

Report sponsor: Andy Smith, Strategic Director
People Services
Report author: Lucy Herbert, People Services
Improvement Lead

Outcome of Ofsted and CQC revisit to assess Derby City's progress against the Local Area Special Educational Needs and/or Disabilities (SEND) Written Statement of Action (WSOA)

Purpose

- 1.1 In June 2019, Derby's services for children and young people with Special Educational Needs and Disabilities (SEND) were inspected by Ofsted and the Care Quality Commission (CQC).
- 1.2 The findings of the inspection were published in August 2019 and raised concerns about the effectiveness of the local area. As a result, in November 2019, the local area was required to produce and submit a Written Statement of Action (WSOA) to Ofsted, that explained how the local area would tackle five areas of significant weakness identified:
 - the failure of the local area to take the joint commissioning actions required to implement the reforms across education, health and social care
 - the lack of an overarching coproduced strategy for improving provision for and outcomes of children and young people with SEND
 - the number of significant weaknesses in the Education Health and Care Plan (EHCP) processes, timeliness, quality and outcomes of plans
 - the long-standing systemic issues with waiting times to access a large number of key services
 - poor parental engagement with plans for local area SEND provision and high levels of parental dissatisfaction.
- 1.3 From Monday 4 October to Wednesday 6 October 2021 Ofsted and CQC undertook a reinspection to determine whether the Local Area had made sufficient progress in implementing the improvements outlined in the WSOA.
- 1.4 On 23 November the final outcome letter was published confirming that the Local Area had made sufficient progress in all five areas of significant weakness and with no new areas of weakness identified. The letter can be read in full at [50172626 \(ofsted.gov.uk\)](https://www.ofsted.gov.uk/publication/50172626), however key points of note include:
 - There has been a significant change in culture resulting in stronger working relationships across the city.
 - Parents and carers are now more involved in making decisions and help to shape and drive improvements. The parents and carers inspectors spoke with said they felt listened to and that services were "unrecognisable" compared with those in June 2019.

- There is also now a clear strategy for improving provision and outcomes for children and young people with SEND.
- Inspectors found that the professionals working in education, health and social care are committed, ambitious and willing to improve.
- Regarding EHCPs, inspectors noted that the need to work closely with parents, carers and professionals for education, health and social care is now well understood.
- Inspectors didn't find any new areas of weakness but recognised that some parents and carers who responded to the online survey have yet to experience the impact of service improvements.
- In reaching their judgements, inspectors took account of the impact of the COVID-19 pandemic on SEND arrangements in the area. Inspectors considered a range of information about the impact of the pandemic and explored how the area's plans and actions had been adapted as a result.

Recommendations

- 2.1 To note the outcome and findings of the October 2021 Local Area SEND revisit.

Reason

- 3.1 The Local Area SEND revisit outcome marks significant progress in delivering improved support for children, young people and their families in Derby City. There is, however, still much work to do and a clear, shared, outcomes focused plan is essential to ensuring this positive journey continues. This plan, and continued commitment from the Local Area, will ensure the Local Area is then well prepared for any future Local Area SEND inspection.

Supporting information

- 4.1 The 2014 Children and Families Act and the subsequent 2014 Special Educational Need and Disabilities (SEND) Code of Practice introduced new statutory duties and expectations for local areas from 1 September 2014. The reforms aimed to offer consistent and simpler help for disabled children and young people and their families / carers from birth through to the age of 25 years.
- 4.2 The Minister of State for Children and Families subsequently tasked Ofsted and the Care Quality Commission (CQC) with inspecting local areas on their effectiveness in fulfilling the new duties, and inspections commenced in May 2016.
- 4.3 It is important to note that these inspections intended to evaluate how effectively the local area meets its responsibilities, and not just the local authority. The local area includes the local authority, clinical commissioning groups (CCGs), public health, NHS England for specialist services, early year's settings, schools and further education providers.
- 4.4 Derby City hosted Ofsted and CQC for our local area inspection of SEND in June 2019, with the final findings being published in August 2019.

- 4.5 Although the inspection noted key strengths, it also identified five areas of significant weakness, and Derby City Local Area was required to produce a WSoA to address these.
- 4.6 From November 2019, until the revisit in October 2021, the Local Area delivered against to the actions, outputs and impacts outlined in the WSoA, supported by formal quarterly support and challenge visits from the Department of Education (DfE) and NHS England and NHS Improvement; these visits will now cease.

Public/stakeholder engagement

- 5.1 During the visit inspectors spoke with parents and carers of children and young people with special educational needs and/or disabilities, as well as council and health professionals. They also considered the views of more than 400 parents and carers who responded to an online survey.

Other options

- 6.1 None.

Financial and value for money issues

- 7.1 Any financial issues pertaining to the actions needed as part of the emerging Local Area Strategic Plan will be reported as the plan is developed.

Legal implications

- 8.1 Local area inspections of responsibilities for children and young people with special educational needs and/or disabilities are carried out under powers contained in section 20 of the Children Act 2004. This section enables Ofsted and CQC to undertake joint inspections of each local area in accordance with a timetable approved by the Secretary of State for Education. A new Local Area SEND Inspection Framework is due to be published in early 2021.
- 8.2 All Local Area SEND organisations must have regards to the statutory guidance in the Special Educational Needs and Disability Code of Practice: 0 to 25 years (January 2015).

Other significant implications

- 9.1 None.

This report has been approved by the following people:

Role	Name	Date of sign-off
Legal		
Finance		
Service Director(s)	Pauline Anderson	4 th January 2022
Report sponsor	Andy Smith	30 th December 2021
Other(s)	Robyn Dewis	9 th March 2022
Background papers:	None	
List of appendices:	None.	