

Improvement Notice

To: Hertfordshire County Council ('the council'),
County Hall
Peg Lane
Hertford
SG13 8DF

This Improvement Notice is issued to Hertfordshire County Council on Monday 15 January 2024. It follows the Ofsted and Care Quality Commission (CQC) Area SEND Inspection, published on 10 November 2023 and is in response to the areas of priority action and improvement highlighted in the report.

1. This Notice is given to address the two areas for priority action and five areas for improvement identified in the local area SEND inspection report published on 10 November 2023 (Annex 1).
2. To comply with this notice, the following actions are required of the Council, working with the Integrated Care Board (ICB) and its other partner agencies ("partners"), as set out in section 11 (1) of the Children's Act 2004.

Improvement plan

3. The Council's improvement plans should improve the provision of SEND services, taking account of the views of parents, children and young people and education leaders where relevant. Plans must cover the areas of priority action and improvement areas identified in the Ofsted and CQC inspection report published on 10 November 2023, included in Annex 1, as well as recommendations made by the Department, including:
 - a) leaders to swiftly improve the quality of the local data dashboard to ensure accurate understanding of SEND provision, and enable targeted activity where needed; leaders to collaborate in partnership across all SEND provision to ensure strong governance and quality assurance arrangements, and to collectively and urgently address the areas identified in the SEND strategy;
 - b) leaders to address local variability in access to health services and ensure equal opportunity to access appropriate provision and support;
 - c) leaders to improve the quality of new and existing EHC plans, ensuring plans effectively capture the experiences and voices of children and young people with SEND;
 - d) leaders to take action to ensure pupils with EHC plans are attending the provision as stated in their plans, that the provision effectively meets needs, and that the use of part-time timetables is appropriate, and that part-time timetables are carefully managed and monitored;
 - e) leaders to improve governance arrangements to effectively address service gaps and delays in service provision to meet the full range of needs, including in ASD, ADHD;

- f) leaders to address parents' and carers' concerns early to reduce dissatisfaction and eliminate the need for formal routes.
4. Improvement plans should consider the views of parents, children and young people, school and education leaders and wherever possible, put co-production at the centre of improvement activity.
 5. To ensure there is clear evidence of progression:
 - a) the Council must ensure there is an improvement board, with the chair agreed by the Department and attended by key leaders across education, health and care services, including the Chief Executives of the LA and the ICB, the Children Services Accountable Officer, the ICB Accountable Officer and appropriate elected members of the council to a timetable agreed with the Department;
 - b) the Improvement Board must assign accountabilities for all actions agreed, along with clear and measurable targets covering the areas of priority action and improvement areas identified in the Ofsted and CQC report;
 - c) those accountable for the actions in the improvement plans must keep the content up to date, with a risk register and mitigation plan updated in line with the board meeting cycle and provided to the board in advance;
 - d) reports to the Improvement Board should include data, analysis and evidence of the impact of improvements on the lived experience of children and families;
 - e) the Improvement Board should maintain an action and impact log which is updated at each meeting, highlighting where objectives are slow to progress and where contributions need to be strengthened.
 6. Invitations to improvement board meetings must be sent on each occasion to the appointed DfE SEND adviser, NHS England adviser and to the Department's case lead.

Improvement against the above measures will be assessed as follows:

7. The DfE SEND adviser and NHS England advisers will provide regular updates to the Department of progress or concern against the areas set out in this notice; improvement against the Ofsted and CQC requirements; and any other such information relevant to the improvement journey.

Department for Education Stocktake Reviews

8. Officials or advisers from the Department will undertake reviews of progress against the improvement agenda at least every six months and more regularly where appropriate.
9. Reviews, including deep dives into areas of priority action, may cover but are not exclusive to: leadership; governance; co-production; quality of workforce training and support; multi-agency arrangements including joint commissioning, education, health, and social care provision; the timeliness and quality of Education, Health and Care plans and engagement with children, young people, families and carers.

10. Prior to any reviews, the Council should provide to the Department its own assessment of improvement. This may include, but is not limited to:

- a) progress against improvement plan objectives;
- b) feedback from parents and carers;
- c) clear information about local accountability and governance structure;
- d) the documentary evidence used to plan, track and evaluate the impact of actions. This may include:
 - i. A progress update against each area of priority action and improvement area;
 - ii. A dashboard of performance measures showing whether targets and milestones are being met in a timely manner; any slippage; evidence of impact and whether the local area is on track to meet the next set of milestones.
 - iii. Evidence that key partners, including children and young people, families and schools are playing an active role in improving services.

11. From time to time, the Department may require that a diagnostic review or assessment is undertaken by a party agreed with the Department.

12. For any review or assessment, the Council must provide the person(s) conducting it with:

- a) access to, and time with, staff and leadership;
- b) accurate and up to date data on performance and quality;
- c) facilities to carry out the reviews; and
- d) access to minutes of meetings or any other relevant information.

Timescales

13. The Council should aim for the impact measures set out in the improvement plan to be evidenced by the agreed target dates. The Council should also aim for actions included in the improvement plan to be implemented by the end of January 2025 or sooner. However, the Improvement Notice will remain in place until sufficient progress has been evidenced, and the Minister agrees.

Failure to comply with this Improvement Notice by the assessment dates or poor progress

14. Should the Council be unwilling or unable to comply with this Improvement Notice or should the Secretary of State not be satisfied with the Council's progress at any stage, they may choose to invoke their statutory powers of intervention (s497A Education Act 1996) to direct the Council to take any further actions deemed necessary to secure the improvements required in SEND services.

Signed:

Date: Monday 15 January 2024

E. M. Williams

Emily Williams A Senior Civil Servant in Department for Education

Annex 1: Improvement Notice – Hertfordshire County Council

Responsible body	APAs
Hertfordshire County Council and NHS Hertfordshire and West Essex Integrated Care Board	Leaders should act with urgency to accelerate their data dashboard work so that they have a shared, accurate understanding of the exact provision for SEND in Hertfordshire, and of its quality, so that they can target coherent activity where it is needed most.
Hertfordshire County Council and NHS Hertfordshire and West Essex Integrated Care Board	Leaders should work more collaboratively and in partnership across all of SEND provision, with secure governance and quality assurance arrangements in place, and with a particular urgent focus on addressing the areas leaders have identified in their strategy for SEND.

Areas for improvement

Leaders across the partnership should address the variability in children and young people's access to health services that exists in different areas within the local area so that all children and young people with SEND in Hertfordshire have an equal opportunity to access appropriate provision and support that meets their needs.

Leaders across the partnership should act to improve the quality of new and existing EHC plans and ensure that plans meaningfully capture the voice and experience of children and young people with SEND and their families.

Leaders should take action to ensure that pupils with EHC plans are attending the provision as stated on their plans, that the provision is effective in meeting needs, and that the use of part time timetables is appropriate and is carefully managed and monitored.

Leaders should further address the gaps and delays in service provision to meet the full range of needs of children and young people with SEND. This includes services for ASD, ADHD, mental health, audiology and speech and language.

The local area partnership should act to address parents and carers' concerns at an early stage to reduce dissatisfaction and eliminate the need for parents and carers to have to follow formal routes.