Open Agenda



Education and Local Economy Scrutiny Commission

Tuesday 5 December 2023 7.00 pm Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Chloe Tomlinson (Chair) Councillor Rachel Bentley (Vice-Chair) Councillor Jason Ochere Councillor Joseph Vambe Councillor John Batteson Councillor Renata Hamvas Councillor Irina Von Wiese Martin Brecknell (Co-opted member) Lynette Murphy-O'Dwyer (Co-opted member) Jonathan Clay (Co-opted member) Marcin Jagodzinski (Co-opted member)

Reserves

Councillor Maggie Browning Councillor Bethan Roberts Councillor Laura Johnson Councillor Victoria Mills Councillor Victor Chamberlain Councillor Sunil Chopra Councillor Adam Hood

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Contact

Amit Alva on email: amit.alva@southwark.gov.uk



Members of the committee are summoned to attend this meeting Althea Loderick Chief Executive Date: 27 November 2023





Education and Local Economy Scrutiny Commission

Tuesday 5 December 2023 7.00 pm Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.

Title

Page No.

PART A OPEN BUSINESS

1. APOLOGIES

To receive any apologies for absence.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS.

Members to declare any interests and dispensations in respect of any item of business to be considered at this meeting.

4. MINUTES

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To approve as a correct record the Minutes of the meeting held on 19 October 2023.

5. EDUCATION, HEALTH CARE PLAN (EHCP) PROCESS, 10 - 24 DEMAND AND TIMELINESS.

To receive a report from Alasdair Smith, Director, Children & Families, Children's and Adults' Services, Anna Chiva, Assistant Director for SEND, Children and Adult Services and Michael Crowe, Service Development Manager, Children's and Adults' Services on EHCP demand, process, timeliness and programme improvements.

6. UPDATE ON ST MARY MAGDALENE C OF E PRIMARY SCHOOL AND KINTORE WAY NURSERY SCHOOL AND CHILDREN'S CENTRE.

To receive a verbal/written update from Councillor Jasmine Ali, Cabinet Member for Children, Education & Refugees and Alasdair Smith, Director, Children & Families, Children's and Adults' Services on St Mary Magdalene C of E Primary School and Kintore Way Nursery School.

7. YOUTH EMPLOYMENT- ST GILES TRUST

To hear from Case Workers at the St Giles Trust on Youth Employment programs and the council's role in these programs.

8. WORK PROGRAMME 2023-24

25 - 33

To consider the Work Programme for the year 2023-24.

Date: 27 November 2023

Open Agenda

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Education and Local Economy Scrutiny Commission

MINUTES of the OPEN section of the Education and Local Economy Scrutiny Commission held on Thursday 19 October 2023 at 7.00 pm at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

PRESENT:

Councillor Chloe Tomlinson (Chair) Councillor Rachel Bentley (Vice-Chair) Councillor Joseph Vambe Councillor John Batteson Councillor Renata Hamvas Councillor Irina Von Wiese Martin Brecknell (Co-opted member) Lynette Murphy-O'Dwyer (Co-opted member) Jonathan Clay (Co-opted member) Marcin Jagodzinski (Co-opted member)

OTHER MEMBERS PRESENT:

OFFICERSUPPORT:Amit Alva, Scrutiny Officer

1. APOLOGIES

Apologies for absence was received from Councillor Jason Ochere and apologies for lateness from Councillor Joseph Vambe.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

There were no items of business which the Chair deemed urgent.

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Education and Local Economy Scrutiny Commission - Thursday 19 October 2023

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS.

There were no disclosures of interests and dispensations.

4. MINUTES

Minutes of the meeting held on 19 July 2023 were approved as a correct record.

5. SCHOOL AMALGAMATION/ CLOSURE OF ST MARY MAGDALENE C OF E PRIMARY SCHOOL

The commission first heard from Anna Harding, Head teacher on the plans for closure/amalgamation of the St Mary Magdalene C of E Primary School (SMMS) around the following points

- Background info on SMMS; One form entry Church School is now Half form entry school with mixed age classes due to falling rolls, Ofsted inspection with good statutory results above national average, 96 pupils from a capacity of 210 pupils, High number of Special Educational Needs and Disabilities (SEND) pupils, 37 Pupils on Educational, Health Care Plan (EHCP), 3% of children have no recourse to public funds, 51% of pupils eligible for pupil premium, In the lowest 10% of schools nationally under deprived demographic, 91% Black or mixed heritage pupils and 94% any non-white ethnic groups, high satisfaction and good overall experience from pupils and parents, experienced staff and well-loved school in the community.
- Steps taken to avoid closures and amalgamations in the past; mixed age classes, restructured staff body, minimised redundancies, low budget deficit £27k, plans to open nursery/reception class on a temporary basis from January 2024, explored options to join Southwark Diocese and multiacademy trust, other options for amalgamation also being considered but church schools are further away.
- SEND pupils would struggle with transition if amalgamated, pupils have their educational, emotional and support needs met at this school.
- Resource based provision for SEND would help the school to stay open.
- Lack of communication from Council since May 2023 when proposal for amalgamation/closure was made, however meetings have taken place in the last week.

The commission then heard from Sonia Phippard, Chair of Governors around the following themes

 SMMS co-operating with the Council in line with the 'Keeping Education Strong Strategy', however due to lack of communication, it has delayed all options being explored until now which would have helped Pupil Admission Numbers. • Financially viable school and reducing budget deficit year by year.

The commission then heard from Enuma Madu, parent on the following topics

- Opening of Nursery/Reception school vital to the local area according to parents
- SMMS the first choice of most parents in the area; excellent care and attention to pupils; safe and supportive environment.
- Church schools are known to shy away from SEND pupils according to media reports but SMMS treats everyone with dignity and respect.

The commission then heard from Reggie Osei-Bonsu, parent on the following themes

- On exploring options for my child at reception level schools in the area, SMMS being smaller and private suited my child's needs.
- Excellent care and treatment of my relatives children made me choose SMMS
- Relocation plans for the family outside London were cancelled due to the needs of my daughter who has received excellent care and support from SMMS.

The commission then heard from Remi-Leigh, parent on the following points

- Undeniably warm and welcoming school making it a great asset to the community.
- SMMS has a high number of SEND pupils, however not all SEND pupils need SEND schools depending on the degree of need, SMMS creates a tailored environment to accommodate a range of SEND needs.
- Families have been supported thoroughly, parents like the option of choosing a smaller school
- Lack of clear and transparent communication on the closure and amalgamation process which has created anxiety among parents and especially children

The commission then heard from Damien, Parent Governor on the following topics

- SMMS pillar of the community, nurturing and fostering young minds of the future generations
- Immense ramifications for parents, staff and children if a decision is made to close the school.
- Dedicated staff with 20-30 years of experience, high quality of education shown in Ofsted ratings
- Generations of a family have chosen SMMS due to the uniqueness of the school unlike any other school in the borough

The commission then asked questions on the following themes

- Nursey plans; hours of operation, capacity and projected income
- Organisation of School: breakfast club, wrap around after school provision and a 3 year reducing budget deficit plan
- Council and councillor support to ensure that communications are made to ensure and assure parents that opening of a nursery school makes the school viable for applications next year.

The commission then noted a statement from Martin Brecknell, Education Representative (Diocesan Board), and Co-opted member of the commission that the Diocesan Board have worked all throughout the process with the Council and SMMS and in no way have undermined the Council's processes unlike the council's perception of the board's involvement.

Anna explained to the commission that the nursery/reception would have 15 full time places (school hours, excluding school holidays), accepting children that have 15-30 hrs free childcare with parents of 15 hr free child care having the option to top up the rest themselves. Feasibility study conducted earlier in the year indicated 9-11 pupils' projection for nursery, however due to the delay in process for nursery the numbers expected might change in January 2024. Income expected in the first term is approximately £15.5k and further growth can be expected. The breakfast club, after school club and holiday club are run by an external company called Ultimate Sports who work closely with school staff and are a part of the SMMS family. There is also a licensed 3 year deficit recovery plan base on the nursery bring SMMS budget into surplus in 3 years.

The commission also heard from Anna that SMMS need improved communications, regular meetings with all stakeholders-council, councillors, diocesan board, teachers and governors. The council should explain the issues with viability of SMMS and all options need to be explored.

The commission then asked questions on the following topics

- Process behind the idea of the nursery initiative
- Proportion of pupils belonging to different faiths; Catholic, Church of England etc. making it more difficult to find schools with the similar faiths to amalgamate with.
- Exodus of students from SMMS due to news of uncertainty over the future of the school

Sonia explained to the commission that primarily the motivation behind the nursery was due to parent needs although there is a budget benefit in it. Early knowledge of children's needs in nursery such as SEND helps the staff give better care, support and a better start to the child's education as compared to ascertaining needs in year one. SMMS has a more Angelical and Pentecostal approach towards faith which suit the diversity of students within SMMS, while the proposed amalgamated School St. Johns and Clements has a more Higher Anglican

approach to faith although both are excellent church schools. Applications this year are lower due to the news of closure/amalgamation proposal, so looking forward to the nursery and this would need an admission applications process for September 2024 to be advertised.

The commission heard from Anna that SMMS is chosen by parents mainly due to the ethos and core Christian values rather than faith places. There has been a loss 4-6 pupils next year due to the uncertainty over the future of the school. SMMS has had to reject 12 applications in year 1&2 and year 5&6 as their full in capacity indicating that it is still a popular choice.

The commission then noted possible recommendations

- In line with 'Keeping Education Strong' strategy all options are explored flexibly on proposals for closure/amalgamations of schools
- Improved communications and regular meetings and engagements with all stakeholders
- Equality Impact Assessments are carried out and shared with schools before any proposals for closure/ amalgamations are made.

6. THE RESTRUCTURE OF KINTORE WAY NURSERY SCHOOL AND CHILDREN'S CENTRE.

The commission then received a report from Rebecca Sherwood, Kintore Way (KW) Nursery School and Children's Centre and Matthew Waterfall from National Association of Headteachers (NAHT) on the restructure of Kintore Way Nursey School on the following themes

- Impact of the changes at Kintore Way nursery would have on the wider community and especially SEND children in the community.
- One of the largest and oldest nursery schools in the country, financial issues at KW due to the failing of the funding process to address the unmet needs of Children with SEND.
- Detrimental impact on children, families and community at KW, not being able to access those services due to restructuring resulting in more difficult situation for children and families
- KW provides outstanding services to most vulnerable children and has a Ofsted rating of excellent, 15 redundancies among staff are planned sending shockwaves through the community, highly subscribed and full capacity nursery, 34 families on waiting list.
- Current funding does not account for children under 5 with SEND when these children go to special schools and are deferred back to nursery, the nurseries receive £6k compared to £33k going to special schools if the child is accepted. The budget deficit is a result of the mismatch in SEND funding for Nurseries providing SEND services.
- Need for Council strategy for Early Intervention and SEND provisions in Nursery which would provide greater value for money for children with

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SEND and make a difference in the community.

- Resource based provisions is being applied in other neighbouring boroughs who have identified the gap in funding for SEND in nurseries.
- Lack of communication from Council with regards to the restructure and decreasing the budget deficit.

The commission then heard from a parent (anonymous), Rebecca and Mathew on the following themes

- Non-verbal children, families are hugely dependent on nurseries like KW.
- SEND children need early adult interaction within the window of opportunity in early years to help with their cerebral development.
- Parents often don't have the skills and expertise to deal with SEND needs and as a consequence suffer from mental health issue themselves, KW has been a respite for such parents.

The commission then heard from Michelle, parent and Brenda, (ex-parent of KW) on the following topics

- Immense support and love, staff give children at KW, as a result the child does really well at special schools
- Staff at KW have helped parents get through the EHCP process; SEND children at KW are helped to be more sociable, articulate and independent.
- KW staff have also helped children and families through bereavements

The commission then heard from Claire, teacher at Grove & KW nurseries on the following points

- Staff at Grove & KW are highly skilled in performing tracheostomies, eye drops, tube feeding and diabetic injections within the class room environment for children with special needs
- Reducing the number of staff will have a devastating impact on the children with special needs; current staff are highly skilled, experienced, dedicated and motivated to provide such medical care.

The commission then asked questions on the following topics

- Experience with Southwark and KW interaction; redundancy costs would cost more than the current costs
- Current central government funding of SEND does not include early years help, learning from practices in other boroughs; as Southwark is also facing significant budgetary pressures
- Redundancy time frames would help inform the upcoming budget for next year
- Clarity on nursery based resource provision and accelerating the EHCP process

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Matthew explained to the commission that there are specific examples of resource based provision centres which have worked in providing value for services in the long term, and that this would be provided to the commission later in an email.

Rebecca informed the commission that the school has to pay £116k in pensions and School in Difficulty Panel would provide the £115k in redundancy costs. Southwark has been provided with Service Level Agreements on resources based provision and many such examples from Lambeth and Wandsworth boroughs are already in place. Current SEND Inclusive Funding of £1200/term for under 5 can take almost a year to process and by then the child reaches special schools who then receive EHCP funding for the entire amount of £33k. Previous practices involved back dating pay to nurseries which has now been discontinued, as a result nurseries unable to cover costs of teaching assistants and SEND staff who have supported the child for a year.

The commission agreed that there is a need to review early years SEND funding for children under 5 in nurseries which is a national issue.

The commission heard from Rebecca that the current budget deficit at KW is over \pounds 1m, any action taken now would not have any effect on the planned redundancies. However, staff who have received have been kept informed of the conversations with trade unions and the council and that they would be informed if there is a change in circumstances by December 2023. On resource based provision, a pilot is being proposed for 3 posts of staff supporting 20 SEND children in a designated area of the nursery. Some of the current staff are willing to stay at KW.

7. EMPLOYMENT FOR YOUNG PEOPLE IN SOUTHWARK

The commission then received a report from Patrick Doherty, Principal Strategy Officer on youth employment on the following points

- New Economic Strategy to be adopted by Cabinet by the end of the year, strategy involves new jobs and opportunities for young people
- Southwark Youth Deal- employment services and advice
- Southwark Works- employment service commissioned for another 4 years split amongst 9-10 contracts, and one for people over 50 with specialist skills; 3 contracts for vulnerable young people been in criminal justice system and young people with disabilities
- Council's Internal Apprenticeships service, External apprenticeships through Passport centre and through LSBU Centre, Southwark Construction Centre and Green Skills hub
- Council Delivery Plan to deliver 250 paid internships for youth from disadvantaged back grounds spread across 3 strand schools, graduates and councils own scheme has been very successful
- Southwark Local Offer and Southwark Information and Advice Service

targeting young people with SEND

- Education Business Alliance bringing together Businesses and Schools preparing students for the transition to jobs from education
- Sub-regional partnerships such as Central London Works open to Southwark residents' aged 16-25 and Youth Opportunities bullet in for young people in Southwark to sign up.
- One hub website and care leavers website targeting young people

The commission then asked questions on the following topics

- Southwark Works visibility and advertising in the borough; support for young people below the age of 18
- Apprenticeships numbers when compared to other boroughs; creative ways to reach young people; Southwark Works contracts promotion in the community
- Potential collaboration with organisation to increase visibility of Southwark works; ex-offender support and rehabilitation to get back into work

Patrick apologised to the commission on the framing of the phrase aged 18 and above in Southwark contracts as a typo. Within Southwark works contracts young people aged 16 and above have contracts available to them if they face barriers to employment. Southwark has successfully met targets for past two terms of 2500 apprenticeships, however benchmarking against other borough will be provided to commission at a later date. Providers within contracts are assessed on a two year term with an option to extend based on performance. Southwark Youth Deal within the New Economic Strategy is aimed at filling the gaps in publicity and spreading awareness of job opportunities and apprenticeships amongst young people. Specific contracts are tailored for ex-offenders and providers are measured against placement and sustaining jobs as a metric; such contracts are limited due to budgetary and resource constraints. However, Southwark has been quite successful in achieving value for money. Southwark has also an integrated network co-ordination service which has successfully linked many partners in the borough for over 20 years, however there is room for improvement as it's not perfect. Southwark is also working on an Outreach and Engagement plan to gauge the reach of such initiatives in the community.

The commission then asked further questions on the following themes

- Education Business Alliance communication between the private sector and community based initiatives, pooling resources and synergy
- Internships figure too low, evaluating performance of programmes, no. of apprenticeships in last 5 years
- Graduate scheme only for graduates or one year after graduation

Patrick explained to the commission that Education Business Alliance sits within a different department in the council and not local economy, answers to the question would be provided at a later date. Internships targets of 250 was set by Cabinet and officers did not have any input in it. On evaluation of programmes, last year an 8

independent review was done by an external organisation called Rocket Science appointed by the council, to compare similar programmes in other boroughs, where in Southwark Works outperformed most comparative programmes. However, there were some improvements needed in working with clients for job opportunities and working with clients to train them for the jobs available.

The commission will be provided data on apprenticeships at a later date and also that council is working on reviewing the apprenticeship programme.

The commission agreed that graduate scheme needs to be reviewed with regards to graduates being supported 1-2 years after graduation as Universities already support students about to graduate.

The commission also agreed to ask in the Cabinet Member Interviews on internship targets that were set so low at 250 as many organisations involved could provide external paid internships.

8. CABINET RESPONSE TO EDUCATION AND LOCAL ECONOMY SCRUTINY REVIEW: MITIGATING FALLING PUPIL NUMBERS IN SCHOOLS

The Cabinet response was noted by the commission.

9. CABINET RESPONSE TO EDUCATION AND LOCAL ECONOMY SCRUTINY REVIEW: IMPACT OF COST OF LIVING CRISIS ON BUSINESSES

The Cabinet response was noted by the commission.

10. PROPOSED WORK PROGRAMME 2023-2024

The commission noted the proposed Work Programme for 2023-24.

Meeting ended at 9:18 pm

CHAIR:

DATED:

Education and Local Economy Scrutiny Commission - Thursday 19 October 2023

Item No. 5	Classification: Open	Date: 5 December 2023	Meeting Name: Education & Local Economy Scrutiny Commission	
Report title:		Demand and Timeli Care Plans	Demand and Timeliness of Education, Health and Care Plans	
Ward(s) or groups affected:		All		
Responsible Officer:		Alasdair Smith, Dire	Alasdair Smith, Director of Children's Services	
Cabinet Member:		Councillor Jasmine Ali, Deputy Leader and Cabinet Member for Children, Young People and Education		

RECOMMENDATION(S)

That the Education and Local Economy Scrutiny Commission:

- 1. Notes the content of the report and provides comment on the information provided
- 2. Notes the content of the plans to improve performance in relation to Education, Health and Care Plan (EHCP) processes.

BACKGROUND INFORMATION

- 3. Before the publication of the revised <u>Special Educational Needs and</u> <u>Disabilities (SEND) Code of Practice 2014 (The Code)</u>. Local authorities supported children and young people with additional educational needs through a system of school-led 'School Action' & 'School Action Plus,' which sought to understand the additional support that could be delivered locally within the school setting; and a statutory assessment process leading to a legally enforceable Statement of Special Educational Needs which would set out how the local authority would ensure the appropriate provision to meet the child or young person's needs for those with more complex need of additional support or specialist provision.
- 4. The pre-2014 Code of Practice placed the duty to assess and provide support on local authorities for all children aged 0-16.
- 5. The *Children's and Families Act 2014* (the Act) and the 2014 SEND Code of Practice introduced significant reforms to the SEND system. These reforms included:
 - Extending the local authority's statutory responsibilities to provide support to children and young people from birth to 25 years of age

- Recognising that many children with Special Educational Needs (SEN) also have a disability, such as a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities. These include physical impairments like mobility problems, and ongoing health conditions like asthma or diabetes, and that support should be offered holistically to meet all these needs
- Introducing Education, Health and Care Plans (EHCP) to replace SEN Statements that require children's needs to be planned for and met holistically
- Greater empowerment and participation of children and young people and parents in decision-making at individual and strategic levels
- 6. This report provides the Education and Local Economy Scrutiny Commission with an update on the current delivery of the duty to assess and support children and young people in Southwark under the SEND Code of Practice 2014.

KEY ISSUES FOR CONSIDERATION

The Special Educational Needs and Disabilities (SEND) System – Assessment & Support

- 7. Support for children with SEND is delivered in across a range of settings and support. For most children support is provided through a *Graduated Approach* and what is commonly referred to as *Ordinarily Available Provision*. The *Graduated Approach* is set out in The Code and refers to additional support to meet an assessed need, provided within mainstream provision that schools or settings together with health and care providers are expected to provide for a child or young person through their existing universal funding and resource arrangements. This response is usually led and co-ordinated within the mainstream provision by the settings Special Educational Need Co-Ordinator (SENCO). Children receiving this level of support are statutorily referred to as in receipt of *SEND Support*.
- 8. For those with more complex needs who require support beyond that which an educational setting can ordinarily be expected to provide, a request can be made for an integrated multi-agency assessment to be undertaken with the potential to lead to an Education, Health and Care Plan being put in place to describe and deliver support to meet the child's needs. The EHCP is a legally binding document that outlines the individual's needs and the *detailed, specific and quantified* provision required to meet those needs; and the anticipated outcomes arising from the plan.

- 9. It is a statutory requirement to complete EHC (Education, Health and Care) needs assessments (EHCNAs) and to issue an EHCP where the assessment determines this is appropriate; and this must be undertaken within 20 weeks of receiving the initial request for an assessment from a parent, carer or educational provision.
- 10. EHCPs must be reviewed by the local authority as a minimum every 12 months. Reviews must focus on the child or young person's progress towards achieving the outcomes specified in the EHCP. The review must also consider whether these outcomes and supporting targets remain appropriate.
- 11. Parents can appeal to a SEND tribunal in circumstances where the local authority has refused to assess, refused to issue a plan, ceased a plan, or where the parent believes the school named or the provision set out in the plan will not meet their child's needs.

The Education, Health and Care Needs Assessment (EHCNA) process

- 12. The EHCNA is undertaken through a staged process with an overall requirement that from initial request to issuing of a plan is completed within 20-weeks. This is the statutory 'timeliness' measure.
- 13. The EHCNA process is broken down into three stages (figure 4):
 - **Stage 1** within 6 weeks of a request to assess the local authority must decide whether to carry out an EHC needs assessment.
 - Stage 2 by 16 weeks the LA (Local Authorities) must have finished the assessment and decided if an EHCP is needed. We must send parents a draft plan and given them 15 days to comment and request a specific school.
 - **Stage 3** by 20 weeks the LA must complete the final draft of the plan. All plans must be reviewed annually.



Figure 4: EHCNA Process

SEND System – Legislative Reform, Regulation & Local Policy Context

- 14. In March 2023, the Government published the <u>SEND and Alternative Provision</u> <u>Improvement Plan Right Support, Right Place, Right Time</u> in response to the SEND Green paper that was published in March 2022 and proposed several reforms to the SEND and alternative provision (AP) systems. At the core of the reforms is the need to embed earlier identification of need for families with children who have additional needs, so that support can be provided at the earliest opportunity when it can be most impactful on preventing further escalation and the need for higher cost support later in a child's life. The plan intends to better bring together education, health and care services to deliver better integrated services and provision to meet the needs of children.
- 15. In December 2022, prior to the launch of the new government strategy, Ofsted published details on how they will inspect services for children and young people with SEND from 2023 onwards.
- 16. In the past SEND inspections focused on how local authorities meet their responsibilities under The Code. The new framework has a 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's like to be 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 inspections and monitoring inspections where needed. Inspections will lead to one of three distinct outcomes, so it is clear what improvements are needed and who is responsible for them.
- 17. A consistent theme across the Government Strategy and the Ofsted Inspection Framework is the need to further empower the parental voice in the SEND system and decision making. Trust and mutual understanding is often the best tool in ensuring provision meets the needs of children and young people earlier and more effectively. A breakdown in trust and confidence in the national and local system often leads to adversarial issues and higher costs. As parents' faith in the effectiveness of more mainstream provision is lessened, for local authorities this means ensuring meaningful engagement with children and families throughout our system and delivering our duties well in a timely way.
- 18. In September 2022, Cabinet approved <u>Southwark's Special Educational Needs</u> <u>and Disabilities (SEND) Strategy (2022-2025)</u> which strategy strengthens the Council's commitment to maximise positive outcomes for children with SEND and their families through proposals for greater collaboration, and a renewed focus on priority areas.

19. The four key priorities set out in the SEND strategy are:

- Improving provision for complex needs;
- Providing timelier, high-quality identification and provision;
- Developing greater confidence, skills, and competencies in all settings; and

- Developing pathways into adulthood for young people with SEND.
- 20. To support the delivery of our Strategy in spring 2023 the Council published <u>Southwark LA SEND Guidance for schools 2023</u>. Its aims are to support schools and settings in further embedding the SEND code of practice: 0 – 25 years effectively.
- 21. The vision and principles set out in the guidance are underpinned by the Council's SEND Strategy. The guidance is designed to improve outcomes for the children and young people of Southwark and to ensure positive and productive outcomes for children and young people aged 0 25 with SEND.

National Context

- 22. Between 2007 and 2015 the number of children in England who had an Education, Health and Care Plan (EHCP), or Statement of Special educational Needs (SEN) pre-2104 guidance change, remained stable with just a 3% increase in the 7-year period.
- 23. With the phased implementation of the 2014 reforms all local authorities were required to transition all pupils from Statements to EHCPs by the statutory deadline of 1st April 2018.
- 24. In the years following the changes there has been a sharp rise nationally, with a 100% increase since 2016 and the number of children with EHCPs doubling from 256,000 to 517,000 in that 7-year period (figure 1).

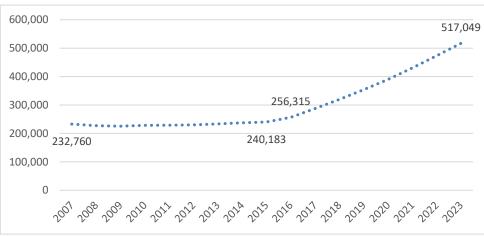
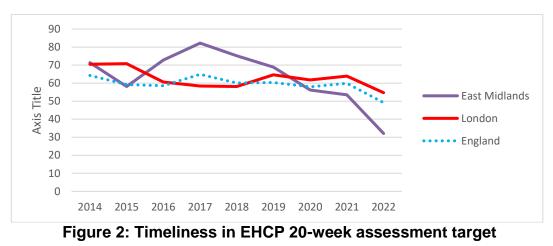


Figure 1: Number of Pupils with an EHCP – England 2007-2023

25. The pressures on Council's to meet the demand for EHCP assessments, and to fund children's support needs is recognised as in crisis nationally, with local authority SEND budgets standing at a £2.4bn deficit across English local authorities. This is expected to rise to £3.6bn if unaddressed over the coming years. In response the government launched the <u>Safety Valve and Delivering Better Value</u> programmes providing additional funding to local authorities with the most serious deficits to clear these, subject to the completion of a programme of reform to return a year on year balanced spend.

- 26. Southwark is a Safety Valve authority and is scheduled to receive £23m in additional SEND funding to clear the budget deficit subject to meeting the condition of achieving a balanced year end position by 2025.
- 27. The impact of demand and pressure on operating budgets for those most impacted authorities has led to marked decreases in performance against statutory key performance indicators, specifically in achieving the 20-week target for the completion of EHCP assessments (figure 2). For example, average performance for the 20-week target in England fell by 15.1% between 2014 and 2022, London by 15% and most markedly the East Midlands region falling by 39.3% in the same period.



28. Approximately a quarter of all local authorities (36) in England saw performance in achieving the 20-week target drop to below 30% in 2022, with less than half of all authorities (45%) maintaining performance at above 50% in timescale (Figure 3).

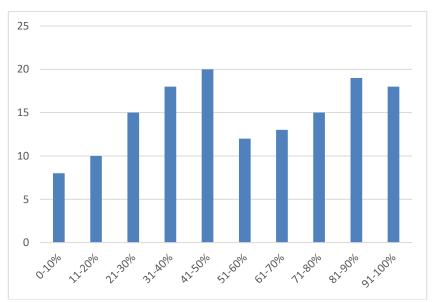


Figure 3: Grouped EHCP Timeliness % by Number of LAs

29. In line with the national increase in demand the number of children with EHCPs in Southwark has more than doubled since 2015, increasing from 1,421 to 2,956 at January 2023.

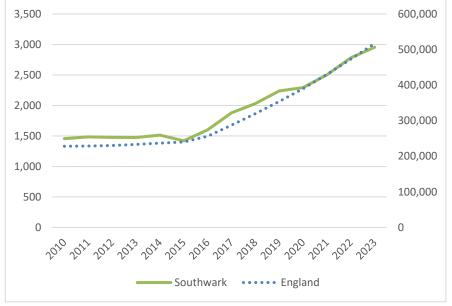


Figure 4: Southwark Number of EHCPs

- 30. In October 2022, Southwark Council published its <u>Joint Strategic Needs</u> <u>Assessment (JSNA) for Children & Young People with SEND</u> in Southwark. It identified that 9,422 (19%) of statutory school aged children had been identified with SEN. Southwark has the 3rd highest prevalence of SEN out of 33 London boroughs. This is an increase from the 5th in 2017. Southwark has the 2nd highest prevalence of SEN out of the six boroughs in South East London, jointly with Lambeth.
- 31. Specifically, amongst those children and young people of statutory school age the October 2022 JSNA identified 7,461 (79%) children receiving SEND Support within their school and 1,961 (21%) receiving additional funded support through their EHCP. By the end of the academic year 2023, the number of children of statutory school age identified with SEN had fallen to 9,218 (18% of all pupils), and whilst the number of those in receipt of SEND Support within school had reduced by 4% to 7,123, the number of children with higher needs with an EHCP had further increased by 7% to 2,095.

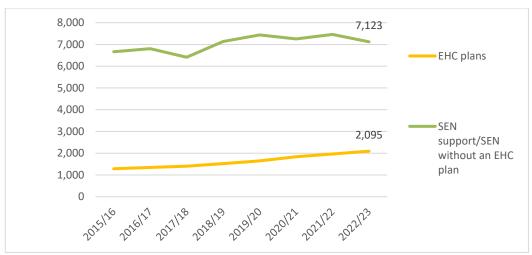


Figure 5: Southwark School Age Children with SEN

32. The rate of children aged 0-25 in Southwark who have an EHCP has historically and continues to exceed comparative rates for inner London peer authorities and our statutory neighbours (Figure 6).

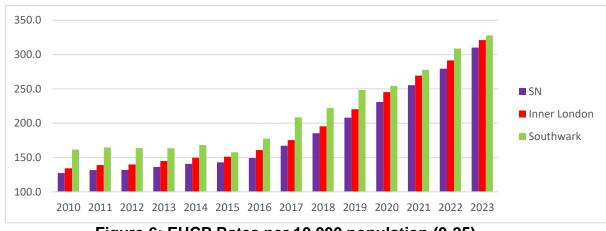


Figure 6: EHCP Rates per 10,000 population (0-25)

33. The rate of new EHCNA requests per 10,000 children aged 0-25 in Southwark has remained stable across the last 5 years with a 3% fall in that period. In contrast the average rate of EHCNA requests across inner London and Statutory Neighbour (similar local authorities) comparators has steadily increased in the last 5 years.

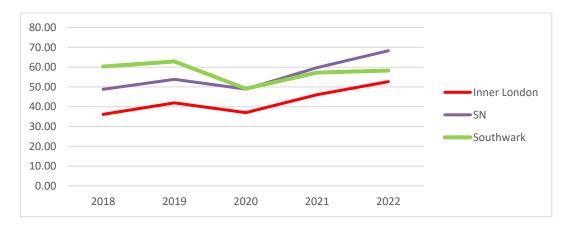


Figure 7: EHCNA Request Rates Per 10,000 population (0-25)

- 34. In line with the overall national deterioration in achieving the 20-week timescale the same trend has been visible regionally with the average timeliness across London falling by 12.1% between 2014 and 2022, now standing at an average of 59.9% of EHCPs meeting the 20-week timescale across London.
- 35. The fall in timeliness has been particularly noticeable in South East London (SEL) authorities (Figure 8). Except for Bexley (82.6%), Southwark was the best performing SEL authority in 2022 at 48.4% compared to Lambeth at 15.8% and Lewisham at 40%, Greenwich at 34.5% and Bromley at 27.2%, against the overall London average of 59.9%. This is shaped by the sustained increase in requests in recent years.

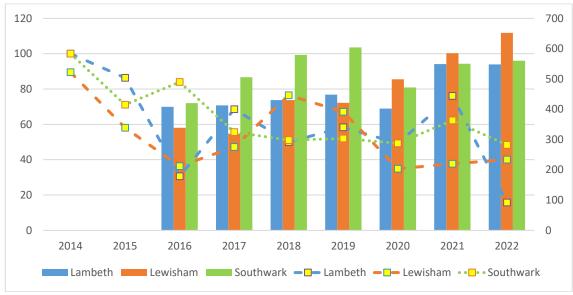


Figure 8: Timeliness vs New EHCP Requests

36. Despite the marked difference in timeliness since the 2014 reforms in the past 5-year period, Southwark alongside London and our statutory neighbours have managed to broadly hold performance on timeliness at a steady range (figure 9).

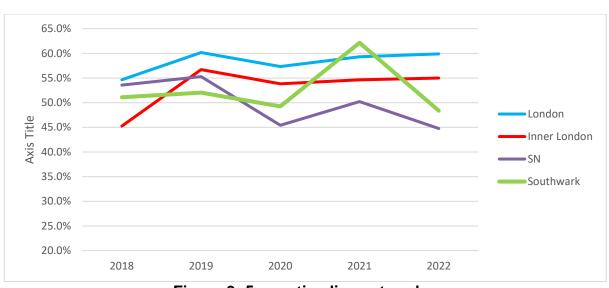


Figure 9: 5-year timeliness trend

Annual Reviews

- 37. The local authority is required under The Code to ensure that each child or young person with an EHCP is reviewed on an annual basis. The process of the review can be delegated to schools, and requested of early years, further education or post-16 providers.
- 38. When the review has been completed, the local authority has to decide whether the plan should be maintained in its current form, amended in the light of changing needs, or ceased as a result of the plans and objectives being met or where a number of circumstances exist e.g. reaching age 25, moving to another area, entering higher education.
- 39. Two thirds of children and young people with an EHCP in Southwark had their plan reviewed in the last 12-months (Figure 10). This performance has been broadly maintained since the impact of the 2014 reforms were implemented.

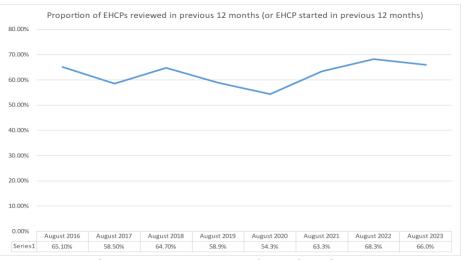


Figure 10: Annual Review Timeliness

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Challenges Impacting Demand and Performance

- 40. Whilst the overwhelming challenge facing Southwark and the national SEND system is increasing demand and complexity within our communities as set out above, there are challenges which exist regionally and locally that continue to exacerbate the issues in performance and timeliness. The programme of modernisation being delivered through the SEND Strategy and Safety Valve Transformation Programme is working to address each of these. The issues the programme is responding to include:
- The need to continue to transform the Early Help System to deliver a more coherent and integrated approach to early identification and intervention that mitigates the need for a statutory assessment, the request for extra resources, and builds trust with parents that their child's needs can be successfully met in a mainstream setting with SEN support but without an EHCP.
- National shortages in Educational Psychologist (EP) capacity required to contribute to the assessment process. EPs are the only professional named in law as required to provide advice for all children undergoing an Education, Health and Care needs assessment. In the Department for Education (DfE) report *"Educational psychology services: workforce insights and impact"* published in June 2023 88% of local authorities said that they were experiencing recruitment difficulties and 34% reported that they were experiencing retention difficulties. The gap between capacity and the volume of requests locally has contributed to a backlog in assessments impacting on the overall timeliness.
- EHC plan writing capacity to synthesise assessment information from multiple professional reports, and craft a coherent and SMART (Specific, Measurable Realistic, Achievable and Timely) EHCP that addresses the needs identified during the assessment process.
- Information sharing and systems issues which build in delays in securing the necessary contribution of multi-agency information from key partners particularly Health services.
- The need to bring our business processes and case management systems up to date to meet the new challenges of rapidly increasing and sustained demand.

Improvement Programme

41. Improving the timeliness of EHCNAs requires a multifaceted approach that involves targeted additional resources, internal process and systems improvement, strengthened open and transparent communication with parents and provision, training and development, strengthening our performance culture, and modernising our organisational structure, the development of the early help system, and more robust partnership leadership and governance.

- 42. The aim of the improvement programme is to achieve as close to 100% EHCP timeliness as possible. This target is limited by some factors beyond the control of the local authority such as children who move into Southwark part way through the EHCNA process and the contribution of health colleagues, parents, and other professionals to the process.
- 43. The target of reaching and sustaining a high level of timeliness can only be achieved if the demand for EHCNAs and the overall number of EHCP's can be effectively reduced through the development of our partnership Early Help response to ensure that children and young people's individual needs are met at the earliest opportunity, and they are supported effectively at the most appropriate level of provision. As is the improvement in the timeliness of our reviews and the ability of provision to "step down" children and young people onto SEN support, with parental endorsement and confidence, without necessitating a continued EHCP.

44. The objectives of the programme are to:

- a) Improve timeliness quickly through time limited investment in additional capacity to re-baseline our performance and reduce backlogs
- b) Create a **framework** for sustained and improved timeliness and quality over the longer term, including improving the **efficiency and effectiveness of the system and process**
- c) Strengthen and improve communication and transparency with key stakeholders to enhance co-production and build greater trust, confidence and understanding of the SEND system and challenges in Southwark
- d) Develop our **Early Help System** to improve support to children whilst waiting and to provide an alternative to statutory intervention
- e) Reviewing and strengthening our partnership leadership and collaboration to promote better leadership and multi-agency cooperation to improve services and outcomes for children with SEND

Key / Non-Key decisions

45. This report does not deal with a key decision

Policy implications

46. The SEND Team performs the statutory functions for SEND as set out in the Children's and Families Act 2014 and the SEND Code of Practice 2015. The Team is not able to carry out these statutory functions in terms of new assessments and annual reviews at the current time. As a result, statutory national requirements and local policy standards are not being met.

Financial implications

- 47. At end of the financial year 2021-22 Southwark DSG deficit stood at £21.65m. The in-year deficit for 2022-23 was £2.03m, exceeding the forecasted target under the Safety Valve agreement of £2.33m. Due to meeting this target the first Safety Valve payment of £9.22m has been released to the Council reducing the final deficit position to £14.46m.
- 48. The programme to effectively support less children to require EHCPs is priority condition within the Safety Valve agreement and our SEND Strategy which will deliver the continued reduction in the budget deficit profiled to reach £8.9m by the end of 2024-25, £5.53m by the end of 2025-25 and balanced by the end of 2026-27.

Community, equalities (including socio-economic) and health impacts

Community impact statement

49. The effect of the current timeliness of EHCNAs and reviews on the SEND community of Southwark is impacting on our ability to consistently engender trust between the authority and our families which exacerbates issues of demand and further delays in ensuring appropriate support to children and young people. The approach set out in these reports aims to reverse the impact of these trends and ensure our families and community feel and are provided with nationally leading levels of support.

Policy Framework Implications

50. There are no policy framework implications

Equalities (including socio-economic) impact statement

51. The content of the report and the plans described to ensure the service offer improves will address the needs of a cohort of children and young people with protected characteristics and those who are commonly in the most socioeconomically disadvantaged groups

Health impact statement

52. The content of the report and the plans described to ensure the service offer improves will support positive outcomes in the health of children and young people with SEND.

Climate change implications

53. There are no relevant climate change implications

Social Value considerations

54. There are no relevant social value considerations

Economic considerations

55. The content of the report and the plans described to ensure the service offer improves will ensure more support is available to children to prepare them for independence in adulthood and support their parents to access employment and training by ensuring their children are properly supported in education.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Finance and Governance

56.Not applicable.

Head of Procurement

57. Not applicable.

Director of Law and Governance

58.Not applicable.

Director of Exchequer (For Housing contracts only)

59. Not applicable.

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BACKGROUND DOCUMENTS

Background Documents	Held At	Contact	
Special Educational Needs and Disabili	ties (SEND) Code of Practice 20	014	
SEND and Alternative Provision Improvement Plan Right Support, Right Place, Right Time			
Joint Strategic Needs Assessment (JSNA) for Children & Young People with SEND			
Safety Valve and Delivering Better Value			
Southwark's Special Educational Needs and Disabilities (SEND) Strategy (2022-2025)			

APPENDICES

No	Title

AUDIT TRAIL

Cabinet Member	abinet Member Councillor Jasmine Ali,		
	Deputy Leader and Cabinet Member for Children, Young		
	People and Education		
Lead Officer	David Quirke-Thornton, Strategic Director of Children's and Adults' Services		
Report Author	Michael Crowe, Service Development Manager – Children & Families		
Version	10		
Dated	11 October 2023		
Key Decision?	Yes		
CONSULTATION MEMBER	CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title Comments Sought Comments includ		Comments included	
Strategic Director of Finance and Governance		No	No
Head of Procurement		No	No
Director of Law and Governance		No	No
Contract Review Boards			
Departmental Contract Review Board		No	No
Corporate Contract Review Board		No	No
Cabinet Member		Yes/No	Yes/No
Date final report sent to Constitutional/Community Council/Scrutiny Team12 October 2023		12 October 2023	

ltem No. 8	Classification: Open	Date: 5 December 2023	Meeting Name: Education and Local Economy Scrutiny Commission
Report title:		Education and Local Economy Scrutiny Commission Work Programme 2023-24	
Ward(s) or groups affected:		N/A	
From:		Scrutiny Officer	

RECOMMENDATIONS

- 1. That the education and local economy scrutiny commission note the work programme as at 5 December 2023 attached as Appendix 1.
- 2. That the education and local economy scrutiny commission consider the addition of new items or allocation of previously identified items to specific meeting dates of the commission.

BACKGROUND INFORMATION

3. The general terms of reference of the scrutiny commissions are set out in the council's constitution (overview and scrutiny procedure rules - paragraph 5). The constitution states that:

Within their terms of reference, all scrutiny committees/commissions will:

- a) review and scrutinise decisions made or actions taken in connection with the discharge of any of the council's functions
- b) review and scrutinise the decisions made by and performance of the cabinet and council officers both in relation to individual decisions and over time in areas covered by its terms of reference
- c) review and scrutinise the performance of the council in relation to its policy objectives, performance targets and/or particular service areas
- d) question members of the cabinet and officers about their decisions and performance, whether generally in comparison with service plans and

targets over a period of time, or in relation to particular decisions, initiatives or projects and about their views on issues and proposals affecting the area

- e) assist council assembly and the cabinet in the development of its budget and policy framework by in-depth analysis of policy issues
- f) make reports and recommendations to the cabinet and or council assembly arising from the outcome of the scrutiny process
- g) consider any matter affecting the area or its inhabitants
- h) liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working
- i) review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the scrutiny committee and local people about their activities and performance
- conduct research and consultation on the analysis of policy issues and possible options
- k) question and gather evidence from any other person (with their consent)
- consider and implement mechanisms to encourage and enhance community participation in the scrutiny process and in the development of policy options
- m) conclude inquiries promptly and normally within six months
- 4. The work programme document lists those items which have been or are to be considered in line with the commission's terms of reference.

KEY ISSUES FOR CONSIDERATION

- 5. Set out in Appendix 1 (Work Programme) are the issues the education and local economy scrutiny commission is due to consider in 2023-24.
- 6. The work programme is a standing item on the education and local economy scrutiny commission agenda and enables the commission to consider, monitor and plan issues for consideration at each meeting.

Children, Education & Refugees (Councillor Jasmine Ali, Deputy Leader and Cabinet Member)

- Early years and childcare including children and family centres, early years education, childminders and nurseries
- **Schools** including school standards, inclusion, places and admissions; special education needs; free healthy school and nursery meals and fruit; healthy schools and Southwark's Let's Go Zero schools network
- Further, higher and adult education including English for speakers of other languages (ESOL), adult literacy and numeracy; and scholarships
- **Children's social care** including children in care and care leavers, fostering and adoption, support for children with disabilities and their families; and child safeguarding
- **Family support** including parenting programmes, the council's surestart for teenagers service and support for families who are providing unpaid care for a child with a disability or health condition, including respite care
- Youth offending services.

Jobs, Skills & Business (Councillor Martin Seaton)

- Increasing employment support to find a job or start a new carer; careers advice and work experience; paid internships; supporting young people and care leavers' into employment, education and training; relationship with Jobcentre Plus; supporting businesses to engage with schools and colleges (including the Education Business Alliance)
- Vocational Skills including apprenticeships, vocational training and skills centres
- **Businesses support** for local businesses, cooperatives, social enterprises and entrepreneurs; increasing procurement from local businesses; and relationships with local business groups and Business Improvement Districts.
- **High streets** including town centre action plans, Thriving Highstreets Fund, markets
- **Commercial property** management, leasing and rent setting of the council's retail and commercial units, office accommodation and related property
- **Industrial strategy** growing industries that generate good jobs and wider value for our community, including green industries, life sciences and creative and cultural industries
- Living Wage promoting the London Living Wage employers
- **Workers' rights** promoting good employment practices and equality and diversity at work and trade union membership.

Young People (Councillor Portia Mwangangye)

- Increasing the voice and influence of young people
- Southwark Youth Parliament
- The council's in-house and commissioned youth services
- Positive Futures Fund
- Southwark Young Advisors.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact	
Education and Local Economy Scrutiny Commission agenda and minutes	Southwark Council Website	Amit Alva Amit.alva@southwark.gov.uk	
Link: https://moderngov.southwark.gov.uk/ieListMeetings.aspx?CId=550&Year=0			

APPENDICES

No.	Title
Appendix 1	Work Programme 2023-24

AUDIT TRAIL

Lead Officer	Amit Alva, Scrut	Amit Alva, Scrutiny Officer		
Report Author	Amit Alva, Scrutiny Officer			
Version	Final			
Dated	27 November 2023			
Key Decision?	No			
CONSULTAT	CONSULTATION WITH OTHER OFFICERS / DIRECTORATES /			
	CABINE	T MEMBER		
Officer	Officer Title Comments Sought Comments Included			
Director of Law a	nd Governance	No	No	
Strategic Director of		No	No	
Finance and Governance				
Cabinet Member No No			No	
Date final report	Date final report sent to Scrutiny Team27 November 2023			

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Education and Local Economy Scrutiny Commission Work Programme – 2023/24

Meeting	Agenda items	Comment
19 July 2023	Community Wealth Building (CWB) in Southwark To evaluate Southwark's strength and weaknesses regarding Community Wealth Building - according to the five pillars: Plural ownership of the economy Making financial power work for local places Fair employment and just labour markets Progressive procurement of goods and services Socially productive use of land and property	Commission received a report from Southwark's Local Economy team on council's role in Community Wealth Building (CWB). Officers- Nick Wolff, Principal Strategy Officer, Chief Executive's and Danny Edwards, Head of Economy.
	School Amalgamations and Closures in Southwark	Commission received feedback/report from Freddy Vanson, District & Branch Joint Secretary, National Education Union (NEU) Southwark Branch, on School Amalgamations and Closures in Southwark especially with regards to redundancies with a focus on disproportionate redundancies and disciplinary amongst Black Asian and Minority Ethnic (BAME) school staff.

Meeting	Agenda items	Comment
	 St Mary Magdalene C of E Primary School (SMMS) Demographics of the school Avoiding closure and amalgamation Council's role and communication Suggestions to improve council strategy on falling rolls 	To hear from Anna Harding, Head teacher and Sonia Phippard, Chair of Governors on the plans for closure/amalgamation of the St Mary Magdalene C of E Primary School.
19 October 2023	 The Restructure of Kintore Way Nursery School and Children's Centre. Financial Challenges Mitigation Strategies Potential impact on the school's educational programs and services Plans to collaborate or integrate with other educational institutions Prioritising the interests of students and the community throughout this process 	To receive a report from Matthew Waterfall and Sasha Das Gupta from the National Association of Headteachers (NAHT) on the restructure of Kintore Way Nursey School.
	Employment for young people in Southwark.	To receive a report from Patrick Doherty, Principal Strategy Officer and Danny Edwards, Head of Economy on youth employment.

Meeting	Agenda items	Comment
	Education, Health Care Plan (EHCP) process, demand and timeliness.	To receive a report from Alasdair Smith, Director, Children & Families, Children's and Adults' Services, Anna Chiva, Assistant Director for SEND, Children and Adult Services and Michael Crowe, Service Development Manager, Children's and Adults' Services on EHCP demand, process, timeliness and programme improvements.
5 December 2023	An update on St Mary Magdalene C of E Primary School and Kintore Way Nursery School and Children's Centre.	To receive a verbal/written update from Councillor Jasmine Ali, Cabinet Member for Children, Education & Refugees and Alasdair Smith, Director, Children & Families, Children's and Adults' Services on St Mary Magdalene C of E Primary School and Kintore Way Nursery School.
	Youth Employment- St Giles Trust	To hear from Case Workers at St Giles Trust on Youth Employment programs and the council's role in these programs.

Upcoming Meetings	Agenda Items yet to be scheduled	Comment
30 January 2024	 Impact of school closures and amalgamations on: 	All Items agenda items to be confirmed
1 May 2024	 Black and Asian Minority Ethnic (BAME) school staff and pupils Male and Female members of school staff (data breakup) LGBTQ staff Disabled members of school staff Senior Leadership Team in schools School Support Staff (low-paid) Governors Schools exclusions data. BAME school staff disciplinary data Flexible working requests in schools (job- 	
	 shares, part-time) Falling school rolls and its experience from interviewing parents, teachers and head teachers Live relocation strategy for businesses Council Process for scrutinising S-106 agreements and business community engagement. Reviewing Council's approach to inclusion including children with Special Educational Needs and Disabilities (SEND. 	

 Southwark Stands Together (SST) role and successes, focusing on benefits to BAME school staff. 	
 Update on Children's Safeguarding Partnership in Southwark since its evolution and restructuring in 2022-2023 	
 Community Wealth Building (CWB) focusing on procurement, social value and employment for young people 	
 Interview with Cabinet Member Children, Education & Refugees. 	
 Interview with Cabinet Member for Jobs, Skills and Business. 	
 Keep Education Strong strategy with regards to the extent it goes to avoid closures. Local Authority Nursery Provision 	
 Policies for Southwark small and medium enterprises (SME) to help boost the local economy sector in Southwark especially planning and regeneration projects. 	



Education and Local Economy Scrutiny Commission

MUNICIPAL YEAR 2023-24

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NOTE: Original held by Scrutiny Team; all amendments/queries to Amit Alva Tel: 020 7525 0496

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Marcin Jagodzinski Jonathan Clay Reserves Members	
Councillor Maggie Browning Councillor Bethan Roberts Councillor Laura Johnson Councillor Victoria Mills Councillor Victor Chamberlain Councillor Sunil Chopra Councillor Adam Hood	
	Dated: November 2023