

APPENDIX A

Sector-led Improvement within Children's Services in the West Midlands

SEND PEER REVIEW REPORT

Warwickshire Local Area – 19th/20th September 2019

Purpose

Peer review is a proven tool for improvement. The East and West Midlands region is supported by the School Development Support Agency (SDSA) who have facilitated the arrangements for this review.

The review is intended to provide an opportunity to reflect on the local area's progress in implementing the reforms introduced under the Children Act 2014 and to make recommendations, where appropriate, on areas for development.

The review will support Warwickshire's preparations for the Ofsted/CQC SEND Local Area inspection.

The review will provide opportunities for colleagues on the Review Team and Warwickshire local area partners to share and develop good practice through support and professional challenge.

Review team members

- Michelle White SEND Team Manager, Lincolnshire County Council
(Lead Reviewer)
- Jayne Stevens, PODS Parent Carer Forum, Telford and Wrekin
- Nayna Amlani, Local Offer and Preparing for Adulthood Project Officer,
Leicester City Council
- Anna Gill, Council for Disabled Children Associate

Key lines of enquiry, selected by Warwickshire

Area of Strength

To validate the strengths of the EHC plan processes in identifying need, whilst examining areas for improvement in the collaboration between education, health and social care partners. This will be explored through:

- Review the panel process for EHC assessment decisions (including panel observation)
- Challenge and review the panel processes for placement in specialist provision and allocating high needs funding
- Challenge and review the processes for EHC annual reviews
- Review the quality of EHC plans through the sampling of EHC plans
- Discussion with members of the case work team that co-ordinate assessments
- Focused discussions with partners, particularly those in social care and health, including the Designated Clinical Officer/Designated Medical Officer direct conversations with partners, young people and parents/carer
- Review of information available on Local Offer

Area of Development

To review Warwickshire's local area approach to and provision of Preparing for Adulthood for children and young people with SEND, primarily with EHC plans. This will be explored through:

- Challenge and review of post 16 arrangements for learners with EHC plans, in particular focusing on transition of educational placements, annual reviews, and updated needs assessments
- Challenge and review of the transition pathways between children's social care to adult social care; children's health services to adult health services; and children's mental health services (Rise) to adult mental health services.
- Challenge and review of arrangements for personalization, such as direct payments and personal health budgets
- Arrangements for ceasing EHC plans
- Sampling of EHC Plans

- Direct conversations with young people, schools and partners in the area – particularly colleges and employment support agencies
- Discussion with parent/carers
- Review of any published guidance on preparing young people for adulthood

Methodology

The Review took place over two days and Warwickshire identified the meetings, visits and EHCPs/Care Plans for the team to review.

Peers have reviewed the local area's Self-Evaluation and cross-referenced to both nationally published and locally held data and information as of the date of the Review. There were a series of meetings with professionals from a range of disciplines that contribute to the identification of SEND and the provision of services to meet needs. Meetings were held with parent carers from WPCF, education settings and children and young people as deemed appropriate by Warwickshire local area.

Peers also undertook a desk-top review of any data and information provided by the Warwickshire local area SEND partnership to further refine the key lines of enquiry and a review of the Local Offer.

Service/Areas involved

SEND and Inclusion, Parent Carer Forum, SENDAR, Children with Disabilities, Social Care, Adult Social Care, Early Years, Education Psychology, Specialist Teaching Service, Integrated Disability Service 0-5, Leaving Care, Commissioning, South Warwickshire CCG, Coventry and Rugby CCG, NHS Coventry and Warwickshire Partnership Trust, South Warwickshire NHS Foundation Trust, x2 Designated Clinical Officers, 0-5, Education Service Delivery, Employment Support Team, Little Willows Early Years setting, Middlemarch Resourced Provision, Paddox Primary School, Warwickshire College – The White House, Oak Wood Special School, Ashlawn Secondary School.

Observations and focus groups attended

EHC Planning

Graduated Response and the SEN Matrix, Post 16 and Post 19, EHC Referral Panel, SENDIAS, Assessment Process, Annual Review Process, Early Years, Placement Process.

Preparing for Adulthood

Transition from Children's to Adult's Social Care, Transition from Rise (CAMHS) to Adult Mental Health services, Transitions from Children's to Adult's Health services, Social Care Transitions team, Commissioning, Personalisation, Direct Payments and Personal Health Budgets, Employment and Volunteering.

Cases reviewed

x8 EHCPs

x5 Yr 11 upwards EHCPs

x5 Care Plans

x5 Educational Psychology Advice and Information reports

Acronyms used:

CYP	Child/Young Person
LAC	Looked After Child
EHCP	Education and Health Care Plan
EHCA	Education and Health Care Assessment
PfA	Preparing for Adulthood
WPCF	Warwickshire Parent Carer Forum
WCC	Warwickshire County Council
AHMS	Adult Mental Health Services
CCG	Clinical Commissioning Group
SENDIAS	Special Educational Needs and Disability Information Advice and Support
SENDAR	Special Educational Needs and Disability Assessment and Review
DCO	Designated Clinical Officer
DMO	Designated Medical Officer
CDC	Council for Disabled Children
MDT	Multi-disciplinary Team
NDTi	National Development Team for Inclusion

Overall Findings

The strength of the WPCF and WCC, if combined and working well together would generate a significant resource to the area; building on the already good work in place by both parties to further improve services to children and young people with SEND and their families in Warwickshire. Whilst division remains it will impede the progress of future service improvement.

Michelle White, Nayna Amlani, Jayne Stevens and Anna Gill

Preparing for Adulthood

- Clear acknowledgement of need, including gaps in service provision and action by the local area – good interventions and plans in place, excellent outcomes – positive further work planned for.

EHC planning and process

- The local area should consider the tension between the requirements of the Children and Families Act Regulations 2014 and the SEND Code of Practice 2015 when considering individual requests for assessment
- Annual Review process delayed
- Genuine strong working relationships across health and social care; clear identification of need and provision and plans in place to address gaps – good work in progress

Recommended Urgent Actions

- WPCF and WCC relationship
- A review of the decision to assess for an EHCA needs assessment
- Local Offer review

Evidence

Preparing for Adulthood

Strengths

- The proportion of adults with a learning disability in paid employment 2017/18 outturn for Warwickshire was 11.6%, compared to the national average of 6% - an incredibly positive statistic for the people of Warwickshire.
- 64% paid employment results for young people completing Supported Internships.

- WEST – Warwickshire Employment Team providing a county-wide service to people with a learning disability or who are on the Autistic Spectrum who want to work. The team successfully supports adults over the age of 18 to find employment, offering them a range of supportive, flexible and creative provision.
- WCC's development of the 'Supportive Employers group' – attracting and engaging more than 60 businesses across two events to create Supported Internships for young adults in the county. The Council is planning to hold conferences every two months to grow the network and provide supportive information for employers.
- The White House – Further Education. Strong PfA opportunities, such as learning independent living skills, work ready skills, and accessing internships. All students are given a bespoke offer and will progress onto new courses related to their aspirations and outcomes in their EHCP. The college offers “Google Classroom” to enable the young person to transfer their learning and practise their skills in the home environment. The college has various flexible offers for students with a range of difficulties. Strong transitional arrangements in and out of college were evidenced.
- The settings chosen by WCC for the Review were extremely inclusive in their practice and worked hard and creatively to support their EHCP learners. From Early Years to FE across mainstream, special school and resourced provision – the 'Golden Thread of partners being passionate and proactive in preparing young people for adulthood was evident. Of particular reference was the special school setting we visited that sets out 'an aspiration for employment' and has an employability curriculum from Reception – amazing!
- Children and Adult Social Care are actively involved in the PfA working group and development of the PfA strategy
- RISE to AMHS – clear pathway being developed to reduce crisis points
- Children's Continuing Care to Adults Continuing Health Care – a streamlined clear transition at panel evident and discussions regarding highly personalised care planning in place in the area.
- CCGs now discussed as being much more open to discussions regarding transition and planning from Children's to Adults.

- Health partners are using the young person's voice at discharge interviews, a family survey, youth group and seeking informal feedback to improve services over and above the mandatory friends and family test.
- Services to support transitions for young people with complex health needs is strong.
- All colleges are invited to Year 9 Annual Reviews for EHCPs – The White House report attending all Year 11 Annual Reviews – unclear on attendance for Year 9 in the area.
- Evidence that the Transitions Guide is being used across partners at Year 9.
- Support at college and towards supported internships is impressive – enabling independence and offering creativity and flexibility to support young people into employment and towards a strong sense of belonging in their community.
- The Children with Disabilities Social Care Team has commissioned a new post – began January 2019 to work across Children's and Adults Social Care. Current impact demonstrates finding provision for LAC CYP much quicker.
- Named social workers are allocated to special schools; the special school visited reported that the social worker is attending Annual Reviews – good feedback and positive outcomes reported by the setting.

Opportunities to consider

- Warwickshire has fallen in the percentage of 19 year olds qualified to level 2 and 3 from 2016 to 2017 – from 16.3% to 9.9% at KS4; the fall and comparably lower than national data is a consideration for further work.
- Coproduced work required with WPCF on the draft PfA Strategy.
- WCC has a clear understanding of work to be completed to enhance the understanding of need and provision. The Impact Assessment of activity and practice against the CofP 2015 – the gaps and recommendations are clear, however the WPCF spoke forcefully of the lack of coproduction of the document and lack of activity.
- For the WPCF to acknowledge the complex limitations of such a large system and help work with WCC to update the PfA Impact Assessment of activity –

identifying areas where they can co-lead.

- Health and Social care to be involved in EHCP moderations regarding PfA.
- PfA is reported as difficult to make the best provisions for CYP with ASD but no learning disability – reported by health and social care.
- The current Local Offer should share information on who can support with learning independent living skills, making friends and relationships, accessing activities and being part of the community and keeping healthy. Information currently shared on the Local Offer focuses on education, employment and housing.

EHC planning and process

Strengths

- The percentage of EHCPs issued within the statutory 20 week period has risen considerably since 2018 from 48% to 90%, following WCC's commitment to service redesign and investment.
- The local area has maintained a lower rate of SEND appeals than nationally over the past 5 years.
- The performance of Warwickshire's EHCP CYP at KS2 in 2018 is considerably higher across writing, reading and maths compared to statistical neighbours.
- The Early Years Inclusion grant to support children 0-5yrs with support without needing to go through an EHCA.
- The Early Years identification of need and provision such as 'Transition Funding' to Reception; 'Ready for School' working group; partnership with SaLT to address the high proportion of EYs children with SaLT needs is impressive.
- Person Centred Reviews now in place for Annual Reviews.
- The joint DCO and DMO roles work well and are clearly highly visible in the area. They are known to effect change and challenge well. e.g. when a child

with an EHCP was refused four schools based on complex health needs the DCO was able to discuss with partners and find solutions and resolve within a week.

- The Joint Commissioning Team are looking to try and replicate the strong model in Adults to further a Children's Integrated Commissioning model.
- Reviewers gained a sense of a united moral code amongst Commissioners – to do the right thing and an energy.
- Commissioning demonstrates a 'can do' attitude. Reviewers were impressed by the 'mature' arrangements in place for integrated commissioning, particularly for the Transforming Care model. Descriptions of flexible Personal Health Budgets in place and Commissioners discussed a co-produced model developed for the joint strategy.
- Commissioning recognize the gap in therapies and are working on a business case for a 'whole school approach'.
- All LAC, CiN, CP reviews for EHCPs are coordinated to one meeting to reduce meetings for the families and CYP.
- SENDIAS report the quality of EHCPs has developed although can be variable.
- SENDIAS report issues with 'isolated families' and the rise in children being out of school.
- The young people spoken to in Warwickshire say they feel well supported and included in their school and talk of their aspirations.

"...when I started school I felt nervous and frightened....but look at me now!"

(Year 12 student at a mainstream secondary school)

Opportunities to consider

- Warwickshire exceeds the national average for EHCPs by 0.2% at 3.1%, consistently over the last three years
- SENDIAS report concerns for the number of CYP out of school and families not appearing to understand their rights – does this support the low number of

appeals? However Commissioners look at spot purchasing to reintegrate CYP back into school.

- Reports from SENDAR and SENDIAS on the specificity of Education Psychology reports, however the EP reports selected for the Review were of a good quality and were specific in detail.
- A review of the EHC Request Panel – to consider the tensions between the requirements of the Children and Families Act Regulations 2014 and that of the Code of Practice 2015 to ensure legal application.
- 36% of EHCA requests 2018/2019 were refused. Anecdotally SENDAR explained that the majority of refusals to assess are then overturned at mediation at a cost to the local authority, families and settings.
- It is the view of the reviewers that the EHCA Request Process is inefficient in resources
- Settings are extremely frustrated by the interactions between SENDAR and the EHCA Request Panel – numbers of inefficiencies were cited regarding paperwork, requirements to attend the panel, insistence of a two academic term application of the Graduated Approach.
- 43% of EHCPs issued to date, this academic year were originally deemed a 'no to assessment' at the EHCA referral stage.
- Annual Reviews are not being processed in timescales within; one setting citing three years before an EHCP was amended following issue.
- The Placement Planning Process; CYP are placed in special schools according to need rather than the chronological order - some CYP superseding others who have already been identified as needing a special school. SENDAR explained parents are fully briefed and aware of the system in place – reviewers were very surprised that there were not huge numbers of parental complaints.
- Low, but increasing, numbers of CYP 0-5yrs receiving EHCPs – appears linked to the local graduated response and settings are reporting that CYP arrive without the correct support and can then take the setting up to one academic year to ensure the correct support through an EHCP is in place.

- Impact required to evidence the strong Early Years model of identification of need and support across education and health.
- The performance of Warwickshire's EHCP CYP at KS1 has fallen in 2018 and is considerably lower across reading, writing and maths compared across statistical neighbours.
- The moderation of EHCPs was not evident.
- The Peer Review was unable to concur Warwickshire's claim that they have the strongest parental engagement.
- The voice of the young person needs to be evident in Annual Reviews and captured using a range of creative opportunities, such as comic strips, video, singing.
- Provision availability for PMLD and complex SEMH.
- Quality Assurance of Annual Reviews not evident.
- Ceasing Plans to be developed through training.
- Health advice from Community Paediatricians can be improved for EHC assessments.
- RISE report limited input to EHCAs.

WPCF and WCC

Despite being described by Warwickshire as a local area with the strongest parental engagement the relationship between WPCF and WCC is fraught with historical angst that appears to continue to damage relationships today and hamper some excellent work intended to progress SEND services in Warwickshire. The WPCF describe not feeling genuinely regarded as a strategic partner and WCC describe how despite their best efforts they feel unable to move the relationship forward, away from previous issues. WCC are concerned that the group does not attract a wide range of parents due to the negativity within aspects of the group towards WCC. The review found evidence to support both parties concerns.

The working relationship between WCC and the WPCF is not based on a mutually

supportive, trusting basis. The relationship appears 'stuck' and divisive. The understanding of coproduction is not clear and both parties share difficulties and conflicting information relating to their relationships.

The WPCF does not consider it is a valued and respected as a genuine, equal partner across WCC. The Forum cites feeling they are a 'tick box' 'partner' who are 'consulted' and not engaged in coproduction; they feel the WCC does not want to hear any views that may conflict with any aspect of WCC's vision and plans.

WPCF, what it lacks in numbers makes up in resources and energy with the current members. Responses to documents and plans appear detailed and with clear, helpful recommendations, however reviewers are concerned how attractive the WPCF is to new parents given the level of angst towards the WCC.

WCC appear unclear how to resolve the partnership work with WPCF – there does not appear to be a senior lead working to address the situation, senior leadership is required to begin to repair and move forward.

Despite the low numbers in WPCF, the group is rich in resources and energy that could be harnessed to produce strong coproduced work to support the mutual goal of both parties.

EHC processes

The EHCA request process. The process is currently driven by WCC's 'Local Criteria' and not the legal requirements of The Children's and Families Act 2014. The Review acknowledged that the panel is attempting to drive the inclusion strategy within their local settings through encouraging individual scrutiny of the Graduated Approach. Officers openly reported that the local criteria was initially applied; this therefore attributed to such a surprisingly high number of 'no to assess' rate for the area, however anecdotally the SENDAR team describe that nearly all cases are then referred to mediation; this will be at a financial cost to the local authority, costs to the families and settings due to frustrations.

Consultations with parents for special school settings does not meet the requirements set out in The Children and Families Act 2014 regarding a parental right to name the setting, as parents are not chronologically responded to following parental requests. SENDAR explained that moves to specialist settings are agreed on a child/young

person with the highest level of need regardless of the timeline the parent requested a specialist setting and when the local authority agreed to place in a special school.

Local Offer

- Very limited information on health – yet very good information on the NHS Trusts' own websites which need much stronger linkage/sign posting.
- Accessibility is limited, particularly for anyone with SEND - example spelling mistakes are not filtered.
- It is considered 'corporate' in presentation and lacks a sense of coproduction with families and children and young people.
- WPCF have identified a number of issues that they report have not yet been reported nor addressed.

Recommendations

Coproduction

Mediation between the WPCF and WCC.

Discussions with Contact and/or CDC to share knowledge and working practices on good models of coproduction and how to develop your own model.

CYPs' Voice

WCC should consider how to evidence young people's co-production, for example through a strategic young people's group or through greater involvement of existing groups. Resources from KIDZ and CDC are available in this area.

The Local Offer

The Local Offer requires on the 'market information' and improved guidance regarding health. A Local Offer review with WPCF, settings, health, children and young people with clear guidelines and timelines. A discussion with partners to devise the best possible tool to improve on the current model and advice from IT on accessibility, such as identifying spelling mistakes, offering other languages, hovering over certain words to prove a full explanation. A working group with WPCF and a young people's group to

address the items identified.

A 'mystery shopper' exercise for the Local Offer has worked well in other areas and may help stimulate work for any working group.

Preparing for Adulthood

Involvement of children and young people on the current draft PfA strategy.

A PfA day/marketplace celebrating the current focus of work – inviting partners/businesses/young people to share the good work in place, a stand offering views on PfA in the Local Offer; information sharing and accessible questionnaires to capture the voice of families and your partners – this could link to the Supportive Employers group.

Increased health input in the draft PfA strategy – DCOs/DMO are well placed to help advise on how to improve this area.

Concern voiced on several occasions regarding social care and health provision for young people with ASD with no learning disability during the transition process. Discussions with NDTi and/or the regional PfA lead would be able to share good practice in other areas.

Feedback from young adults and families – EHCP exit/cease to a plan interviews to be considered to help inform future work.

EHCP process

To review the EHCA request decision making process. Decision making must be based on the law. The paperwork received by the SENDAR team is robust and clear in information to be able to make a decision quickly, thus supporting families and settings. Resources could then be applied further at the decision making to issue an EHCP.

Work with the DCOs/DMO to address training for the local Community Paediatricians regarding health advice and information towards the EHCAs; joint training with SENDAR and Social Care across Children's and Adults would help strengthen the working relationships.

The Peer Review team is able to offer a further meeting with partners to discuss any elements of the report.

Michelle White

Lead Reviewer

18 October 2019