

Committee: Children and Young People Scrutiny Panel

Date: 10th November 2022

Wards: All

Subject: Departmental Update

Lead officer: Jane McSherry, Director of Children, Schools and Families

Lead member(s): Cllr Brenda Fraser, Cabinet Member Children's Services, and Cllr Sally Kenny, Cabinet Member Education and Lifelong Learning

Contact officer: Maisie Davies - Head of Performance, Improvement and Partnerships

Recommendations:

A. Members of the panel to discuss and comment on the contents of the report

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 The report provides members of the panel with information on key developments affecting the Children, Schools and Families Department, and not covered elsewhere on the agenda. It focuses on those aspects of particular relevance to the department.

2 DETAILS

CHILDREN, SCHOOLS & FAMILIES

2.1 It has been another busy period in Children, Schools and Families. Since the last departmental update, we have had our SEND re-visit following our Joint Area SEND Inspection in 2019. We also held our SEND conference, which was attended by a wide range of partners. Further information is provided in the rest of this report.

SEND Re-visit

2.2 Merton was notified on Monday 3rd October of our SEND re-visit following our Joint Area SEND Inspection in 2019. The purpose of the re-visit was to determine whether Merton has made sufficient progress in addressing the three areas of weakness detailed in our Written Statement of Action. Inspectors also looked at the impact of the pandemic on children and young people with SEND and the local SEND system.

2.3 Before arriving onsite inspectors reviewed a suite of evidence, which had been prepared by Merton Children, Schools and Families and our partner agencies, especially our health colleagues in South West London Integrated Care Board (ICB). Inspectors were onsite from Monday 17th to Wednesday 19th October. They met with Merton's parents' forum, Kids

First, children and young people from Cricket Green and Melrose Primary, and two of our young inspectors. They also held focus groups with professionals from a range of agencies, including the local authority, health and education partners.

- 2.4 The re-visit provided an opportunity for all our partners working with children and young people with SEND to demonstrate how we have made improvements across the three WSoA improvement areas. We are proud of the collaborative efforts made by all partners to contribute their evidence and views to the re-visit. We are also particularly grateful to children, young people and parents who contributed their views as part of the process.
- 2.5 Inspectors have provided provisional and confidential verbal findings and aim to share a first draft of their formal letter to the local area within 10 working days for review of accuracy. The final letter is expected to be published within 33 working days from the end of the inspection (early December).

SEND Conference

- 2.6 On Tuesday 11th October, Merton held its first annual SEND Conference, 'SEND is everybody's business'. The SEND conference brought together a wide range of partners, attended by over 170 professionals working within a range of agencies including from Education, Health and Social Care. Alongside the Director of Children's Services, the conference was opened by Mark Creelman, Locality Executive Merton and Wandsworth in the South West London ICB, Cllr Brenda Fraser, Lead Member for Children's Services, and Cllr Sally Kenny, Lead Member for Education and Lifelong Learning.
- 2.7 Sukpal Uppal, Participation Manager, started the first half of the conference by sharing the voices of children and young people through Merton's Young Residents Survey 2021, and the next steps for developing our participation work with children and young people with SEND. We were also pleased that Debbie Orton, our challenge partner from the Department for Education, was able to talk to the aims and ambitions of the SEND Green Paper, setting the national context. We were delighted too to hear from April McDevitt, a parent representative from our local Kids First parent/carers forum, who shared the work of the forum and the impact they have had on local strategy and practice.
- 2.8 In the second half of the conference, Elizabeth Fitzpatrick, Assistant Director for Education and Early Help and Mike Procter, Director of Transformation for Merton and Wandsworth, South West London ICB talked about our approach to SEND in Merton. This was followed by a multi-agency panel who discussed what was working well and what are our biggest challenges locally. The range of agencies represented, including Children, Schools and Families; Adults Social Care, SW London ICB, Central London Community Health, and Education demonstrated the collaborative approach to SEND in Merton. Both halves of the conference

allowed time for group discussions and feedback, which will be taken forward into our partnership SEND strategy.

Supporting Schools

School Ofsted Inspections

- 2.9 Since the last children and young people's overview and scrutiny panel meeting, there have been three further inspections by Ofsted in the autumn term: Harris Academy Merton had a graded inspection in September 2022 and remains an Outstanding School. Wimbledon Park Primary was also inspected in September, the report has not yet been published. Hatfield Primary was inspected just before autumn half term.
- 2.10 Additionally, the reports for schools inspected in the summer term have been published:
- There was no change to the overall judgement of Outstanding at Rutlish as a result of its Section 8 inspection; the next inspection will be a full inspection;
 - West Wimbledon is a Good school after its S5 graded inspection in May 2022 and this evidences the strengths of the school's leadership and federation arrangements (the school had been judged Requires Improvement in 2018);
 - St Teresa's continues to be a Good school.

School Places Strategy

- 2.11 In Autumn 2021 this committee considered the draft School Places Strategy document, which was then subject to consultation with all schools, and formally adopted in December 2021. The plan has now been updated to reflect 2022 data and is attached as an appendix to this report.
- 2.12 The document outlines the continued fall in demand for primary school places and the council has already facilitated the reduction in the published admission number by 13 forms of entry from 2016 to the present 2022/23 reception year entry. The council's strategy continues to be as follows:
- Continue to encourage schools to reduce admissions numbers to multiples of 30 for education efficiency when practical to do so.
 - Encourage schools to work in cluster areas with the council to agree reductions in admission numbers at an area level.
 - Consider use of compatible alternative uses for space where appropriate such as primary age SEND Additional Resourced Provision when it can be agreed with schools.
 - Where appropriate consider alternative models to operate schools for school improvement and to manage a balanced budget e.g. hard and soft federations.

- No plans to close schools unless absolutely necessary, as per the statutory guidance. This would be where standards are poor without a viable strategy for school improvement, the school is not viable financially after all options have been exhausted, and that there are places elsewhere for children that would be displaced, and pupil forecasts do not suggest an increase in demand, The council will also be wary that once land is lost for schools it may not be possible to get it back for any future increase in demand that cannot be foreseen. The council has no statutory power to propose the closure of an Academy school.
- 2.13 The significantly increased pupil numbers at secondary age have now flowed through the 11-16 age group and will reach 6th form age next year. In 2021/22 we operated below the recommended minimum surplus level of 5% in Year 7 and this is also expected in 2022/23.
- 2.14 However, the lower numbers flowing through primary schools will reach year 7 by next September (2023) and so there is concern there will be surplus places and a need to eventually reduce the capacity of some schools.
- 2.15 With regard to special school provision, as part of the High Needs ‘safety valve’ intervention programme agreed with the DfE a series of new expansions are being implemented over the next 5 years, including the proposal for a new special Free School. This is on top of the successful opening of Whatley Campus this September.

Supporting Vulnerable Children

Supporting Vulnerable Children and with Special Educational Needs and/or Disabilities

- 2.16 As at the 1st September 2022, Merton currently maintains 2,482 EHCPs.
- 2.17 As of the 1st September, the service has received 277 requests for an EHCNA (Education, Health and Care needs assessment) since January 2022. In this calendar year the LA has agreed to undertake 248 EHCNAs and agreed to issue 170 EHCPs (Education, Health and Care Plan).
- 2.18 The EHCNA process should be completed within 20 weeks. As of 1st September, the year to date timeliness for completing an EHCNA is at 77% in the total number of EHCPs being issued within 20 weeks.
- 2.19 Following the annual review processes this calendar year the Local Authority has ceased to maintain 148 EHC Plans. 98 children and young people with an EHCP moved out of Merton to another Local Authority and seven moved abroad. In addition, 51 children and young people with an EHCP moved into Merton and their plan was adopted.
- 2.20 The new SEN Structure of the four SEN Teams (Assessment Team/Early Years, Primary Team, Secondary Team and the Post 16 Team) has gone live. The focus of the Primary, Secondary and Post 16 Team will be to ensure that statutory timescales of the EHCP Review process are met and

to improve the quality of EHCPs. An annual review dashboard is being developed to monitor attendance and statutory timescales. Once this is finalised key data sets will be included in the department update.

Safety Valve

- 2.21 Addressing the growth in the number of EHCPs is a key part of the Safety Valve plan. As the figures above demonstrate, we are still assessing and approving new plans, but we are applying our policy more consistently.
- 2.22 As we reported in the last departmental update, we submitted our second quarterly report to DfE in September. We have now received confirmation that they have accepted our report and progress and have released the second quarterly payment of £875k. There are two further instalments of £875k due this year.

Contextual Safeguarding

- 2.23 The service continues to respond to incidents and conflicts between groups and gangs in the borough and neighbouring boroughs, some of which involve school aged children. This involves detailed individual safety planning with families, working in partnership with professionals across the network, including police, social workers, youth justice workers, youth workers, neighbouring boroughs, schools and colleges. Senior officers from the Council continue to meet with senior police officers, to agree joined-up communications plans for schools and the community, in consultation with Safer Merton, as well as ensuring additional senior police representation at key strategic and operational meetings.

Sexual Harassment in Schools Scrutiny

- 2.24 As part of the Merton Safeguarding Children Partnership's statutory requirements under Working Together 2018, the partnership has appointed three posts to provide independent scrutiny of the MSCP's arrangements - an Independent Chair, Independent Scrutineer and Young Scrutineer. As part of their role, the Independent Scrutineers scrutinise and contribute to the MSCP annual report, which is included under item four on this agenda.
- 2.25 The Scrutineers also undertake thematic scrutiny focusing on important topics for the MSCP. Earlier this year the Scrutineers completed their thematic scrutiny on how well the MSCP are working with partners to respond to sexual harassment in schools and colleges. The scrutiny activity took place across four days and involved a light touch literature review, focus groups with students, a survey to schools, and meetings with school leaders, and other MSCP partners.
- 2.26 In June 2022, the scrutineers presented their findings to the MSCP's Full Partnership. They were able to directly report the views of children they

had met with as part of the scrutiny, many of whom highlighted the importance of trusted adults in reporting sexual harassment.

- *“We have to trust the people before we’d tell them or report sexual harassment. If we have a bad experience before it puts us off telling them something so personal”*
- *“I’d speak [to] my history teacher, I trust her”*
- *“I would always speak to my friends first...”*
- *“School makes our feelings feel valid, e.g. they say ‘banter’ is not an excuse”*

2.27 Two young people from Merton College attended the June Full Partnership to talk about their co-produced campaign against sexual harassment. The meeting provided an opportunity to share good practice and learn from the findings of the Scrutineers.

2.28 The scrutineers also made some recommendations for improvement, highlighting the importance of a coordinated approach across partners and the provision of spaces for agencies to learn from each other’s good practice in this area. Recommendations also included updating our multi-agency harmful sexual behaviour policy, ensuring equitable provision of safer schools officers across school type, and continuing to develop and promote innovative ways that children can report sexual harassment.

2.29 The MSCP is responding to the scrutiny with oversight from the Quality Assurance and Practice Review sub-group, which regularly monitors progress against scrutiny recommendations. The harmful sexual behaviour policy is being reviewed by a range of partners, including representation for special schools to ensure it is inclusive. The DSL forum enables sharing between schools of good practice and the MSCP is also ensuring sexual harassment and the local context is included in our MSCP training programme. The Scrutineers have also raised their findings directly with the Police, who are considering the findings around equitable distribution of safer schools officers.

Adultification Scrutiny

2.30 The MSCP Scrutineers’ next theme is the adultification of children and young people within safeguarding practice. This scrutiny activity is currently underway and a survey has been circulated to a wide range of professionals to capture their views. The Scrutineers will ensure they also speak to key leads across the Partnership, and also to children and young people. The scrutiny findings are expected to be ready to present to the Full Partnership in the New Year.