

**28<sup>th</sup> March 2023**

**New SEND Inspection Framework**

**Ward(s):** All

**Portfolios:** Cllr Mark Statham – Education and Skills

**1. Aim**

The aim of this report is to provide the Committee with an overview of the new Ofsted and CQC SEND Inspection Framework and how the Local Area is preparing for it.

**2. Recommendations**

1. That the Committee acknowledge the requirements of the new SEND Local Area Framework.
2. That the Committee confirm they are assured that the Local Area is sighted on the requirements of the new inspection framework and are satisfied with the plans to develop the Local Area Improvement Plan aligned to the framework.
3. That the Committee confirm that they are happy with the proposed governance and oversight for the development and implementation of the improvement plan and inspection preparation.

**3. Report detail – Know**

**SEND Inspections – History**

- 3.1. In May 2016, the two inspectorates, Ofsted and the Care Quality Commission (CQC), started a new type of joint inspection. The aim is to hold local areas to account and champion the rights of children and young people and assess Local Areas against key components of the SEND Code of Practice. There was no judgement associated with the inspections and initially there was no subsequent actions required for Local Areas that were not deemed to be meeting required standards.
- 3.2. In 2017, additional requirements were added to the framework which meant that if Local Areas were deemed to have areas of significant weakness in relation to their SEND practice and offer, they could be directed to produce a Written Statement of Action (WSOA). Under the WSoA, Local Areas had 18 months in which to design and implement an improvement plan to address the areas of concern, following which a re-inspection would take place to assess whether 'sufficient progress' had been made.

**New Inspection Framework**

- 3.3. On 13 June 2022, Ofsted and the Care Quality Commission (CQC) opened a consultation on proposed changes to the way they jointly inspect local area partnerships, including a children and young people's version of the consultation. Alongside this, they published a draft inspection framework and handbook.

3.4. On 29th November, the [results of the consultation were published along with the final version of the framework](#). Inspections under the new framework have now begun.

3.5. The evaluation within the new framework is split into two distinct categories:

**The impact of the local area partnership's SEND arrangements on the experiences and outcomes of children and young people with SEND, including the extent to which:**

- children and young people's needs are identified accurately and assessed in a timely and effective way
- children, young people and their families participate in decision-making about their individual plans and support
- children and young people receive the right help at the right time
- children and young people are well prepared for their next steps, and achieve strong outcomes
- children and young people are valued, visible and included in their communities

**How the local area partners work together to plan, evaluate and develop the SEND system, including the extent to which:**

- leaders are ambitious for children and young people with SEND
- leaders actively engage and work with children, young people and families
- leaders have an accurate, shared understanding of the needs of children and young people in their local area
- leaders commission services and provision to meet the needs and aspirations of children and young people, including commissioning arrangements for children and young people in alternative provision
- leaders evaluate services and make improvements
- leaders create an environment in which effective practice and multi-agency working can flourish

3.6. Under the new framework there are three possible inspection outcomes:

1. The local area partnership's arrangements typically lead to positive experiences and outcomes for children and young people with SEND. The local area partnership is taking action where improvements are needed.
  - The next full area SEND inspection will be within 5 years.
  - Ofsted and the CQC ask the local area partnership to update and publish its strategic plan based on the recommendations set out in this report.
2. The local area partnership's arrangements lead to inconsistent experiences and outcomes for children and young people with SEND. The local area partnership must work jointly to make improvements.
  - The next full area SEND inspection will take place within approximately 3 years.
  - Ofsted and the CQC ask that the local area partnership updates and publishes its strategic plan based on the recommendations set out in this report.
3. There are widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with SEND, which the local area partnership must address urgently.
  - A monitoring inspection will be carried out within approximately 18 months. The next full area SEND inspection will take place within approximately 3 years.

- HMCI requires the local area partnership to prepare and submit a priority action plan (area SEND) to address the identified areas for priority action.
- 3.7. A detailed presentation at Appendix A contains the full details of the inspection criteria that Local Areas will be assessed against.

### **Preparation, governance, review and ongoing monitoring**

- 3.8. Alongside the work to implement the improvements outlined as part of the Accelerated Progress Plan, senior leads within the Local Area are currently working together to develop a wider SEND improvement plan which will identify the priorities and actions for improvement over the next two years.
- 3.9. To ensure that this work is in line with the new framework, the improvement plan will be developed against the evaluation criteria within the framework. This will be done in co-production with parents, carers, children and young people and professionals across the Local Area.
- 3.10. The priorities identified within the improvement plan will then inform the LAIB agenda and progress against the plan will be monitored via the LAIB and the Walsall Learning Alliance and will form part of the regular LAIB updates to the Health and Wellbeing Board.

## **4. Financial**

- 4.1. There are no direct financial implications around the new inspection framework, however, investment in and appropriate use of specified funding streams for children with SEND will contribute to the level and quality of the services provided. For example, this includes high needs funding for children and young people with EHCP and complex needs which are reported through the finance reports and will form part of the annual budget setting process.

## **5. Reducing Inequalities**

- 5.1. The inspection framework focusses on ensuring that inequalities for children with SEND are minimised through the provision of high-quality services. This aligns with our local to reduce inequalities and support young people with SEND to meet their outcomes into early adulthood by ensuring that all young people with an EHC plan are supported and represented across the Local Area.
- 5.2. It also supports our key area of focus that our children should:
- have the best possible start
  - be safe from harm
  - be happy, healthy, and learning well.

## **6. Decide**

- 6.1. The Committee may decide to request further information or assurance in respect of the Local Areas preparation for inspection under the new framework.

## **7. Respond**

- 7.1. Walsall Local Area will work closely with and continually seek feedback from families, settings and statutory partners to co-produce improvement plans and ensure that the area is prepared for inspection under the new framework.

## **8. Review**

- 8.1. Our preparation for inspection and the development and implementation of our action plan will be monitored the LAIB and organisational governance as outlined in 3.10 above.

### **Background papers**

### **Appendix A - New SEND Inspection Framework**

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