

14 December 2015

By email: Schools.PolicyTeam@ofsted.gov.uk

ADCS response to the SEND inspection consultation

The Association of Directors of Children's Services Ltd (ADCS) welcomes the opportunity to comment on the new local area SEND consultation. ADCS is the professional association for directors of children's services (DCS) and their senior management teams. Under the provisions of the Children Act (2004), the DCS is the chief officer responsible for the discharge of local authority functions with regard to education and children's social care and champion for children across wider children's services.

The remit of this inspection is broad and it is difficult to see how a team of three inspectors will be able to undertake all of the necessary site visits in a single week, including specialist out of area placements and home learning environments. These actions are necessary to gauge a true picture of the effectiveness of the local offer. Interviews with children, young people, parents, carers and professionals working in the local authority, early years settings, schools, FE provision, health settings and clinical commissioning groups (CCGs) are also proposed. This seems overly ambitious, yet this is necessary in order to accurately understand how well partners are identifying (and meeting) need in the local area and ultimately improving outcomes for children and young people. ADCS is concerned this is unsustainable for the inspectorates. Without seeing the inspection handbook or a confirmed data set it is also unclear whether inspectors will have sufficient time to fully digest all the pre-visit material that may be required.

The proposals state that inspections will be carried out on a local authority footprint. However the boundaries of CCGs differ significantly and will add a further layer of complexity. Some of the large counties have multiple CCGs. For example, Kent has seven, while others straddle local authority boundaries and could be inspected multiple times. The Dorset CCG will be assessed when Bournemouth, Poole and the county council are visited, which poses the question of what happens if the effectiveness of the same body is measured differently each time. In addition, the proposed five-year cycle would leave a significant gap between inspections, with no mechanism to evaluate progress made during this period and those visited in 2020 or 2021 will have more mature services and better data.

The Association has long called for the end to the use of single worded judgements and welcomes the use of a narrative judgement here. However, it is difficult to understand how this will be arrived at without sight of the handbook for inspectors nor how success will be measured without a draft framework.

It is critical that inspection teams have sufficient experience of implementing SEND reforms in order to make a confident judgement on effectiveness of provision in an area. Some previous inspections have suffered because of the pressure that Ofsted has found itself under, leading to recruitment of colleagues who have been out of practice for some time and operate with a different set of expectations. The move to involve current practitioners is therefore welcome, but the proposals lack detail about how local authority reps will be identified and the time implications involved in training for, and the delivery of, inspection activities. As leaders of children's services, ADCS members need to be sure that this resource can be safely released during a significant period of transformation and cultural change.

The Association of Directors of Children's Services Ltd

Piccadilly House, 49 Piccadilly, Manchester, M1 2AP
Tel: 0161 826 9484 Email: info@adcs.org.uk Website: www.adcs.org.uk

It is right that the views of children, young people and their parents or carers are taken into account and that as many people as possible can take part in this process. ADCS is pleased to note that a variety of methods will be employed to gather views, including online surveys, but the proposed two-day notification period might limit opportunities for meaningful engagement with key groups. ADCS members would, therefore, be interested in working with Ofsted and the CQC to facilitate ways of ensuring that the views of profoundly disabled children and young people can be taken into account wherever possible, during local area inspections. Given the time it takes to develop services and the complexity of arrangements ADCS is unsure why an extended period of notice has not been considered.

The consultation made little reference to the data requirements for the inspection. In light of the continuing impact of austerity measures upon the capacity of performance and data teams in local authorities ADCS would suggest that the focus needs to be on using data in existing national returns and statistical first releases, rather than the creation of extensive data demands during the inspection. The ongoing maintenance of 'Annex A' dataset in readiness for an unannounced visit under Ofsted's Single Inspection Framework is a significant burden as it is not a 'business as usual' process. It would, therefore, be helpful if the approach adopted recognises the need for clarity over data requirements, utilises existing data and ensures a common set of core performance indicators which can be benchmarked for comparative purposes and used as a demonstration of progress. Alternatively, the schools approach could be used where the local authority is simply asked for the data used to manage the service and links are made back to outcomes achieved.

The government's wide-ranging SEND reforms came into force in September 2014 under the *Children and Families Act (2014)*. At the time this was billed by the Department for Education as: "The biggest education reform in a generation for children and young people with special educational needs." ADCS does not believe that it is the right time to begin a new inspection in this area and believes that there are other means available to the government to quality assure these services whilst services are still in the midst of a period of intense transformation and change. Regular data monitoring, coupled with some thematic studies to bring good practice and common issues to light will, in ADCS's view, improve outcomes for children and young people. It is unclear at present how the proposals, as they stand currently, will drive improvement, as the focus is more on compliance.

ADCS is anxious about the increasing burden of inspection, ADCS concerns about the proportionality of the SIF are well-known and a multi-agency JTAI, a single agency JTAI focussed only on the local authority and this new inspection of SEND provision are all due to launch within the same short timeframe.

The Association's Standards, Performance and Inspection Policy Committee would like to extend the invitation to Ofsted and the CQC to attend a future meeting to discuss any of the points raised in this response.

For further information, please contact Katy Block, ADCS Policy Officer, katy.block@adcs.org.uk / 0161 826 9490.

The Association of Directors of Children's Services Ltd

Piccadilly House, 49 Piccadilly, Manchester, M1 2AP
Tel: 0161 826 9484 Email: info@adcs.org.uk Website: www.adcs.org.uk