

**19 September 2016****Agenda Item: 05****REPORT OF THE SERVICE DIRECTORS OF CHILDREN'S SOCIAL CARE  
AND YOUTH, FAMILIES & CULTURE****JOINT LOCAL AREA SPECIAL EDUCATIONAL NEEDS AND DISABILITY  
(SEND) INSPECTION IN NOTTINGHAMSHIRE****Purpose of the Report**

1. The purpose of this report is to:
  - inform Committee of the outcome of the joint Ofsted/Care Quality Commission (CQC) inspection of Nottinghamshire's effectiveness in implementing the Special Educational Needs and Disability (SEND) reforms as set out in the Children and Families Act 2014,
  - seek Committee approval to establish a Nottinghamshire SEND Accountability Board to oversee the development, monitoring and delivery of a multi-agency Local Area SEND Action Plan. The Action Plan will consolidate the work that has already begun to address the identified areas for improvement and will ensure that a local area perspective on improving outcomes for children and young people with disabilities in Nottinghamshire is maintained.

**Information and Advice**

2. In April 2015, the Department for Education (DFE) announced that Ofsted and the CQC would be undertaking joint inspections of the local area's effectiveness in implementing the SEND reforms, as set out in the Children and Families Act 2014. Inspections were due to commence in May 2016 and would assess how effectively the SEND reforms had been implemented since September 2014. The inspection would include all the organisations engaged in providing support and provision for children and young people with SEND within the local area. Partners included in the local area inspection are health, education and social care colleagues, voluntary sector, parents and carers and providers of services. All 152 local authority areas were due to be inspected on a 5 year cycle, equating to an average of 30 inspections per year. The Framework for the inspection was published in April 2016.
3. Nottinghamshire was inspected over 5 days, commencing 20 June 2016. It was the third area in the country to be reviewed. Being inspected so early after the introduction of a new inspection framework is always a disadvantage. Had Nottinghamshire been inspected in five years' time, it would inevitably have been further along the SEND journey and would have had the advantage of learning from those inspections that had preceded. As it was, it

was reasonable to expect that the inspectors would identify areas of development for Nottinghamshire.

4. The inspection was led by one of Her Majesty's Inspectors from Ofsted, with a team of inspectors including an Ofsted Inspector and children's services inspectors from the CQC. During the week of the inspection, the inspection team sought the views and opinions of children and young people, their parents and carers. This was undertaken during visits to schools, settings and colleges and through meetings with individuals and groups. A webinar was also staged by the inspectors to gather feedback from parents from across the County which attracted in excess of 100 participants.
5. The inspectors also visited schools and spoke with staff from across education, social care and health to gauge the progress which they felt was being made in the implementation of the reforms and the impact that this was having on the improvement of outcomes for children and young people. A small number of Education, Health and Care Plans were also audited.
6. Under the framework, which describes the arrangements for the inspection, each local area receives a joint letter from Ofsted and the CQC following the inspection. This letter details the inspectors' key findings and outcomes and takes a narrative form, rather than a specific grading. Nottinghamshire's Joint local Area Send Inspection letter is attached as **Appendix 1**.
7. On the whole, the outcome of the Nottinghamshire inspection was positive and the inspection letter highlights a number of positive findings drawn from across education, health and social care, in terms of the support that is offered to children and young people with SEND and their families. In particular the inspection team recognised:
  - the high level of commitment that they found amongst all stakeholders towards the implementation of the reforms and the tenacity of local area leaders in piloting new ways of working to improve outcomes
  - the strength of the Nottinghamshire Families of Schools structure and the support provided to enable schools and settings to access advice, guidance and funding to quickly meet the identified needs of children and young people. This structure also supports the transition of primary pupils into the secondary phase of their education
  - the effectiveness of health visitors and school nurses in the early identification of children's needs
  - the value of the "concerning behaviours pathway" as a tool for addressing specific communication, social, emotional and mental health needs
  - the process for assessing children and young people for an Education, Health and Care Plan was found to be rigorous
  - the arrangements for looked after children, which enables them to access support which is beneficial to them
  - the innovative use of short breaks funding to identify and meet the needs of children, young people and their families.
8. In terms of development, inspectors identified a number of areas including:
  - Education, Health and Care Plans should contain more information regarding the individual's needs, as there was too much focus on education and not enough on targets for progress or improvement

- more work is needed to prepare young people and their families for adulthood
  - stronger strategies were required to prevent poor school attendance and mitigate the risk of exclusion amongst children with SEND.
9. The inspectors recognised that Nottinghamshire's self-evaluation of its progress was broadly accurate and that work had already begun to address some of the areas identified for development. For example, it was recognised that the new Integrated Children's Disability Service had already prioritised work to improve the quality and consistency of Education, Health and Care Plans. Similarly they noted that a transition protocol had been produced to address concerns and anxieties about the move between children's and adult services, but that further work is needed before this is fully implemented.
  10. Of particular note is the commitment the inspectors found across all stakeholders in Nottinghamshire to the implementation of the reforms. This commitment should now be harnessed to ensure that the inspection process is used as a catalyst to drive through the developments needed. With this in mind, a multi-agency SEND Action Plan is being established to consolidate the work of the various SEND improvement streams already progressing across the local area, including the 2013/16 SEND Review and the work of the Improving Outcomes for Children and Young People with Disabilities Project. This approach will ensure that a coordinated local area perspective is maintained to drive forward improved outcomes for children and young people in Nottinghamshire.
  11. It is proposed that a SEND Accountability Board be established to oversee the development, monitoring and implementation of the Plan and it is recommended that the Board be chaired by the Chair of the Children and Young People's Committee to demonstrate the local area's continued commitment to children and young people with SEND.
  12. It is important that the governance of the Plan reflects its multi-agency nature, as such updates will be provided to the Children and Young People's Committee, the Children's Trust, Health and Wellbeing Board and the Nottinghamshire Safeguarding Board, as appropriate.
  13. It is also important that the Board reflects and embraces the values of the SEND reforms in terms of co-production. Co-production is when an individual influences the support and services received, or when groups of people get together to influence the way that services are designed, commissioned and delivered. As such, the development, monitoring and delivery of the Action Plan will be achieved in partnership with children and young people with SEND and their families.

### **Other Options Considered**

14. As this was an Ofsted/CQC inspection, no other options have been considered

### **Reason/s for Recommendation/s**

15. To ensure that the local area maintains a co-ordinated, multi-agency approach to the implementation of the SEND reforms, as set out in the Children and Families Act 2014 and continues to secure improved outcomes for children and young people with SEN and/or Disabilities.

## **Statutory and Policy Implications**

16. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

## **Human Resources Implications**

17. The Board will be supported by the temporary post of SEND Inspection Project Manager as agreed by the Children and Young People's Committee on 23 May 2016.

## **Financial Implications**

18. The cost of the temporary post of SEND Inspection Project Manager will be met from the SEND Reforms 'New Burdens' Grant.

## **Implications for Service Users**

19. Successful delivery of the SEND Action Plan will support children and young people with SEND in Nottinghamshire to achieve the best possible educational and other outcomes, such as being able to live independently, secure meaningful employment and be well prepared for their adult lives.

## **RECOMMENDATION/S**

That the Committee:

- 1) notes the positive outcome of the recent inspection of Nottinghamshire's effectiveness in implementing the Special Educational Needs and Disability (SEND) reforms as set out in the Children and Families Act 2014
- 2) approves the establishment of a SEND Accountability Board, chaired by the Chair of the Children and Young Peoples Committee to oversee the development, monitoring and implementation of a multi-agency SEND Action Plan.

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**Constitutional Comments (SLB 01/09/16)**

20. Children and Young People's Committee is the appropriate body to consider the content of this report.

**Financial Comments (TMR 29/08/16)**

21. The financial implications are set out in paragraph 18.

**Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Special Educational Needs and Disability Reform Grant 2016/17 - report to Children and Young People's Committee on 23 May 2016

**Electoral Division(s) and Member(s) Affected**

All.

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