

# Southend-on-Sea City Council

Agenda  
Item No.

Report of Executive Director (Children and Public Health)

to

Cabinet

on

21 February 2023

Report prepared by: Michael Marks, Executive Director  
Children and Public Health

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**Proposed draft Southend SEND Strategy (2022 - 2025)**

**Relevant Scrutiny Committee: People Scrutiny Committee**  
**Cabinet Member: Councillor Laurie Burton**

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## 1. Purpose of Report

To provide an update and revised version of the draft Southend SEND Strategy, originally considered by the Cabinet on 8 November 2022 (appendix 3), which was called in to the People Scrutiny Committee on 29 November 2022 and then referred up to Full Council on 15 December 2022. At the Full Council meeting on 15 December 2022, the Cabinet Member for Children, Learning and Inclusion referred the matter back to Cabinet with a view to holding a Working Party meeting to explore and seek resolutions to the issues raised by the People Scrutiny Committee on 29 November 2022.

The Children, Learning and Inclusion Working Party met on 19 January 2023. Following that meeting the draft strategy has been revised and is attached as Appendix 1 of this report. The minutes from the Working Party meeting on 19 January 2023 are attached as Appendix 2. Due to delays in finalising the strategy originally intended to cover the period April 2022 – March 2025, it is also proposed that the final strategy, once agreed is extended to cover the period up to and including March 2026.

## 2. Recommendations

Cabinet is asked to

- Note the minutes from the Children, Learning and Inclusion Working Party attached as appendix 2.
- Agree the content of revised Draft SEND Strategy attached as Appendix 1.
- Agree that the Strategy once agreed covers the period April 2022 – March 2026.
- Agree that the Strategy is produced in a range of different formats so that it is accessible to a range of audiences. that it can then be shared in variety of formats.

### **3. Background**

- 3.1 The Special Educational Needs and Disability (SEND) offer across Southend is delivered by and involves a range of partners and is subject to inspection by Ofsted and the Care Quality Commission (CQC).
- 3.2 The purpose of inspection is defined as: provide an independent, external evaluation of the effectiveness of the local area partnership's arrangements for children and young people with SEND
- 3.3 The previous SEND Strategy "Success for All" covered the period 2016-19 which spanned the Joint Area SEND Inspection undertaken by Ofsted and the Care Quality Commission in October 2018.
- 3.4 As it is a Partnership and Area Strategy it is not owned by any one organisation and as a result the new proposed strategy needs to be agreed by the Southend SEND Strategic Partnership and then the Education Board, Southend-on-Sea City Council and the Mid and South Essex Integrated Care Board (ICB).
- 3.5 The Written Statement of Action (WSoA) revisit in May 2021 recognised improvement in 3 out of the 4 areas in the WSoA. One of the actions undertaken to improve previous weaknesses was to strengthen the governance arrangements around SEND and to develop a new partnership strategy. The work to develop a new Strategy began at a SEND Summit in April 2021 but work on it was delayed following agreement at a Special Council meeting for an independent LGA peer review of the Council's SEND and CWD service which took place in October 2021 and reported its findings and recommendation to Cabinet in January 2022.
- 3.6 Following the LGA Peer review of the Council's SEND and Children with Disability (CWD) services in November 2021 it was agreed that a new SEND strategy for the Southend area was needed, and work was undertaken to revise, review and co-produce a new Southend SEND strategy.
- 3.7 The draft new Southend SEND Strategy (2022-2025) was considered by and agreed by the Education Board at a meeting on 18<sup>th</sup> October 2022. It was then considered and agreed by the Council's Cabinet on 8<sup>th</sup> November 2022 but was then called in for consideration by the People Scrutiny Committee on 29<sup>th</sup> November 2022 and at the end of that debate was referred up to Full Council.
- 3.8 At Full Council, the Cabinet Member for Children, Learning, and Inclusion proposed, and it was agreed, to refer the report back to Cabinet.
- 3.9 The Cabinet Member for Children, Learning and Inclusion asked that his working party consider the issues raised regarding the proposed new SEND Strategy at the People Scrutiny Committee meeting in November 2022, prior to reporting back to Cabinet. The Children, Learning and Inclusion working party met on 19<sup>th</sup> January and the notes from that meeting are attached as appendix 2.
- 3.10 The Mid and South Essex Integrated Care System (ICS) will consider the SEND Strategy once it has passed through the Council's governance process.

3.11 The chronology below captures some of the key dates and decisions on the wider Southend SEND Area offer and the proposed new Strategy.

- **1<sup>st</sup> to 5<sup>th</sup> October 2018** the Southend SEND offer was subject to an Area Inspection by Ofsted and CQC.
- **5<sup>th</sup> December 2018** The outcome of the SEND Area inspection published (link included in background papers section of this report). The Council with its partners was required to produce a WSoA because of significant areas of weakness in the area's practice with four priorities within it.
- **9<sup>th</sup> May 2019** WSoA submitted by the Southend Area.
- **15<sup>th</sup> May 2019** Ofsted and CQC accepted the Area WSoA.
- **5<sup>th</sup> to 7<sup>th</sup> May 2021**, Ofsted and CQC undertook a WSoA revisit.
- **22<sup>nd</sup> June 2021** Report following the WSoA revisit was published by Ofsted. As a result of that revisit (again a link to that report is included in the background papers section of this report) 3 out of the 4 priority areas within the WSoA were deemed to have made satisfactory progress.
- **12<sup>th</sup> July 2021** an Extraordinary meeting of the Full Council discussed a motion 'calling on the Council to undertake an independent investigation into SEND provision provided by the Council and the Children with Disabilities Team. At that Council meeting it was agreed 'To undertake an independent investigation into SEND provision provided by the Council and the Children with Disabilities Team based on the SEND Review scoping document discussed with the groups on the Council and agreed between the Executive Councillor for Children and Learning and the Shadow Cabinet Member, to be circulated to all Councillors after this meeting.'
- **23<sup>rd</sup> to 26<sup>th</sup> November 2021** Local Government Association undertook a peer review of the Council's SEND and Children with Disability Service.
- **13<sup>th</sup> January 2022** LGA peer report into the Council's SEND and CWD service considered at Cabinet (a link to this report is included in the background papers section of this report). Cabinet was asked and agreed to; note the contents of the LGA report; accept all the recommendations made by the LGA peer review team; agree the Implementation Plan in response to the recommendations in the LGA peer report; and refer the matter to the People Scrutiny Committee for consideration.'
- **8<sup>th</sup> February 2022** the People Scrutiny considered the LGA peer review report and response referred to it by Cabinet.
- **15<sup>th</sup> March 2022** the People Scrutiny meeting was provided with an update on the delivery of the action plan in response to the peer review,
- **6<sup>th</sup> July 2022** the People Scrutiny agreed that its' n depth scrutiny project for 2022/23 municipal year would be on the theme of 'Providing First Class

Services for Families with Children with Special Educational Needs and Disabilities.'

- **8<sup>th</sup> November 2022** Cabinet considered the proposed new Southend Area SEND strategy, which had already been agreed by the Education Board. The report was seeking Cabinet approval to agree the content and format of the Southend SEND Strategy 2022-2025 and agree that the Strategy is produced as an accessible document which can be shared in a variety of formats to engage a range of audiences. Cabinet agreed the report.
- **29<sup>th</sup> November 2022** SEND Strategy report called in and considered by People Scrutiny. Following discussion by the People Scrutiny, the Committee originally agreed to refer back to Cabinet but then it was referred up to Full Council
- **15<sup>th</sup> December 2022** SEND Strategy considered by Full Council and it was proposed by the Cabinet Member for Children, Learning and Inclusion and agreed by Council to refer the matter back to Cabinet.

3.12 The Cabinet Member working party met on the 19<sup>th</sup> January 20213 and considered and discussed the following issues raised at the People Scrutiny meeting in November 2022. When the People Scrutiny Committee considered the proposed new Strategy, the following questions were raised and discussed.

- Was the document co-produced or was it more of a consultation?
- Are there sufficient resource bases in Southend mainstream schools to meet need?
- Is there sufficient detail in the proposed Strategy?
- Will there be opportunities to review and revise the strategy over its lifetime?
- Any other issues from the working party members.

3.13 Following the working party meetings agreed revisions were made to the draft SEND strategy which are captured in Appendix 1. The complete list of suggested changes from the working party are captured in Section 3 of appendix 2 but these included to:-

- Recognise that whilst there was some co-production, there should be a commitment to increasing co-production over the lifetime of the strategy and beyond.
- Recognise that there is a commitment to additional resource bases in mainstream school settings, but these would be subject to finding schools to host the resource bases.
- Use hyperlinks where possible instead of the current text on the services available to ensure that information on these services is accurate and up to date.
- Assure that the Strategy will be reviewed and that parents and carers will be involved in that process.
- That the current reference within Section 3 ('Local Context') of the draft SEND Strategy, to all new referrals to children's social care being received through the Multi-Agency Safeguarding Hub (MASH) for assessment against statutory thresholds, be removed from the Strategy.

- That the definition of Special Educational Needs and Disabilities currently set out within Section 2 of the draft SEND Strategy, be reviewed as part of the first regular review of the Strategy by the Strategic Partnership Board of the Southend SEND Strategic Partnership
- That the commitment of the Southend SEND Strategic Partnership to undertake appropriate co-production approaches in the delivery of the priorities of the draft SEND Strategy, be included within Section 8 ('Developing Our Actions') of the Strategy.

3.14 The proposed amendments were also discussed at the Southend SEND Strategic Partnership Board meeting on 26<sup>th</sup> January 2023.

3.15 Once the Council has approved the Strategy it will be considered by the Mid and South Essex Integrated Care Board to seek their agreement to it.

#### **4. Other Options**

4.1 The SEND partnership could continue to operate without a formal published strategy or subsume the SEND Strategy into a wider Council Policy but this would not be deemed good practice and would not reflect that the SEND offer in Southend is delivered in partnership with other agencies and not solely by the Council.

#### **5. Reasons for Recommendations**

5.1 It is recommended and widely acknowledged that SEND is a joint area responsibility encompassing partners from Education, Health and Care and the children, young people and families they support and therefore a specific coproduced SEND Strategy outlining priorities for the next 3 years is recommended. Publishing the SEND Strategy was a recommendation of both the WSOA and the Peer Review.

#### **6. Corporate Implications**

6.1 The SEND Partnership Strategy makes a significant contribution to the Southend 2050 Road Map

6.2 The intention is to deliver the Strategy from within existing revenue and capital resources, however work undertaken as part of the SEND Strategy may highlight the need for e.g. provision development or service redesign.

6.3 Any areas of additional expenditure that are identified which cannot be funded from existing available resources will be sought through identified governance routes.

6.4 No identified Legal Implications to adopting this strategy.

6.5 No identified People Implications.

6.6 No identified Property Implications although SEND Provision Development opportunities may be sought.

- 6.7 The draft SEND Strategy has been produced through a combination of some co-production, engagement and consultation with various groups, stakeholder and partner agencies and the attached new Strategy and has been updated in line with the response to that engagement.
- 6.8 The Diversity and Equality impact assessment identified no identified Equalities and Diversity Implications.
- 6.9 Risk Assessment – The SEND Risk Log is reviewed regularly as part of the SEND governance process, oversight resting with the SEND Strategic Partnership Board.
- 6.10 Financial Implications for the cost of publishing the strategy will be managed within existing resources. As the strategy develops into action plans, any further resource implications in relation to the direct education provision for SEND children and young adults with Education Health and Care Plans will fall to the decision of the Education Board. By way of a reminder, the Education Board / Schools' Forum is a statutory body under delegated direction of the Council who in turn oversee the governance, consultation and oversight of the Dedicated Schools Grant and the High Needs block funding within. The Education Board, which is also a published forum have also already agreed resource prioritisation subject to action plans for the expansion of key areas in relation to the direct education provision for SEND within funding available, and therefore the SEND Strategy will be managed within that framework. Any revised considerations that may fall to the SEND team, which are a statutory Council funded service will have to be continually managed within existing resources given the unfortunate strain and recognised cost pressures on Council resources.
- 6.11 No identified Community Safety Implications.
- 6.12 No identified Environmental Impact.

## **7. Appendices**

- 1. Revised Draft SEND strategy following Cabinet Member Working Party on 19<sup>th</sup> January 2023**
- 2. Minutes of Children Learning and Inclusion Working Party Meeting on 19<sup>th</sup> January 2023**
- 3. Cabinet report 8<sup>th</sup> November 2022 on the proposed Draft Southend SEND Strategy 2022 – 2025.**

## **8. Background Papers**

**Joint Local Area SEND Inspection in Southend-on-Sea** [50043840 \(ofsted.gov.uk\)](https://www.ofsted.gov.uk/inspections/50043840)

**Joint Local Area SEND revisit** [50164993 \(ofsted.gov.uk\)](https://www.ofsted.gov.uk/inspections/50164993)

**LGA peer review report, recommendations, and Council's action plan by way of response to the review was presented to Cabinet on 13<sup>th</sup> January 2022. ([Public Pack](#))[Agenda Document for Cabinet, 13/01/2022 14:00 \(southend.gov.uk\)](#)**