

Independent external review

This review was commissioned by Brighton & Hove Local Authority, to gain an external view on the proposal to restructure its SEN services (currently operating independently) with the objective of forming a unified Educational Psychology and Learning Support Service.

Terms of Reference

The terms of reference under which the review was conducted were as follow:

To consider the consultation outcomes and final proposed recommendations and provide a view on whether they:

1. Enable the LA to meet its statutory duties
2. Provide a service which better meets the needs of children than the current service arrangements
3. Offer sufficient support to children and young people with SEND and their schools in order to ensure that their educational outcomes are improved
4. Take full account of the views of stakeholders and particularly parents
5. Enable schools to build their skills and expertise in areas of SEND through training, guidance and support
6. Are affordable within the overall SEND budget available
7. Have been benchmarked appropriately against spend and services in other LAs
8. Have the potential to lead to recruitment and retention risks within the service

The reviewer was also invited to identify any further issues or concerns that are not identified in the list above and to provide any further recommendations pertinent to the consultation exercise.

Summary

Given the range of data presented, the legal context within which all Local Authorities must work and the views presented by those interviewed it is my view that the amended proposals will enable a more effective service to the families and children and young people with SEND in Brighton & Hove. Having a single overall leadership and management structure will enable the services to work more cohesively together and develop further capacity within their own service through information sharing, joint planning and modelling of good practice. I agree that having a more streamlined service which focuses on the LA priorities will enable the service to work more strategically with schools to enable improved outcomes for young people. The move to provide a service to families throughout the year is a positive move and the LA is working hard to ensure that this can be achieved. Brighton & Hove's proposal to include the CAMHs service within the new Education Service is an excellent move forward as it will enable further understanding within the new service in the area of mental health; this was not common in the other Local Offers that I viewed as part of this review. This model may facilitate further similar developments with Health partners.

Context of the review

I was commissioned for eight days in total to complete this review. Three of those days were spent in Brighton & Hove during which thirteen meetings and five telephone calls were completed. The timetable over the course of the three days was arranged by the LA in advance of the review. Those invited to the meetings included representatives from each of the eight Services, the stakeholder group, parents and parent representatives, the relevant unions and elected members.

The groups were invited to share their views on the following questions:

Were they confident that the proposals

- I. provided an effective approach to maintaining appropriate levels of specialisms to enable the LA to meet its statutory duties to children and young people with SEND within the 0-18 age group?
- II. would enable the LA to provide an improved and modernised service that would allow it to focus on its key priorities more effectively?
- III. would continue to provide sufficient effective support to the pre-school and EYFS age group?
- IV. have taken full account of the views of all stakeholders and particularly parents?

All of the groups and individuals interviewed agreed that the move to a single integrated service was positive and that it would enable more effective partnership working. Parents interviewed hoped that an integrated service would also mean integrated reports, should they have a child who accessed more than one service. This is something that the service should consider.

Although there were concerns at the outset, that the consultation process was flawed it, this was addressed over time and it was widely appreciated that the final proposals had taken account of the views of stakeholders. However, through the interview and telephone call process it became clear that there were still some risks that concerned groups and individuals.

- The information that follows attempts to capture those risks (seven in all). Below each risk identified, my comments and professional opinions are captured in the box below each of them.
- I have added nine further areas for consideration which are pertinent to this process

Risks identified

1. **EYFS:** A number of individuals interviewed were concerned that the areas of expertise and resource around the early years' child development which is so highly valued within the EYFS team (PRESENS) would be diluted if this team were expected to work with a wider age range of children and families. There were also concerns that there was less overall capacity with the PVI's to identify and meet the needs of those with SEN.

The final proposals have made it clear that those with Early Years' experience and skills would be clearly identified and deployed appropriately. In my opinion one of the benefits of being part of a single central service is that there can be an increased opportunity to share good practice more widely within teams. Clearly the area of child development is an area that will be of interest to any service involved with children with SEN.

One of those interviewed did say that they were delighted that the area of expertise in EYFS was to be maintained and that if reduced would severely compromise some of the PVI settings' ability to be inclusive. Interestingly, this consultation process has made them reflect on how they can build their own capacity for the future within their clusters so that they are less dependent upon external agencies. They plan to prioritise this within the coming year.

They also valued the modelling of strategies, advice and learning about cutting edge therapies. I suggest that some of this information be shared more widely via the Local Offer (eg by providing video clips of good practice)

- 2. Leadership of specialisms:** Some teams were concerned that their area of expertise would not be represented amongst the revised leadership team. They felt that under the current structure this role was vital in representing the views of parents and stakeholders on committees and in bringing recent and relevant research in the field to the attention of others. There were also specific duties within existing roles which they were concerned would not be adequately covered if the leadership roles became more generic.

I understand that whilst there are management leads in these proposals for SEMH and Language and Communication, consideration is also being given to professional leads for other areas of expertise such as HI and VI. Furthermore, given the proposed new service's focus on the key priorities for the LA, there will be of necessity, increased scrutiny on the impact of all aspects of service delivery to ensure a strategic approach. Where impact is unclear or negative this can be addressed centrally and a suitable action plan can be developed to address this. Although the intention is that all staff in the new service will be encouraged to work in a flexible, responsive, co-ordinated way, I don't anticipate that this more generic approach will replace the need for areas of expertise. I consider it to be a positive move that any professional working with children and young people with SEND be encouraged to increase their areas of expertise. This is something that the new service should actively plan for. If there are specific duties which need to be covered which directly affect the outcomes for children and young people with SEND, then the new Head of Service will need to make arrangements to ensure that these are taken account of

- 3. There is a lack of clarity about the titles and roles of different groups of staff eg administrative staff, SEN support workers, mental health workers:** Individuals were curious about how the range of roles currently being undertaken by various teams would be addressed under the new structure. Some individuals were hopeful that their 'specialist' title would not be lost as this gave them credibility with schools and settings.

It is clear that there is still a lot to discuss around the specifics of the operational aspects of the service. Staff will be involved in shaping the new service and I think that it would be a negative step to be too prescriptive at this stage. It would also be reasonable to assume that any systems and protocols which are working effectively now would be considered in the light of the new service to see how these could be maintained.

- 4. The Head of Service won't be recruited in time:** Staff were keen to have clear leadership to help them take the new service forward

I understand that the LA is working closely with a recruitment agency to recruit candidates with the relevant experience and skills.

5. Job descriptions are too general and there is a risk that individuals with the necessary skills, qualifications and experience won't be recruited.

I understand that the LA has agreed to consider a case for changes to some more specific job titles where this would provide further clarity in relation to different roles and ensure that suitable candidates are recruited. This would be a positive step and reduce this risk.

6. The Literacy Support Service is concerned that schools will not be able to afford their increased costs and fewer schools will buy back their services. This has implications for the future security of the service.

The LSS has been a traded service for some time and I understand that schools which buy in their services value their work highly. They have provided a detailed proposal for a phased move to full cost recovery for the LA to consider. There is a high level of professional expertise and ongoing quality assurance maintained within this Service and it is feasible that schools in neighbouring LAs would welcome this. It is my understanding that the LA will continue to commission services from the LSS to enable it to carry out its statutory duties.

7. There was a risk that the excellent reputation that the BILT service had built up, would be compromised with the expectation that it works across phases.

The revised proposal is to increase the numbers of staff in this area (4.28FTE to 7.0FTE). I am keen to remind anyone reading this report that schools also have a duty to increase their own expertise to identify and meet the needs of those with SEN including those with SEMH. I know of many schools up and down the country which spend increasing amounts of money to enhance their own counselling provision, develop more effective emotional climates for learning and train existing staff so that they can provide evidence based interventions for those with SEMH. This is their duty under the statutory guidance in the Code of Practice. BILT will increase its reach and it may need to work in different ways so that its resources are targeted at those in most need. The introduction of the CAMHs service into this strand will also enhance its capacity. The LA's plans to work more closely with schools to clarify and agree what good universal, targeted and specialist provision should look like, will also support this work.

Areas for further consideration

1. Parents interviewed said that they would welcome further streamlining of service delivery and where children accessed more than one service it would be welcomed if there could be a move towards a single 'case holder' that a parent could contact if they needed an update on their child's progress or if they needed to share some information.

2. The model for the proposed restructure should be revised to recognise and include the work of the Literacy Support Service (LSS) as it already works in partnership with many of the teams within the proposed new service as part of the statutory duties of the LA. There is an opportunity here to explain how the traded and statutory elements of this service work in parallel. This information could be explained in more detail via the Local Offer.
3. The model for the proposed restructure should be revised to demonstrate a more fluid way of working between the two strands identified. All services and stakeholders interviewed felt that many of the children and young people they worked with would access services from across these strands.
4. Agree a graduated approach with schools and settings. The Local Offer, which is another statutory duty placed upon schools and LAs, can be a vehicle for further capacity building. There is an opportunity to work more closely with schools to agree their graduated approach and reasonable adjustments (*SEND Code of Practice: Statutory guidance Jan 2015*). A more cohesive approach agreed between schools, should enable them to identify SEN more effectively thereby reducing the inconsistency that exists at the moment. Effective schools do not rely on within-child forms of assessments and labels. They respond to additional needs through well planned, preventative systemic interventions, which can be tailored to meet individual needs. The graduated approach means that there should be less need for formal diagnosis of high occurring needs. Effective schools are adept at understanding what high quality universal teaching, followed by targeted interventions and increasingly within school specialist provision looks like.
5. Continue to monitor the impact of the new service. It is a skilled balancing act to respond effectively to local need whilst developing capacity in other areas so that schools and settings are empowered to work towards increasing independence to improve outcomes for all children and young people with SEND. However, both the SEND Code of Practice and the new OFSTED Framework expect schools to monitor the progress of all groups of children and take effective measures to intervene when a child or young person is not making progress (this is not just academic progress but includes SEMH as well). Whilst this culture change is evolving and maturing in schools the Local Authority should continue to monitor the impact of the newly aligned service to ensure that any potential risks are identified early on and are responded to swiftly and effectively but perhaps in different ways. Brighton & Hove spends a higher than average amount of money in the area of SEN¹. Like all Local Authorities it has a duty to ensure value for money. Higher than average spending should translate to higher than average outcomes for pupils with SEN. The data does not suggest this at the moment². The phrase 'if you keep doing things the same way you will get the same thing' comes to mind. The proposed new

¹ Source – 2015/16 DfE Section 251 Budget Statement

² SFR <https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2015>

service allows the LA to do things differently which involves developing further 'traded' arms within some of the services (in line with what is happening nationally). This may be something that could be developed in partnership with the Literacy Support Service.

6. Develop the on-line Local Offer so that schools and settings are made aware of the vision and protocols of the new service. As part of this review I looked at several other Local Authorities to compare their direction of travel with that of Brighton & Hove's and to see what arrangements they had in place to ensure that they could meet their statutory duties. This information was accessed from the on-line Local Offers. Not all LAs have identified clear pathways and in some cases it was difficult to ascertain exactly what was on offer to families and to support schools. For the purposes of this review I focussed on those that had clearly defined pathways to access services. There is a range of models across the country, all of which offered traded services. Most have a core service which works with the EYFS age group, and those who have Statements of SEN or an EHCP. In addition most offer an enhanced training menu or individual pupil support service via a traded route (eg Manchester, Hackney, Cornwall, Liverpool, Hounslow, Devon, Tower Hamlets). This is in line with the expectations within the statutory guidance that schools and settings should be '*reviewing and where necessary, improving teachers' understanding of strategies to identify and support vulnerable pupils and their knowledge of SEN most frequently encountered*' and '*Where a pupil continues to make less than expected progress, despite evidence-based support and interventions that are matched to the pupil's area of need, the school should consider involving specialists, including those secured by the school itself or from outside agencies*' (SEND Code of Practice Jan 2015 Ch 6.37 & 6.58).
7. Clarify how local and national charities, statutory bodies and other organisations which exist to support lower incidence needs (eg deaf CAMHs) work to represent and support parents and children and young people with SEND. This would ensure that their views would be included and represented in any further developments in this area. Again, the Local Offer can work to make this more transparent to all.
8. Develop and maintain a register of suitably qualified and experienced Enhanced DBS checked staff who are available for emergency cover or 'supply' work. This will enable the new service to have more flexibility to respond to local needs
9. The LA should provide a timeline. Some of those interviewed were unclear of how the transition to the new service would work. The LA could provide a timeline which shows a list of key actions to be completed as it moves towards the new service (eg acquiring premises, appointing a head of Service). This timeline could be updated as each key action had been completed.