

Report of the Strategic Director of People

**Preparing for an inspection of services for children and young people with special educational needs and / or disabilities (SEND)**

**SUMMARY**

- 1.1 Ofsted and the Care Quality Commission (CQC) commenced local area inspections of services for children and young people with special educational needs and / or disabilities (SEND) in May 2016.
- 1.2 The aim of the inspection is to answer three key questions...
  1. How effectively does the local area identify children and young people who have special educational needs and/or disabilities?
  2. How effectively does the local area assess and meet the needs of children and young people who have special educational needs and/or disabilities?
  3. How effectively does the local area improve outcomes for children and young people who have special educational needs and/or disabilities?
- 1.3 All local areas will be inspected at least once during a five year period, from May 2016 onwards. To date there have been 39 inspection letters published, with four inspections in the East Midlands region; Nottinghamshire, Northamptonshire, Rutland and Derbyshire.
- 1.4 Andy Smith, Strategic Director for People Services and Hazel Lymbery, Service Director for Early Help and Children's Safeguarding will attend the meeting to present Members of the Board with an update on Derby City's current strengths and areas for improvement, in line with the inspection framework.

**RECOMMENDATIONS**

- 2.1 To note the key elements of the SEND inspection presented in paragraphs 4.4 to 4.7.
- 2.2 To receive the presentation at the meeting on Derby's current self assessment.

**REASON FOR RECOMMENDATIONS**

- 3.1 Ofsted and CQC are inspecting all local authority areas under the framework. Making sure that staff and members are briefed on the requirements of the framework and current strengths and areas of risk are critical to making sure that a 'good' outcome

can be achieved.

<b>SUPPORTING INFORMATION</b>
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- 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 reforms have had far reaching implications for a number of stakeholders in Derby including health, local authorities (children's social care, adult and education), education providers such as early years, schools, further and higher education institutions and the voluntary and community sector.
- 4.3 Following the introduction of the reforms Ofsted and the Care Quality Commission (CQC) consulted formally on proposals for inspecting how effectively local areas fulfil their responsibilities to children and young people who have special educational needs and / or disabilities (SEND). The results of this consultation shaped the new joint CQC and Ofsted inspections of SEND, published in April 2016 with inspections commencing in May 2016.
- 4.4 A key feature of the SEND inspection is that it is assessing the local area rather than a single agency. All areas will be inspected once during a five year cycle and inspections will last for five working days (with five working days notification time). Inspections will entail a mixture of individual case tracking, interviews, focus groups and visits to schools and other settings across an area.

- 4.5 A standard inspection team will consist of three inspectors (HMI's) who will pay attention, to a number of key issues...
- The accuracy and rigour of the local area's self-evaluation - the extent to which the local area knows its strengths and weaknesses, and what it needs to do further to improve the life chances of children and young people with special educational needs and / or disabilities.
  - The extent to which outcomes for children and young people are improving as a result of the collective actions and support of local agencies and bodies.
  - Efficiency in the identification of special educational needs and / or disabilities.
  - The timeliness and usefulness of assessments.
  - How well local agencies and bodies plan and coordinate their work to assess need, providing necessary and effective support.
  - How well the local area engages with children and young people and their parents and carers, to inform decisions about the strategic commissioning of services, using the Joint Strategic Needs Assessment or JSNA.
  - How well the local area involves the individual child or young person and their parents and carers in the process of assessing their needs.
  - How well the local area communicates with children and young people and their parents or carers to ensure that these primary users are clear about the identification and assessment processes and the criteria used to make decisions.
  - The extent to which the local area gives due regard to its duties under the Equality Act 2010 to children and young people with special educational needs and / or disabilities.
  - How the local area uses the intelligence gathered from evaluations of its effectiveness to plan for and lead future improvement.
- 4.6 The starting point for the inspection is the expectation that the local area should have a good understanding of how effective it is, including any aspects of its responsibilities that require further development. Inspectors will test out this understanding during the inspection, as they make their evaluations. The accuracy and rigour of Derby's self-assessment is therefore of critical importance.
- 4.7 Following an inspection, local areas will receive an inspection letter that will set out the findings of the inspection. If there are serious concerns about local area arrangements there will be a request made for a 'Written Statement of Proposed Action'. This must be completed within 70 working days of the publication of the inspection letter.

<b>OTHER OPTIONS CONSIDERED</b>
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- 5.1 None.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Andy Smith – Strategic Director for People Services Suanne Lim – Service Director for Children's Integrated Services Heather Greenan – Head of Performance and Intelligence
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Sarah Walker Policy and Improvement Manager 01332 643466 sarah.walker1@derby.gov.uk None Appendix 1 – Implications

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 Any financial implications pertaining to the inspection will be considered through the presentation.

**Legal**

- 2.1 New duties on local areas regarding provision of support for children and young people with special educational needs and/or disabilities are contained in the Children and Families Act 2014 (the Act), and regulations made under the Act. The duties are amplified in the statutory guidance 'Special educational needs and disability code of practice: 0 to 25 years' (the Code of Practice) published jointly by the Department for Education (DfE) and the Department of Health (DoH). These duties came into force in September 2014.

The Minister of State for Children and Families has tasked Ofsted and the Care Quality Commission (CQC) with inspecting the effectiveness of local areas in fulfilling their new duties.

**Personnel**

- 3.1 Workforce development issues are picked up through the evaluation framework for the inspection.

**IT**

- 4.1 None arising from this report.

**Equalities Impact**

- 5.1 Equality issues are picked up through the evaluation framework for the inspection.

**Health and Safety**

- 6.1 None arising from this report.

**Environmental Sustainability**

- 7.1 None arising from this report.

**Property and Asset Management**

- 8.1 None arising from this report.

**Risk Management and Safeguarding**

- 9.1 Risks associated to inspections are managed as part of the self-assessment process and on-going preparations. Safeguarding is picked up through the framework with the outcome being an overall external view on the effectiveness of services for children and young people with special educational needs and disabilities.

### **Corporate objectives and priorities for change**

- 10.1 The content of this report and supporting presentation underpins the Council pledges of 'safe', 'strong' and 'ambitious'.