

Report of:	Deputy Mayor and Executive Member for Children's Services Director of Education and Partnerships
Submitted to:	Executive
Date:	7 March 2023
Title:	Special Educational Needs and or Disabilities Local Government Peer Review
Report for:	Decision
Status:	Public
Strategic priority:	Children and young people
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not Applicable

Executive summary

This report is to seeking approval to undertake a Local Government SEND Peer Challenge across the local area in May/June 2023. The SEND Peer Challenge is not an inspection- rather it is a supportive but challenging 'critical friend' approach to assist councils and their partners in celebrating their strengths and identifying their own areas for improvement.

The SEND and Inclusion Strategic Partnership which covers Education, Health and Social Care have agreed that a Local Government SEND Peer challenge would be supportive in helping the local area prepare for the new SEND Inspection framework which was recently published in November 2022. The new round of local area inspections will begin early in 2023. At this time it is not clear when Middlesbrough will have their inspection under the new framework.

The SEND and Inclusion Strategic Partnership understand the implications that this Peer Challenge will have on staff time and will plan with partners and the challenge team to make it as effective as possible leading to a clear identification of strengths and further areas for development.

Purpose

1. The purpose of this report is to seek approval from Executive Members to undertake a Local Government SEND Peer Challenge in preparation for the new Local Area SEND Inspections which will begin in 2023.

Background and relevant information

2. Ofsted and Care Quality Commission have published a new inspection framework which provides details on how they will inspect services for children and young people with special educational needs and or disabilities (SEND) in the local area early in 2023.
3. In the past, the local area inspections focused on how local areas met their responsibilities in the SEND code of practice. This is the statutory guidance produced by the Department for Education and the Department for Health and Social Care. The new framework has greater focus on hearing directly from children and young people with SEND, and their families. This will allow inspectors to get a better understanding of what it is like for a child or young person with SEND in the local area. There will also be stronger accountability through ongoing contact with local areas. This will include monitoring inspections where needed.
4. The overarching approach to inspection within the new inspection framework are:
 - a. Inspections will evaluate how well members of a local area partnership work together to improve the experiences and outcomes of children and young people with SEND. The local area partnership refers to those in education, health and care who are responsible for the strategic planning, commissioning, management, delivery and evaluation of arrangements for children and young people with SEND who live in a local area.
 - b. Inspections will evaluate arrangements for all children and young people with SEND aged 0 to 25 covered by the SEND code of practice, including those who have an education, health and care (EHC) plan and those who receive special educational needs (SEN) support. The scope of the inspection covers children and young people who live in the local authority area but attend education settings or receive services outside of the local authority's geographical boundaries.
 - c. The inspection will consider whether local authorities' approach to commissioning and overseeing alternative provision arrangements for children and young people in the local authority area meets their duties as set out in section 19 of the Education Act 1996 and in statutory guidance.
5. As part of the new inspection framework there will be a series of thematic visits each year. In the first year these will focus on Alternative Provision (AP)
6. In March 2017 Middlesbrough local area had its first SEND inspection and this resulted in a Written Statement of Action to address significant concerns as listed below
 - Fundamental weaknesses in strategic leadership, governance and implementation of the disability and special educational needs reforms in the local area.
 - Children, young people and families had too little involvement in discussion and decision-making about the services and support they needed.
 - The local offer was poor and, as a result, children, young people and families had a weak understanding of the resources and support available in Middlesbrough.

- Leaders had an inaccurate view of the local area's effectiveness. They did not gather, analyse and use information and data to drive improvement in provision and outcomes for children and young people who have special educational needs and/or disabilities in the local area.
 - Strategic planning was weak and there was no strategy for jointly commissioning services across education, health and social care.
7. In July 2019 the same Ofsted and CQC inspection team revisited the local area and the outcome of that visit was that the local area had made good progress in all of the areas identified within the inspection of March 2017 and no longer required a Written Statement of Action
 8. It is unclear when Middlesbrough will receive their next SEND inspection through the new framework. Work is underway across the local area to ensure the additional requirements of the new framework are in place. To further support our preparation for the next Local Area Inspection we are seeking to undertake a Local Government SEND Peer Challenge.
 9. The SEND Peer Challenge is not an inspection, rather it is a supportive but challenging 'critical friend' approach to assist councils and their partners in celebrating their strengths and identifying their own areas for improvement. The key purpose of the SEND Peer Challenge is to stimulate local discussion about how the council and its partners can become more effective in delivering improved outcomes for children. All members of the peer team are knowledgeable about, and experienced in, the delivery of SEND services.
 10. The SEND Peer Challenge will take place over 4 days (Tuesday -Friday) and will require input from partners across Education, Health and Social Care. There will be some preparation by key officers prior to the week of the Peer Challenge where we will prepare key documents and agree a timetable of activities for the challenge team.
 11. The SEND Peer challenge will consider four lines of enquiry which will be agreed by the SEND and Inclusion Partnership Board.

What decision(s) are being recommended?

12. That the Executive:

Approve the request to have a Local Government SEND Peer Challenge which will take place in May 2023.

Rationale for the recommended decision(s)

13. The review will support the local area in its preparation for the full SEND inspection

Other potential decision(s) and why these have not been recommended

14. We can decide not to undertake a SEND Peer Challenge, however the SEND and Inclusion Partnership Board feel it would be beneficial in supporting the local area prepare for the next SEND Inspection.

Impact(s) of the recommended decision(s)

Legal

15. There are no legal implications.

Strategic priorities and risks

16. This Peer Challenge links to our Children and Young People Priority: We will show that Middlesbrough Children Matter and work towards making our town safe and welcoming and improve outcomes for our children and young people. By undertaking the SEND Peer Challenge will further strengthen our developments in this key area.

Human Rights, Equality and Data Protection

17. N/A

Financial

18. There will be no costs to the Council as this will be fully funded by the Local Government Association

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
To prepare for the LGA SEND Peer Review	Caroline Cannon	May 2023

Appendices

1	
2	
3	

Background papers

Body	Report title	Date

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