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| <b>Report to:</b>       | NHS Hull Clinical Commissioning Group Board  |
| <b>Date of Meeting:</b> | 24 January 2020  |
| <b>Title of Report:</b> | Joint Ofsted and CQC Inspection Revisit of Special Educational Needs and Disabilities (SEND) in Hull |
| <b>Presented by:</b>    | Joy Dodson, Director of Integrated Commissioning   |
| <b>Author:</b>          | Joy Dodson, Director of Integrated Commissioning   |

**STATUS OF THE REPORT:**

|             |                                     |                 |                          |
|-------------|-------------------------------------|-----------------|--------------------------|
| To approve  | <input type="checkbox"/>            | To endorse      | <input type="checkbox"/> |
| To ratify   | <input type="checkbox"/>            | To discuss      | <input type="checkbox"/> |
| To consider | <input type="checkbox"/>            | For information | <input type="checkbox"/> |
| To note     | <input checked="" type="checkbox"/> |                 |                          |

**PURPOSE OF REPORT:**

This report is to inform the members of the Governing Body of the outcome of the revisit by Ofsted and Care Quality Commission (CQC) in respect of arrangements for children and young people with Special Educational Needs and Disabilities (SEND) in Hull.

**RECOMMENDATIONS:**

It is recommended that members of the Governing Body note the report.

**REPORT EXEMPT FROM PUBLIC DISCLOSURE** No  Yes

If yes, detail grounds for exemption

**CCG STRATEGIC OBJECTIVE**  
Integrated and Joint Commissioning  
Integrated Delivery  
Delivery of Statutory Duties

**IMPLICATIONS:** (summary of key implications, including risks, associated with the paper),

|         |   |
|---------|---|
| Finance | There are no financial implications of this report. |
|---------|---|

|         |   |
|---------|---|
| HR      | There are no HR implications of this report.  |
| Quality | The inspection and subsequent revisit identified areas where the quality of service provision requires improvement. |
| Safety  | There are no safety implications of this report.  |

**ENGAGEMENT:**

No specific engagement has been undertaken in respect of this particular report, however the outcome of the joint Ofsted/CQC revisit has been published and a stakeholder briefing session held On 8 January 2020.

**LEGAL ISSUES:** (*Summarise key legal issues / legislation relevant to the report*)

The Local Authority and the Clinical Commissioning Group are jointly responsible for the delivery of services for children and young people with Special Educational Needs and Disabilities (SEND).

**EQUALITY AND DIVERSITY ISSUES:** (*summary of impact, if any, of CCG's duty to promote equality and diversity based on Equality Impact Analysis (EIA). All reports relating to new services, changes to existing services or CCG strategies / policies must have a valid EIA and will not be received by the Committee if this is not appended to the report*)

|  | <b>Tick relevant box</b> |
|--|--------------------------|
| An Equality Impact Analysis/Assessment is not required for this report.  | X                        |
| An Equality Impact Analysis/Assessment has been completed and approved by the lead Director for Equality and Diversity. As a result of performing the analysis/assessment there are no actions arising from the analysis/assessment. |                          |
| An Equality Impact Analysis/Assessment has been completed and there are actions arising from the analysis/assessment and these are included in section xx in the enclosed report.  |                          |

**THE NHS CONSTITUTION:** (*How the report supports the NHS Constitution*)

The NHS Constitution, "The NHS belongs to us all" (March 2012), outlines 7 key principles which guide the NHS in all it does. These are underpinned by core NHS values which have been derived from extensive discussions with staff, patients and the public.

These are:

1. The NHS provides a comprehensive service, available to all.
2. Access to NHS services is based on clinical need, not an individual's ability to pay.
3. The NHS aspires to the highest standards of excellence and professionalism
4. NHS services must reflect the needs and preferences of patients, their families and their carers'.
5. The NHS works across organisational boundaries and in partnership with other

organisations in the interest of patients, local communities and the wider population.

6. The NHS is committed to providing best value for taxpayers' money and the most effective, fair and sustainable use of finite resources.
7. The NHS is accountable to the public, communities and patients that it serves.

This Constitution establishes the principles and values of the NHS in England. It sets out rights to which patients, public and staff are entitled, and pledges which the NHS is committed to achieve, together with responsibilities which the public, patients and staff owe to one another to ensure that the NHS operates fairly and effectively. All NHS bodies and private and third sector providers supplying NHS services are required by law to take account of this Constitution in their decisions and actions.

This paper specifically supports principles three, four, five and seven.

# JOINT OFSTED AND CARE QUALITY COMMISSION INSPECTION REVISIT OF SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) IN HULL

## 1. INTRODUCTION

This report is to inform the members of the Governing Body of the outcome of the revisit by Ofsted and CQC in respect of arrangements for children and young people with Special Educational Needs and Disabilities (SEND) in Hull.

## 2. SEND INSPECTION OCTOBER 2017

In October 2017 Ofsted and the CQC conducted a joint inspection to judge the effectiveness of the work Hull City Council and NHS Hull CCG had undertaken to implement the SEND reforms of September 2014.

The Inspection team found examples of good practice but highlighted four key areas for improvement.

1. Poor strategic leadership and governance of the SEND reforms in Hull;
2. Too little involvement of families in decision-making about the services and support they need and insufficient awareness of the resources available to them in the local area;
3. Poor self-evaluation of service quality and impact and insufficiently focused improvement planning to facilitate better provision and outcomes in the local area for CYP who have SEN and/or disabilities;
4. The lack of an effective strategy for jointly commissioning service across education, health and social care.

Improvement planning following the October 2017 inspection involved the following:

- A Written Statement of Action (WSOA) to address areas of weakness, this was declared fit for purpose by Ofsted on 6 June 2018.
- The SEND Improvement Plans have set out how the areas prioritised for improvement were to be taken forward through a workstream approach supported by project management.
- The SEND Accountability Forum (SAF) was established to drive forward the actions in the SEND Improvement Plan.
- Quarterly monitoring visits took place with the advisors appointed by the Department for Education (DfE) and NHS England (NHSE) following the Inspection.

In November 2018, the DfE announced a programme of revisits to local areas which were asked to produce a WSOA.

### 3. JOINT AREA SEND REVISIT IN HULL OCTOBER 2019

Between 15 and 17 October 2019, Ofsted and the Care Quality Commission (CQC) revisited Hull to decide whether sufficient progress has been made in addressing the significant weaknesses identified in the October 2017 inspection.

The letter appended to this report is dated 4 December 2019 but was published on 23 December 2019, the delay being caused by the General Election.

The letter explains that the inspectors found that Hull has made sufficient progress in addressing two of the four areas of significant weaknesses identified at the initial inspection but insufficient progress in the remaining two. In the areas where sufficient progress was deemed to have been made there is still room for improvement and in the areas where insufficient progress had been made the inspectors did comment that there are examples of emerging improvement.

#### Area 1: Poor strategic leadership and governance of the SEND reforms in Hull

##### **Sufficient Progress**

Significant changes to the area's leadership since the initial inspection in 2017 were recognised and the partnership between education, health and social care was stronger and a greater collective ambition existed for children and young people with SEND.

However leaders did not have a full picture of the education, health and social care outcomes which weakened the ability to secure rapid and sustained improvement in services for children and young people with SEND and their families.

#### Area 2: Too little involvement of families in decision-making about the services and support they need and insufficient awareness of the resources available to them in the local area

##### **Insufficient Progress**

The Inspectors reported a lack of a consistent approach to co-production and that the ambition to have consistent, coherent and co-produced approaches in place when working with children and young people with SEND and their families had not been realised.

They did recognise however that children, young people and families are involved and engaged in working with leaders and frontline professionals more frequently.

#### Area 3: Poor self-evaluation of service quality and impact and insufficiently focused improvement planning to facilitate better provision and outcomes in the local area for CYP who have SEN and/or disabilities

##### **Sufficient Progress**

Weaknesses in the education, health and care (EHC) assessment and planning process had been tackled.

However Inspectors found the data and information which area leaders collect and analyse did not give a full picture of how well the SEND arrangements were working for children and young people across the 0 to 25 age range.

#### Area 4: The lack of an effective strategy for jointly commissioning service across education, health and social care

##### **Insufficient Progress**

The strategy for jointly commissioning services across education, health and social care had not been finalised, the scope did not cover education, health and social care services

for children and young people with SEND for the full 0 to 25 age range and did not meet the requirements of the SEND Code of Practice.

The Inspectors acknowledged though that new models for delivering services such as speech and language therapy, autistic spectrum disorder diagnostic assessment, targeted and specialist short breaks and sensory processing assessment have been developed since the initial inspection and were being implemented.

#### **4. NEXT STEPS**

A revised and focused Improvement Plan is being developed and will be monitored locally by the SEND Strategic Board and externally by the Department for Education.

#### **5. RECOMMENDATIONS**

It is recommended that members of the Governing Body note the report.

#### **Glossary of Terms**

|      |  |
|------|--|
| CQC  | Care Quality Commission                    |
| DfE  | Department for Education                   |
| EHCP | Education and Health Care Plan             |
| SEND | Special Educational Needs and Disabilities |
| WSOA | Written Statement of Action                |