

Birmingham SEND and Alternative Provision Partnership Board (SAPPB)

Terms of reference (Final draft June 2024)

Context

In May 2021, Birmingham received its Local Area SEND Revisit. The inspection team found that since 2018 insufficient progress had been made in twelve of the thirteen areas of weakness identified in the initial inspection. In particular, the inspectors identified that the experience of children and families moving through the system is not yet good enough and that the SEND strategy then being pursued was not fit for purpose. Following this, all partner organisations committed to lead and deliver significant and long-lasting change, redesigning the SEND system around the needs of children and families so that they are enabled to thrive.

The Secretary of State for Education issued a statutory direction to Birmingham City Council (BCC) and appointed John Coughlan MBE as the SEND Commissioner. BCC developed an Accelerated Progress Plan (APP) which is monitored at least every six months through a 'stocktake' delivered to Department for Education (DfE) and National Health Service England (NHSE) colleagues. A SEND Improvement Board (the SIB) was put in place to review the progress of improvement, and this is/was chaired by the SEND Commissioner.

The commissioner advises the Minister, in consultation with the DfE SEND and NHSE advisors, on progress against the APP. Ultimately, the SEND Commissioner recommends to the minister whether or not the local area partnership has demonstrated their ability to lead and manage the delivery of SEND services to children and families in the City.

The local area partnership continues to make progress against the objectives and outcomes required via the APP and this has been acknowledged by the SEND Commissioner. At the December 2023 SIB stocktake, it was acknowledged that: **Area of Significant Weakness 1** (*There was a lack of an overarching approach or joined-up strategy for improving provision and outcomes for children and young people with special educational needs and/or disabilities (SEND).*) **has been deemed to have been completed/the area has made sufficient progress and this can be removed from the APP.**

The time (March 2024) is now right for the SIB to take a wider focus with its scope/oversight in line with recent guidance that SEND and Alternative Provision will be closely aligned and monitored together. Improvements to service delivery for SEND in Birmingham are wider than the 11 remaining Areas of Significant Weakness and the APP. Therefore, the SIB needs to take a more holistic view of the SEND Partnership and how it is improving the lives of children and young people with additional needs. The SIB became the SEND and Alternative Provision Partnership Board (SAPPB) in June 2024.

In addition, the national Delivering Better Value (DBV) programme is working in Birmingham to identify and implement more effective use of funding. This will improve the opportunities and outcomes of children and young people with SEND, and place the system on a more sustainable financial footing. Birmingham has been involved in the DBV programme since August 2023 and the SAPPB will need to take a key influencing role to support and challenge the DBV programme moving forward.

A separate Executive Board was also created in June 2024. This reports into and receives guidance from the SAPPB to ensure operational grip, provide support and challenge and analyses the commitment from all key partners to the improvements required.

Purpose

- Creating a sustainable SEND and Alternative Provision system in Birmingham that is both inclusive and ensures children and young people with SEND achieve positive outcomes.
- To ensure that the Partnership has aligned sufficient investment for the local area SEND and Alternative Provision activities, so we deliver high quality and equitable provision (across the area) for all children and young people with additional needs.
- Take responsibility for ensuring the APP outcomes and KPIs are delivered to meet the needs of the SEND Commissioner, DfE and NHS England requirements.
- To deliver strategic oversight and provide guidance to the leaders of SEND and Alternative Provision services (for all children and young people with additional needs) across the local area.
- To support and challenge the local partnership and help remove barriers to service improvements.
- To monitor the implementation of the SEND Strategy and the Inclusion Strategy for Birmingham.
- To ensure the 'Voice of the Child' and the views of parents and carers are used to inform service design/redesign using regular feedback methods which can be accessed by all service users.
- To monitor the implementation of the DBV programme, overseeing the effective deployment of the grant associated with this work, and effectively support and challenge the delivery of the DBV programme.
- To inform the SEND commissioner so they can deliver accurate reports and judgments regarding how well the Local Area Partnership remains able to manage the delivery of SEND and Alternative Provision across the local area.

Outcomes/Outputs

- An effective local Self Evaluation Framework that is fit-for-purpose, reflecting the local area and recognisable to stakeholders across the city.
- Embedded DBV principles, with a shared understanding with schools and settings about what SEND and Alternative Provision needs can and should be met in mainstream, Resource Base (RB) and specialist settings, in line with the expectations of the national SEND and Alternative Provision Improvement Plan 2023. Thereby, further developing SEND leadership capacity across the SEND system, within partners, schools and settings.
- Equitable, high quality and appropriately resourced provision that is delivered in line with the DBV outcomes and strong local governance across Birmingham.
- To maintain pressure on all relevant local area senior leaders to remain committed to improving the lives of those with additional needs in Birmingham.
- To ensure quality and diversity in choice of provision and services that are financially sustainable and deliver improved outcomes.
- To ensure the voice of the child and the views of parents are considered, us to make changes to service delivery and can report on the impacts those changes have made.
- To deliver the DfE and NHS England Stocktake reports six-monthly.
- Improved outcomes for children and young people with additional needs in Birmingham.
- Systems and processes which will improve the delivery of and engagement across and within services.

- Ensure Birmingham’s partners are systematically working together, sharing and utilising their expertise, data and intelligence in the co-design and delivery of solutions to achieve the local vision and improve outcomes.

Membership (to be confirmed with Chair and reviewed as a minimum every 18 months)

Chair

DfE SEND Commissioner

Vice Chair

BCC Director for Children and Families

Members*

- NHS England Adviser to Birmingham
- DfE SEND Adviser to Birmingham
- Director of Public Health (Birmingham)
- Cabinet Member for Children, Young People and Families
- Birmingham Children’s Trust (BCT) Chief Executive
- BCC Director of Adult Social Care (or senior representative)
- Birmingham and Solihull ICB Chief Executive (or senior representative)
- Birmingham Community Healthcare NHS Foundation Trust (Senior Representative)
- Birmingham and Solihull Mental Health Foundation Trust (Senior Representative)
- BCC Director for SEND & Inclusion
- Chair of the Birmingham Parent Carer
- Representative of the voice of parents as agreed with BPCF
- Representative of Special Schools (a Headteacher nominated by colleagues)
- Representative of an Alternative Provision setting (nominated by colleagues)
- Representative of Primary Schools (a Headteacher nominated by colleagues)
- Representative of Secondary Schools (a Headteacher nominated by colleagues)
- Representative of Early Years Provision (nominated by colleagues)
- Representative of post 16 provision (nominated by colleagues)

Attendance by non-members

Invitations will be extended to non-members, where their input or advice supports the discussion taking place at the meeting. Such attendance will be determined by the Chair at the regular agenda setting meetings.

Notice, Frequency and Quoracy for meeting(s)

- Meetings will be held **four times per year** and will be on a Tuesday and between 14.00 and 17.00. Dates will be sent out for as far as possible in advance.
- The day and time of meetings will be reviewed annually and at the direction of the chair.
- Meeting notices and agendas will be provided no less than 5 working days prior to the meeting.
- The chair and vice chair must ensure at least one of them are available at every meeting (see below regarding expectations).
- The quorum for the meeting will be a quarter of the overall membership of the group. Should a meeting consist of less than this membership then the meeting can still take place, at the

discretion of the Chair, but no formally binding decisions shall be taken. Any such decisions will need to be taken at the next scheduled meeting.

- Meeting attendance will be tracked so that absences can be addressed accordingly.

Reporting and governance

The SEND and Alternative Provision Partnership Board has been established to support the DfE Commissioner in driving forward the improvement work needed and who is accountable to the Secretary of State for Education. Meetings will be held in private. Papers will be available and accessible to all unless otherwise agreed with the Chair.

The Chair will report progress regularly to the DfE. A formal progress report will be produced twice a year, and progress reports will be discussed at the SAPPB. The SAPPB, at the direction of the chair, will align and provide updates to local governance bodies locally as required.

If at any point it is felt that insufficient progress is being made in any area or organisation, the Chair will seek a meeting with the Chief Executives of partner organisations to address these as early as possible.

Agreeing Decisions

The expectation is that decisions of the partnership will be agreed through consensus or if necessary, the Chair will carry a casting vote.

Declaration of Interest and Confidentiality

The Board members should declare any items under discussion which are of direct personal or professional interest.

At times the Board will consider sensitive and/or confidential items, which shall remain so until agreed otherwise.

Communications

Information about the role of the Board, its work and impact will be made available to all stakeholders through regular communication.

Ways of working

Board members must commit to:

- Placing children, young people and families at the heart of decision making.
- Ensure services include the voice of child and/or parents/carers when making decisions.
- Co-producing plans for the future of SEND and AP service delivery.
- Championing the strategic direction of the SAPPB and the Local Area plans with and across the sector they represent.
- Specifically, members will support the agreed approaches to improve services for the SAPPB and gain commitment from their sector to implement changes that are agreed at the SAPPB. They will also provide feedback from their sector regarding the approaches.
- Providing strategic leadership based on evidence with a focus on areas where the Partnership can make the biggest difference over and above any one organisation on its own.
- Work collaboratively across agencies.
- Work together efficiently and smartly in order to maximise resources, expertise and time.

- Know and understand how our strategies sit within the national and local changing education landscape.
- Commit to having honest and reflective conversations whilst also holding each other to account for delivery.
- Agree on effective communications about improvement activity, developments and progress around the SEND and Alternative Provision Improvement Plan.
- Establish and promote a co-produced communication plan that engages all key stakeholders in SEND and Alternative Provision Improvements.
- Be accountable for non-delivery against timelines.

How we will work together

Members will commit to attending all meetings. Where this is not possible, they will commit to send an alternate who is able to represent their area effectively.

All Members will provide honest and full updates, be open to asking and answering questions, contribute fully to meetings and conduct business that illustrates to each other, and models to others, the values and behaviours of:

- Openness to challenge and transparency
- Personal Responsibility
- Strengths based
- Trustworthiness
- Equality and respect for difference
- Integrity
- Honesty
- Mutual respect and understanding
- Collaborative and interagency partnership working
- Supportive

Review of the Terms of Reference

This Terms of Reference will be reviewed every two years unless the need arises for an earlier review. The purpose, ways of working and how we work together will be reviewed regularly against the commitments outlined above, which may result in an earlier review of the Terms of Reference.

These Terms of Reference agreed at SEND Improvement Board sub group, 24th April 2024.

* Please note, the following have been removed as required attendees as of June 2024 because there are other mechanisms to report to and from these posts/offices:

- BCC Chief Executive
- BCC Leader
- BCC Opposition/Other Party Members