

Response to SEND Commissioner's Recommendations Update August 2022



BE BOLD BE BIRMINGHAM



Response

	Recommendation	Response
1	There should be no structural reform to introduce an alternative delivery model for SEND in Birmingham which should instead remain under the direct leadership and management of Birmingham City Council ((BCC) supporting the wider SEND partnerships including with NHS and schools).	We agree with and welcome this recommendation.
2	Recommendation 1 is strictly conditional on the unequivocal support of BCC and on the local authority's absolute commitment to the remainder of these recommendations including the continuing roles of the Improvement Board, the retained Statutory Direction, and the Commissioner.	The Council Leadership – political and officers – agree with this and are unequivocally committed to retaining and improving SEND services alongside our wider education services. Helen Price and Victor Roman will collaborate to show how we demonstrate unequivocal support and process for recording and presenting the same. DC / SH to speak to JC on a regular basis to maintain a continuous line of communication.
3	In the absence of the necessary commitment from BCC described in 2, work should start immediately to transfer all of the remaining children's services for which BCC is directly responsible into the Birmingham Children's Trust (BCT), thus establishing through that vehicle, a full-scope children's trust including SEND and education services.	The Council Leadership – political and officers are absolutely committed to retaining and improving SEND services alongside our wider education services. The BCT senior leadership are aware that should things change, a process will be needed to implement the required delivery model, including discussions regarding which services are in scope.
4	The roles of the independently chaired Improvement Board and the Commissioner should be consolidated accordingly with a retained Statutory Direction to oversee and drive the continued improvement work.	We will of course continue to work with the Commissioner and use the Improvement Board to help drive improvement.

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5	The Accelerated Progress Plan should be retained but the Improvement Board will assimilate oversight of that plan with oversight of the programme to implement these recommendations to ensure a coherent approach to all aspects of SEND improvement.	The APP will continue to be delivered through the SIB, led by VR. The overarching recommendations of the commissioner's report will be integrated in the work of the SIB and monitored in the same way as the APP.
6	An early exercise should take place to review the APP and particularly its timescales now that this point in the process has been reached. In view of the scale of the improvement challenge that review should consider all ways to bring forward all possible deadlines with the full cooperation of all parties.	A review of the APP was undertaken in April 2022 resulting in a revised version of the APP now signed off by the DfE and published. Progress of the APP is regularly reviewed at the SEND Improvement Board. A six month stocktake review was carried out by the DfE in June 2022.
7	That will include taking all possible steps to ensure that the introduction of new SEND data systems are prioritised by all parties and thereby developing a clearer analysis of the financial requirements of future improvement.	This is covered through Objective 2 of the APP and is currently in progress. Resources will be identified to ensure a sustained data team are in place to support analysis that will inform future forecasts and resource planning according to need.
8	The SENDIASS service in Birmingham should be externally reviewed with recommendations brought back to the IB in due course.	An independent reviewer, appointed through the National Children's Bureau, reported their findings in July of 2022. The recommendations from the review have been accepted and will be delivered in due course.
9	The Improvement Board and BCC should establish a resourced Communications Strategy as a matter of priority to establish more fluent, frequent and effective communications with parents and carers focussing on both the communications of the improvement work but also ensuring effective case work communication.	This is part of the APP Objective 3. Our SEND Communications Strategy was signed off at the SIB in July 2022

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10	BCC will bring to the IB an update on the progress of the Home to School Transport reforms which are relevant to but not strictly part of the SEND process.	We are happy to update on progress at SIB in Autumn 2022 (November), but wish overall to keep this separate from the APP. The leadership of both areas are working closely together to ensure services are joined-up as they are redesigned.
11	The DCS should plan and lead a collaborative process with schools to re-set the wider relationship between schools and the LA, including but not only with regard to SEND, taking the opportunity of her appointment and this report to trigger that work.	There have been several successful Headteacher Inclusion mini conferences held in June 2022 yielding very positive feedback from Headteachers as well as the DCS holding a series of open meetings with Heads which were well attended. The establishment of a Head Teacher Reference Group has enhanced the way the local partnership interacts with schools and Headteachers have been in attendance at workshops to co-produce the SEND strategy.
12	In the next stage of this process the Commissioner should work with NHS colleagues to offer a closer focus on the health dimensions to this work.	The Commissioner is already liaising with NHS colleagues to materialise this recommendation.
13	The City Council will commit to taking all legitimate steps to regularise the roles of all relevant staff and managers, moving from interim to permanent appointments wherever and as quickly as possible in the interest of stable SEND and children's services.	This work is in train as part of the introduction of a new TOM for SENAR. The additional resources required by the Children and Families Directorate will be set out as part of the council's Medium Term Financial Plan (MTFP).
14	The City Council should consider an exercise to incentivise retention of key staff whose roles are business critical to the successful delivery of SEND improvement.	We are working with HR to pursue individual conversations in order to retain business critical staff

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15	The City Council should take immediate and long-term steps to re-establish itself as a “children’s services authority” in line with Children Act 2004. This is regardless of the structural model and will include such steps as: re-creating a “children’s department” in some form and name and including the explicit title and role of the DCS; ensuring that the various leadership roles, politicians and officers, are consistent with statutory guidance; promoting a children’s partnership with a clearly stated vision and plan for the city’s children with the DCS leading that work.	<p>We have already changed the name of the directorate to Children and Families. We have also reviewed the portfolio of the Lead Member, which now covers Education and Children’s Social Care, along with Youth services into one Cabinet Member portfolio.</p> <p>We are working with the Birmingham Children’s Partnership to implement a Children’s Plan by early 2023.</p> <p>Birmingham City Council is applying for UNICEF Child Friendly City Status in 2023.</p>
18	The Department for Education should conclude an effective review of the 2014 SEND reforms including with regard to more stable funding and, through that process or otherwise, look to establish ways to assess schools on their duty of inclusion.	We were glad to see the Green Paper and respond fully to the consultation.
19	There is another possible recommendation in the report around DfE setting up an Improvement Team to support us.	We would welcome additional support funded by DfE (and/or NHS England). We are happy to discuss with them the specific areas we need support in and to discuss how we ensure it complements work already in train.

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16	The City Council should conduct a thorough business process review, if necessary with external support, to ensure all of its corporate business process and governance arrangements and systems are fit for purpose and efficient with a particular view to ensuring their ability to support not hinder service delivery.	The council's corporate management team have begun this review. It is being led by the council's section 151 officer.
17	Following the establishment of a new political administration through the May 2022 local elections, the City Council should conduct an exercise with external support to review and refresh the member-officer culture to ensure it too is fit for purpose especially but not only in the support of children's service improvement.	This work has begun.