

Talking points

The NNPCF is a membership organisation and our mission states that “we aim to empower our members to ensure that their voice is heard at a local, regional and national level.”

Working with our membership we have identified a number of key “talking points” - these are topics and themes that are the most important to our membership and the ones that have been prioritised by the NNPCF.

Based on feedback from our membership and from other partners and stakeholders, the “talking point” summarise:

- The lived experience of our members about each topic,
- What is working and what is not working, and
- What we would like to see changed.

The talking points have been created using a range of feedback which includes:

- Surveys (including the SEND surveys)
- Feedback from our annual conferences
- The topics raised at regional meetings
- Themes and topics raised by our membership on social media
- Face to face conversations with our membership

Ofsted Inspection Frameworks

Ofsted and CQC inspect education and care settings and jointly inspect local areas to see how well they fulfil their responsibilities for children and young people with special educational needs and/or disabilities following the implementation of the Children and Families Act 2014.

The framework for the inspection local areas’ effectiveness in identifying and meeting the needs of children and young people who have SEND sets out the key inspection principles; this includes working in co-production with children, young people and parents.

<https://www.gov.uk/government/publications/local-area-send-inspection-framework>

All local areas will be inspected at least once during a five-year period. However, the Secretary of State retains the power to request further inspection activity if required.

In reaching their judgement, inspectors, in line with the Code of Practice, will consider the extent to which local areas know its strengths and weaknesses (self-evaluation) and what needs to be done to further improve outcomes for children and young people with SEND.

Parents have high expectations of the SEND Reforms and forums report high expectations of the Local Area SEND Inspection Framework. Improved parental confidence is one of the indicators which demonstrate the successful implementation of the SEND Reforms in a local area.

In a number of Local Areas where a Written Statement of Action is required, coproduction with parents has been found to be weak and meaningful discussion/strategic decision making '*remains an aspiration*'. For many Local Areas there is still '*no clear understanding of what true coproduction means*'. However, where it works well forums have '*significant insight*' into what is important to parents and PCFs are viewed as a '*valued partner*'.

The NNPCF believe the regular inspections must be a permanent part of the regulatory regime for SEND. They have become the cornerstone of the compliance and monitoring of the reforms. Forums across the country report a renewed focus on the reforms as a result and improved engagement from partners.

The Secretary of State has announced that local area inspections will continue beyond the current round and the joint inspectorate are working on the details of what this will look like..

Focus for Local Area SEND Inspections

There are 3 broad elements being inspected in every local area:

- (i) coproduction with parent carers and young people individually and at Forum/strategic level
- (ii) evidence that outcomes are being improved for Children and Young People with SEND birth-25
- (iii) evidence of joint working across all partner agencies

Questions focus on:

- Effective Identification of Need
- Assessing and Meeting the Needs of C/YP with SEND
- Improving Outcomes

The aim is to improve education and other outcomes and prepare children and young people with SEND for adult life.

The joint inspectorate publishes an outcomes letter to the local area leaders after inspection. This letter gives the main findings from the inspection. It sets out the local area's strengths and what it needs to develop against the three main aspects in the inspection framework.

Ofsted and CQC use these inspections to challenge poor practice and deal with any non-compliance with the Code.

In cases where inspectors have significant concerns about how effectively the local area meets its duties or secures better outcomes for children and young people who have SEND, inspectors will judge that a written statement of action (WSOA) is required from the local area.

Local area leaders must set out in the WSOA how they will tackle the areas of significant concern. They must explain the intended timescales for securing rapid improvement. Ofsted and CQC review the statement and make a judgement about whether it is fit for purpose. Ofsted's relevant regional director will then write to local area leaders to inform them of the judgement and explain why it has been made. Those areas that receive a WSOA will be revisited by inspectors to assess whether they have made sufficient progress against the points raised.

Opportunities to Participate in the Local Area SEND Inspection

There is a strong emphasis on gathering the views of young people, and parents and carers during the inspection, involving:

- Meeting during visits to early year's settings, schools and colleges.
- Meeting with established parent and carer groups
- Meeting with any reference groups established by the local area
- A webinar for parents and carers during the inspection.

Coproduction is a 'way of working where children, young people, families and those who provide the services work together to create a decision or a service which works for them all

Forum members and **Individual parents** who will be involved in the local inspections need to think about:

- How would your area demonstrate it effectively identifies disabled children and young people and those who have special educational needs?
- How does your area demonstrate it effectively meets the needs of disabled children and young people and those who have special educational needs and improves their outcomes including:
 - progress made, towards high expectation targets
 - progress to higher education or employment
 - independent living
 - participating in society
 - Being as healthy as possible in adult life?

Local Area SEND Inspections – Main findings

In October 2017, Ofsted published a report which provides a summary of the main findings from the first 30 local area SEND inspections over the first year. It identifies the most common strengths and aspects that need improving. It also explains the main significant concerns in the nine local areas required to produce a WSOA.

The following findings relate directly to parent carers:

- Children and young people's SEND were identified well in the early years, particularly for

The NNPCF are pleased to note that the inspections are highlighting many of the issues that forums have been raising with us. The emphasis on leadership, joint commissioning, joint working and the quality and timeliness of EHCPs and waiting times for key services mirrors areas of concern for parent carer forums

those with complex needs. Parents generally felt supported and involved in the process.

- In over third of the local areas inspected, leaders across education, health and care **did not involve** children and young people or their **parents sufficiently in planning and reviewing their provision** (a process known as co-production).
- Many local area leaders were unaware of the depth of frustration among local parents and what their concerns were about.
- A large proportion of parents in the local areas inspected lacked confidence in the ability of mainstream schools to meet their child's needs.
- Local offers were not effective in helping **parents** to access information and services in over half of the local areas inspected.

Forums reflections on the Inspection experience

There are several concerns / comments that parent carer forums have noted about the inspection process:

Forums have reported some resistance to their involvement in parts of the CQC inspections on grounds of confidentiality and data protection. However, given that levels of engagement by health and social care partners are a consistent source of concern amongst forums, this risks inspectors missing out on the full picture.

We believe forums should be invited to all relevant meetings. Forums understand the need for confidentiality and would willingly step out of sensitive parts of such meetings.

The inspections place a heavy burden on parent carer forums, many of whom have very limited resources (both people and money).

Local authorities may need to make some additional monies available to forums if required.

Some forums have reported that they themselves have felt like they are being inspected – with heavy reliance on volunteers and goodwill of parents this is unhelpful and may damage long term involvement in participation.

Communication and engagement around the inspection is a common concern. Some forums have reported late communication and miscommunications with inspection teams. Others have reported that their local authority have not shared the draft letter they have received after the inspection. Some inspections have been understanding of forum requests – for example changing times of focus groups and webinars to accommodate local needs whereas others have not.

We recommend early and regular communication and engagement with parent carer forums. This should involve planning discussions about how best to engage the local community (e.g. timings of webinars).

Some forums have felt that inspectors have not had a good understanding of the difference between individual and strategic co-production and understood the parent participation agenda, what a PCF is and what its role is.

There have been some cases where forums have felt that their views have not been given enough emphasis and that local authority explanation or rebuttals have been accepted unfairly.

NNPCF steering group members have had a series of ongoing conversations with leaders from Ofsted, the Care Quality Commission, and with officials from the Department for Education about the regulatory framework for SEND. The NNPCF have raised these concerns with them.

How should forums approach inspections?

The key thing that inspectors want from parent carer engagement is evidence that they have reached a broad section of the community. The best ways forums can do this is to maintain membership and activity lists and highlight any recent surveys you have conducted.

Forums should not regard themselves as the exclusive voices of parent carers – inspectors will seek to understand the views of any active, representative groups in the area and of parents who are not a part of a formal group.

Parent carers should be at the heart of strategic processes, not just “let in”. If your forum feels that co-production in your area is not what it should be, then you should tell the inspectors.

Some forums have found that their relationship with the local authority and CCGs has deteriorated following an inspection because the forum was critical. It may be an idea to ensure that Forums regularly update stakeholders in their local area on what they consider the key issues to be in a formal capacity to prevent any fall out following inspections.

Ofsted school inspections

The focus on academic attainment through published data and the Ofsted school inspection regime means that children with SEND can impact a school's performance. There is a perception that this is a disincentive for schools to retain pupils with SEND who may adversely impact the school's overall academic attainment.

A greater focus on SEN in mainstream schools

On 5th July 2018, the Secretary of State for Education, Damian Hinds spoke to the Association of Directors of Children's Services Conference².

The Secretary of State highlighted SEND as a priority for him and his Department referencing both the financial pressures on the SEND system and the experiences of children with SEND in mainstream schools.

Our recommendations

We would like to see Ofsted school inspections place greater emphasis on the importance of high quality SEND provision in mainstream schools. We have fed these messages into Ofsted as it reviews its inspection framework in 2019. Similarly published school attainment data needs to reflect a more holistic view of how well schools meet the needs of pupils with SEND. See also our SEN support talking point.

Other Ofsted Inspections

Local authority school improvement arrangements

Inspections to find out how well local authorities carry out their statutory duties in relation to promoting high standards in schools and other providers.

Sharing best practice / communication points

1. See Contact a Family Webinar on Local Area Inspections
https://www.youtube.com/watch?v=60_Cgx4mNds&feature=youtu.be
2. Suffolk parent-carer surveys to prepare for inspections (based on Hertfordshire survey) a. <http://spcn.org.uk/wp-content/uploads/2016/11/SPCN-SurveyResults.pdf> b. <https://www.surveymonkey.co.uk/r/EHCfeedback>
3. The NNPCF were closely involved in the implementation of the current inspection framework. For our briefing paper on the inspection framework see.
<http://www.nnpcf.org.uk/ofsted-and-cqc-send-inspection-framework/>

Notes:

1. Ofsted and CQC Local Area Inspections: One year on - October 2017
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/652694/local_area_SEND_inspections_one_year_on.pdf
2. Transcript of Secretary of State for Education Damian Hind's speech to the Association of Directors of Children's Services
https://www.gov.uk/government/speeches/education-secretary-makes-inaugural-speech-to-childrens-services-sector?utm_source=ab7315e3-57d3-41bb-a6ae-64ddcace54&utm_medium=email&utm_campaign=govuk-notifications&utm_content=daily
3. Outcome letters from inspections of local area services for children and young people with special educational needs and/or disabilities.
<https://www.gov.uk/government/publications/local-area-send-inspection-outcome-letters>

From 22 March 2017

<https://reports.ofsted.gov.uk/>

4. NNPCF Update on Local Area SEND Inspections September 2018

<http://www.nnpcf.org.uk/wp-content/uploads/2018/09/Local-Area-Inspections-Update-Sept-18-v1.0-20180906.pdf>

Appendix 1: Ofsted/CQC SEND Local Area Inspections – so far

Summer 2016	Autumn 2016	From 23 March 2017	From Sept 2017	From Jan 2018	From April 2018
Bolton Brighton & Hove Enfield Gloucestershire Hertfordshire Nottinghamshire Stoke North Yorkshire	Rochdale* Herefordshire Bexley Plymouth Surrey* Hartlepool* Sefton* Leeds Hillingdon Derbyshire Suffolk* East Sussex	Barking & Dagenham Brent* Bury Cambridgeshire Cornwall Dorset* Gateshead Greenwich Halton Middlesbrough* Northamptonshire Sandwell* Rutland Southampton Telford and Wrekin Trafford Waltham Forest* Wakefield Windsor & Maidenhead	Kingston upon Hull* Lewisham Oldham* Oxfordshire* Solihull	Hackney Haringey (JTAI) Medway* Redcar & Cleveland* St Helens Wiltshire Sutton* Bedford* West Sussex Worcestershire* Cheshire East* Havering City of London South Gloucestershire* Durham* Lancashire* Leicester City* Newcastle Upon Tyne*	Redbridge Wigan* Birmingham* Southwark Kingston Upon Thames* North East Lincolnshire*
* Local areas required to submit a WSOA					