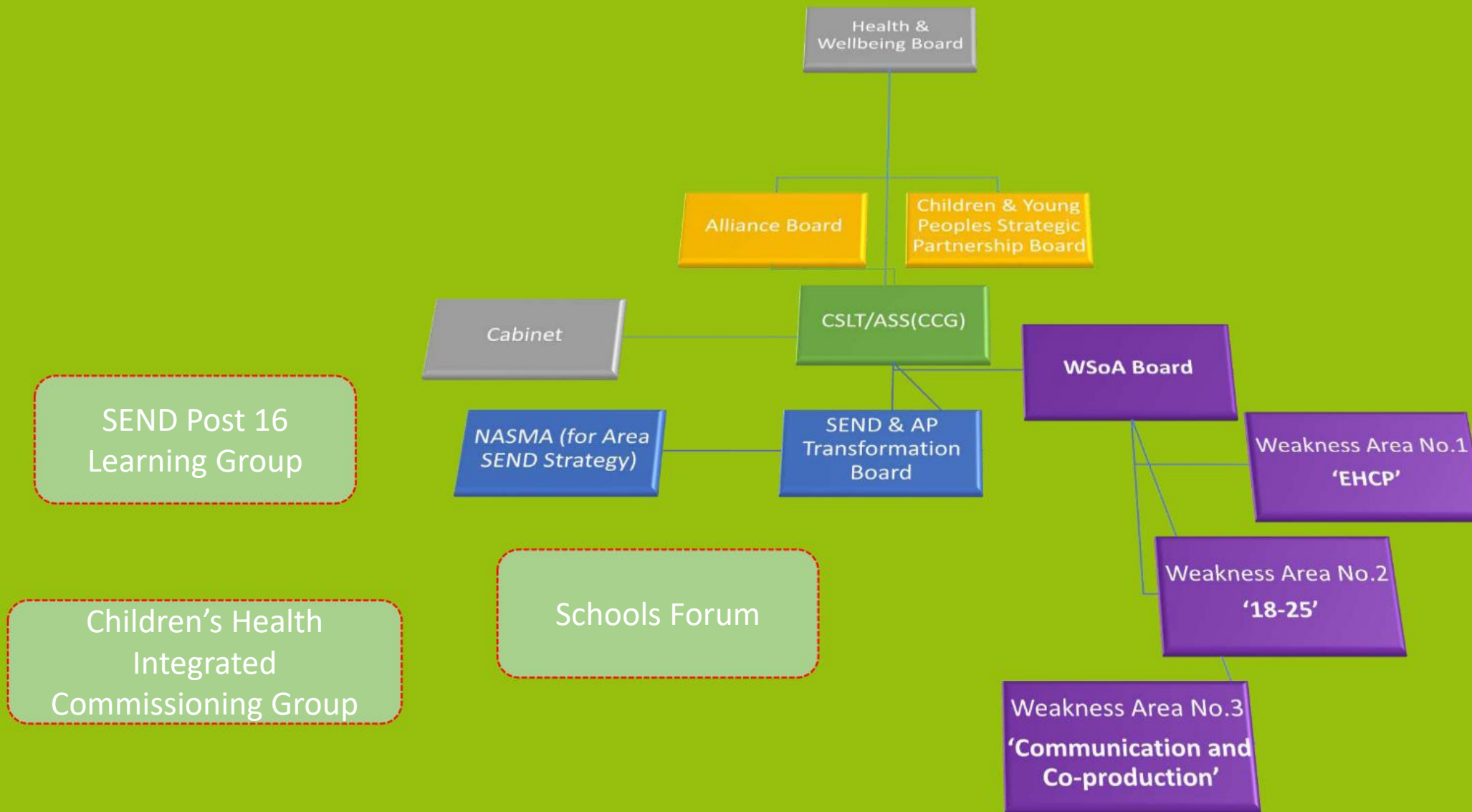
- Adult & Children's Services leadership teams
- SEND Post 16 Learning Group
- Parent/Carer groups

## EHCP workshop x 2 planning meeting since 1<sup>st</sup> June + more planned this week

- Learning & Inclusion management teams
- Children With Disabilities / Joint Commissioning Leads
- CCG leads









## SEND & AP Transformation

- embarked on a major transformation of the SEN system
- investing £120m to transform the education structural landscape
- engaging the whole system in the redesign of support
- investing £3m in increasing capacity, improving inclusion

**Develop new approaches to enabling early intervention and support**

**Build up to 4 more special schools**

**Challenge any schools which do not have an inclusive focus, off rolling, exclusion**

**Double the number of SRBs (SEMH/ASD)**

**New Inclusion Model which supports mainstream sector**

**Develop student support hubs, nurture provision**

Chris Snudd

Director Learning  
PROG

Smith

Michael  
Bateman

DE DIRECTOR

Steve Gale  
Programme Manager

Sarah Shirras  
Chair Schools' Forum &  
Educate Norfolk

Kate Hinchley  
SEND & AP  
Transformation Officer

John Crowley  
Head of Education  
Achievement and Early  
Years Service

The SEND & AP Transformation Programme started in January 2019 and originally had 5 workstreams planned over a 5 year duration:

- SEN & Inclusion
- EHCP Performance Improvement
- Infrastructure
- AP & Inclusion
- HNB and Transport Budget Recovery

In January 2020 there was a Year 1 review and the programme was re-organised as follows...

Schools' local offers

Programme Finance

Communications Strategy

Single version of the truth DATA – John Crowley



# SEND and AP Transformation Programme:

# 2020 Programme Structure

Programme Board

**Chris Snudden**  
Director Learning & Inclusion  
**PROGRAMME SPONSOR**

**James Wilson**  
Director of Quality & Transformation

**Sue Smith**  
Assist. Director of Education, QA, Intervention & regulation

**Michael Bateman**  
**PROGRAMME DIRECTOR**

**Steve Gale**  
Programme Manager

**Sarah Shirras**  
Chair Schools' Forum & Educate Norfolk

**Kate Hinchley**  
SEND & AP Transformation Officer

**John Crowley**  
Head of Education Achievement and Early Years Service

Programme leadership, direction, advice and guidance

**Stuart Mason**

Head of Ed Vulnerable Groups Achievement and Access

**Sebastian Gasse**

Head of Ed Participation, Infra and Partnership Service

**EHCP & S19 Improvement & Compliance Group**  
Chaired by Sue Smith

**Nicki Rider**

Interim Head of Education High Needs SEND Service

**Maxine Blocksidge**

Senior Advisor SEND & AP Strategy

**Workstream A**

**SEND & AP Support and Inclusion**

To ensure sufficient good quality and affordable SEND provision enables children and young people to remain in their local mainstream schools and ensure that settings are using best endeavours to provide and

**Workstream B**

**Infrastructure and New Provision**

To gather requirements from other workstreams, collectively identifying the location and design of new specialist provision, including new special schools, specialist resource bases and other support hubs. This workstream will then build the new specialist provision in a co-ordinated service delivery.

**Rapid Action Team 1**

**EHCP Performance Improvement**

To maintain our person-centred approach to EHCPs and rapidly increase the number of EHCPs carried out within 20 weeks of referral to ensure that quality and annual

**Rapid Action Team 2**

**Virtual School AP**

To rapidly establish a virtual School for AP, including its business design, structure, resourcing, processes and procedures, communications and rolling out into a BAU establishment.

**Workstream A will now be re-scoped alongside the development of a new over-arching Children's Services 'Prevention & Inclusion for Education' workstream**

**RAT 1 will now be moved into the Ofsted Written Statement of Action (WSOA) Weakness No. 1 (EHCP) action plan group**

Programme Finance & Performance Benefits

Communications Strategy

Single version of the truth DATA – John Crowley

# Norfolk Area Special Educational Needs and/or Disability (SEND)

2019

## 1. THE SEND JOURNEY

Simplifying the 'pathways' for families and professionals. Making it easier for children and young people with SEND to have their needs identified and assessed with the right support put in place

## 2. SEND PROVISION

Co-producing jointly commissioned, integrated, SEND services and provision and ensuring efficiency of special

integrated, SEND services and provision and ensuring

ffer by ensuring it is communicated effectively and kept responsive to the needs and aspirations of children and professionals who support them

ung people and their families into further and higher support for housing, health and social inclusion

So...our next steps, during the 70 working days, must combine the creation of the 3 X Weaknesses Action Plan alongside a refreshed Area SEND Strategy and a re-scoped SEND & AP Transformation Programme...

and their families... Inclusion, meeting needs and changing lives together



## SEND and AP Transformation Programme:

## 2020 Programme Structure

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Interim Head of Education High Needs SEND Service

**Maxine Blocksidge**  
Senior Advisor SEND & AP Strategy

### Workstream A

#### SEND & AP Support and Inclusion

To ensure sufficient good quality and affordable SEND provision enables children and young people to be educated in their local mainstream school and to ensure that settings are using best endeavours to provide and secure an inclusive education for all children and young people with SEND, thereby setting out expectations and increasing parental confidence in individual schools' local offers

### Workstream B

#### Infrastructure and New Provision

To gather requirements from other workstreams, collectively identifying the location and design of new specialist provision, including new special schools, specialist resource bases and other support hubs. This workstream will then build the new specialist provision in a co-ordinated service delivery.

### Rapid Action Team 1

#### EHCP Performance Improvement

To maintain our person centred approach to EHCP assessments and rapidly increase the proportion carried out within 20 week timescale and ensure that quality, timely, annual reviews are carried out for young people with EHCP's.

### Rapid Action Team 2

#### Virtual School AP

To rapidly establish a virtual School for AP, including its business design, structure, resourcing, processes and procedures, communications and rolling out into a BAU establishment.

Programme Finance & Performance Benefits Realisation – Michael Bateman

Communications Strategy – Kristina Fox

Single version of the truth DATA – John Crowley

# ...how does our SEND offer compare pre and post COVID and nationally...?

- DfE changes to EHCP regulations within COVID Act 2020
  - Change to regulations for EHCP timescales

All 4 of Norfolk's main parent/carers groups have been informed of our revised EHCP guidance and are understanding of our approach...**this support is not fully mirrored nationally with a Judicial Review being lodged against the government changes**

## Modification of Section 42 (C&F Act) Timescales for EHC needs assessments and plans

The specified period in this notice starts is 1st May 2020 to 25<sup>th</sup> September 2020 (inclusive)

Regulations which provide most of the statutory timescales for the EHC needs assessments and plans processes will be modified

The law is only changed where in a particular case it is not reasonably practicable or impractical for a local authority, health commissioning body or other body to discharge its duties for a reason relating to the incidence or transmission of coronavirus (COVID-19)

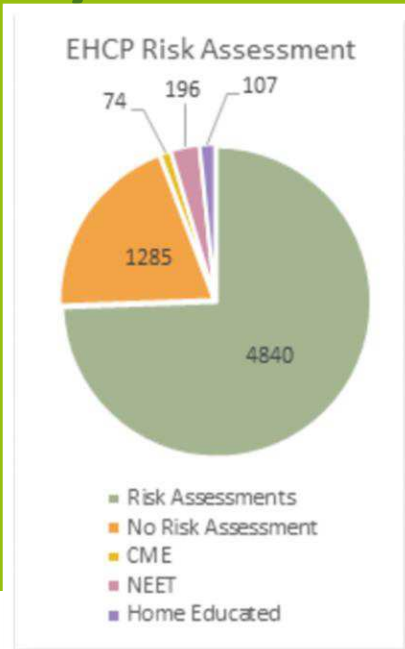
where a local authority has decided that it is necessary to issue an EHC plan following an EHC needs assessment the duty has been to do so as soon as practicable but in any event within 20 weeks of an initial request. The Amendment Regulations **provide that if the incidence or transmission of coronavirus (COVID-19) makes it impractical for the local authority to do so within the 20 weeks they must discharge their duty to do so as soon as practicable**



# ...how does our SEND offer compare pre and post COVID and nationally...?

- DfE changes to EHCP regulations within COVID Act 2020
  - Change to regulations for EHCP provision

All 4 of Norfolk's main parent/carers groups have been kept up to date with our Risk Assessment guidance to schools, to determine provision in school and at home...**we are currently revisiting the guidance to ensure that we can capture the nuances at individual child level, eg where a school or parent may need support, advice, guidance from the LA to enable provision in school or to assist with support at home**



## Modification of Section 42 (C&F Act) Duty To Secure SEN provision and health care provision within EHCP's

The specified period in this notice starts at the beginning of 1st May 2020 and finishes at the end of 30<sup>th</sup> June 2020

Once the notice expires or is cancelled, local authorities and health commissioning bodies would in all cases need to secure or arrange the full range of provision, as specified in the EHC plan

(duty to secure special educational provision and health care provision in accordance with EHC plan). The duty on local authorities or health commissioning bodies to secure or arrange the provision is temporarily modified to a duty to use 'reasonable endeavours' to do so.

79% of EHCP children on the [roll](#) of an education provider have a risk assessment in place