

HAMPSHIRE COUNTY COUNCIL

Report

Committee/Panel:	Children and Families Advisory Panel (CFAP)
Date:	2 February 2016
Title:	Summary report on the Hampshire experience of the SEND Reforms Pilot Ofsted/CQC Inspection 9-13 November 2015
Reference:	7270
Report From:	Interim Director of Children's Services

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1. Background – The Pilot Inspection Process

- 1.1 Following the introduction of the Children and Families Act 2014 on 1 September 2014 and the new Special Educational Needs and Disability (SEND) Code of Practice: 0 to 25 years (relating to Part 3 of the Act) a new inspection framework has been announced. This will commence from May 2016 and will relate to how local areas have successfully implemented the Reforms since 1 September 2014.
- 1.2 The focus is on Special Educational Needs (SEN) Support, previously School Action and School Action Plus, not just those with a Statement, Learning Difficulty Assessment or Education Health and Care Plan. The inspection has two key lines of focus:
- Early identification of need;
 - Effectiveness of meeting need and improving outcomes.
- 1.3 Her Majesty's Inspectorate (HMI) have proposed a joint Ofsted and Care Quality Commission (CQC) inspection process. To support the development of an effective inspection framework they requested pilot areas to volunteer. Hampshire was selected as one of three areas to participate in the second phase of pilot inspections during the Autumn of 2015.
- 1.4 The visit in Hampshire occurred 9-13 November 2015, for which we received a phone call the previous Thursday (5 November) setting out their expectations.

1.5 This paper summarises the experience of the pilot, lessons learned and next steps.

2. Remit

2.1 The inspection looks to triangulate central strategy with operational practice and the experience of children, young people and their parents/carers. To do this they hold central meetings on the first two days of the week, followed by site visits to educational establishments catering across the age range and including meeting with parents and children and young people within the settings. They also identify from the register of SEN support in some selected settings which children's case files they wish to view centrally, and then which professionals they wish to meet at the settings.

2.2 There is a strong parent focus, with an emphasis on a person centred approach.

2.3 The central meetings were as follows:

Meeting number	Focus
1	Overview and scene setting in the Hampshire area
2	Hampshire Parent/Carer Network (HPCN)
3	Personal Budgets and the Integrated Personalised Commissioning Programme (My Life My Way)
4	Therapies Focus Group 0-25
5	Early Years (0-5)
6	Impartial Information Advice and Support: Local Offer, IAS, Independent Support and Short Breaks
7	Designated Medical Officer Role
8	Early identification and early intervention – SEN Support in education establishments (5-19) data and progress
9	Education, Health and Care assessment and plan pathway and outcomes
10	Strategic Health meeting
11	Early identification (0-25 years)
12	Post 16, further education, preparation for adulthood and employment pathways
13	Looked after children and health
14	SEN home to school travel
15	School nursing focus group

Meeting number	Focus
16	EHCPs and the Youth Offending Team
17	CAMHS 0-25 service
18	Attainment data
19	Hampshire area self assessment framework and SEN strategy
20	Local provision and local need
21	Early Years future inspection consultation with HMI
22	Local Authority Therapies Focus Group 0-25 (SaLT, CAL and OT)

2.4 The education establishments visited were as follows:

Phase required	Sites	Last Ofsted inspection date
3 x Early Years	<ul style="list-style-type: none"> • Henry Tyndale School (2-19) • Steady Steps Pre-School • Haven Nursery and SEN Hub 	<ul style="list-style-type: none"> • Dec 2011 • Feb 2015 • Aug 2015
3 x Primary	<ul style="list-style-type: none"> • South View Junior • Ropley C of E Primary • Oakley Infant 	<ul style="list-style-type: none"> • Dec 2012 • Mar 2013 • Jul 2009
2 x Secondary	<ul style="list-style-type: none"> • Wyvern Technology College • Crofton School, incl The Croft RP for ASD 	<ul style="list-style-type: none"> • Mar 2014 • Mar 2014
2 x PRU/Special	<ul style="list-style-type: none"> • Osborne, Special 11-18 • The Linden Centre PRU 	<ul style="list-style-type: none"> • Mar 2015 • Jul 2013
2 x Post 16	<ul style="list-style-type: none"> • Henry Tyndale School (2-19) • Alton College 	<ul style="list-style-type: none"> • Dec 2011 • Oct 2009

2.5 For the pilot these settings were selected by the local authority, however for the formal inspection these will be selected by Ofsted and CQC.

2.6 The two key questions set out within paragraph 1.1 formed the basis of every meeting/visit. This meant the meetings had quite a broad scope.

2.7 The Inspectors focussed heavily on the impact of provision, not provision itself, and how this is evidenced.

“How is this improving outcomes for the children and young people in Hampshire?”

2.8 The key change of focus in this inspection is the aggregation from individual outcomes, to school/service and ultimately evidencing how the “local area” is improving outcomes. There is no prescribed format so this is an area of development across Hampshire, and all other local areas across the Country.

3. The pilot inspection findings

- 3.1 Overall this has been a positive experience. The co-produced area self evaluation framework was praised, and the Inspectors found nothing that was not already highlighted within that document. This is a separate annex to this report. It assesses the Hampshire picture against the top 11 areas that the Department for Education (DfE) Summer 2014 Readiness Survey highlighted as least well addressed by local authorities from the SEND Reforms.
- 3.2 There was an interesting contrast between the focus to date by the DfE where the spotlight has been on the statutory requirements of the Reforms, and the gap with the inspection process which examines the whole area focussing on SEN Support and improving outcomes. For Hampshire this means the approximate 30,000 children and young people on SEN Support (20% of the child population), rather than purely the approximate 6,500 managed by the SEN Service, or 2.85% of the child population (those with a Statement of SEN, Learning Difficulty Assessment or EHCP).
- 3.3 Whilst the SEN Service can influence practice, to be successful within the inspection framework the focus will need to expand across SEN Support and the Hampshire Area perspective. This is the responsibility of the whole Children's Services Department, and the wider area including the National Health Service, Public Health and Adult Services.
- 3.4 The key successes and areas working well were identified as:
- Area co-produced SEND Reforms self evaluation framework consistent with Inspectors findings
 - Early Years outcomes are being effectively monitored with a whole area picture. Any dips are identified and receive targeted support and challenge.
 - A substantial Hampshire Local Offer clearly with strong co-production with parents throughout its development which continues through go-live, accepting that the development of content is ongoing. Strong Local Offer Designated Officer dedicated role. Ofsted recently asked the National Parent Carer Forum to name the top 3 Local Offers, in their opinion, and Hampshire was cited as one of the top 3. This reflects the true co-produced offer that delivers the information in the way that parents wish to access it, including the 'look and feel' of the site.
 - Parental strategic and operational engagement with the Local Authority.
 - Very positive education establishment visits to the 11 selected sites with good evidence of monitoring and improving outcomes for individuals, and in one example across the whole school. It was very

evident the hard work that had been undertaken to demonstrate how each site contributed to the area.

- Positive triangulation between central strategy, education establishments and the views of parents/carers and children and young people during the inspection.
- Youth Offending Team good practice and low numbers.
- Short Breaks are a success with high numbers and clear evidence of outcomes improved through the programme.
- Low exclusions for those with SEND.
- Good work linking EHCPs and Personal Education Plans (PEPs) for looked after children (LAC).
- Good work between Health and the Virtual School for looked after children focussing on emotional health and wellbeing.

3.5 The key areas for development were identified as:

- Personal budgets development – pace and scale across the piece.
- The need to develop a Post 16 strategy across the area, with clear targets. This will include working closely with colleges regarding the young people who continue into college with an Education, Health and Care Plan. There is lots of good work in progress, but it is being developed largely in silos within each service.
- Development of ‘area’ improvement in outcomes beyond attainment data. This was developed strongly at an individual level for children and young people in settings, but was largely not developed beyond this. Developing whole school/education setting, and then ‘whole area’ picture will be expected by Ofsted and CQC. There is no prescribed format for this.
- Co-production and engagement with children and young people is weak across the piece, including the Young Persons Local Offer. Although good development of the “My Views” EHCP appendix evidenced at all site visits.
- Health engagement of parent/carers across the piece.
- Health information on the Local Offer.
- Social Care and Health professionals’ understanding of outcomes, and confusion with the link to provision, in EHCPs.

- Need clarity around what constitutes a ‘contribution’ within the statutory process.
 - Tribunals high with many resolved just prior to tribunal hearing – needs further investigation.
 - Development of the designated medical officer (DMO) role to be consistent with the Code of Practice requirements.
 - Attainment of the lowest achieving pupils (national issue).
 - A sufficiently comprehensive picture and tracking of SEN Support across the area.
 - External communications to parents regarding the Reforms and the Local Offer, but acknowledging that not everyone will seek information until they need it.
 - Developing a clear action plan from the area self evaluation framework.
- 3.6 Above all else, this forms a platform for progression of the on-going development and implementation of the Reforms across the Hampshire local area. The key recommendation from the self evaluation was for this to develop on to an action plan. This needs to be across the Local Authority and the NHS as a co-produced document.
- 3.7 Within Children’s Services this will form an additional section within the Quality Improvement Plan that underpins inspections, and form part of the Service Plan of the SEN Service and the School Improvement Service (for SEN Support) within Children’s Services.
- 3.8 This reflects the fact that the inspection is fundamentally about SEN Support – the circa 1 in 5 (20%) children and young people within the school age population that have SEN at any given time. Whilst the SEN Service can provide overall leadership and stewardship surrounding the most complex end (2.85%) of this spectrum the responsibility for successfully embedding these Reforms is a cross Department one within the Local Authority, and indeed a cross agency one with Health.
- 3.9 The CCG collaborative recognise that this will also need to feature across the spectrum of Health services – acute trusts, commissioning and Public Health (now a Local Authority responsibility).
- 3.10 A key piece of learning from the CCG’s perspective is about the Public Health early years health offer re SEN identification and meeting needs. Health (Providers and Commissioners) need to be more joined up with Public Health and School Improvement colleagues developing the Healthy Child Programme, amongst other aspects.

- 3.11 It is clear that to take this agenda forwards as an area there needs to be an ongoing governance structure to drive change to address the areas highlighted within this pilot inspection. It is suggested that the SEND Reforms Implementation Board be continued but re-branded and re-focused beyond March 2016.
- 3.12 The new Board will need to include a revised terms of reference and membership to reflect the breadth of the inspection framework. This could be re-named the Hampshire Area SEND Board. The Chair and Vice Chair roles would need to be agreed, along with the frequency. Parental leadership is seen as key within this ongoing process.

4. The pilot inspection experience

- 4.1 Her Majesty's Inspectorate requested that Hampshire complete an evaluation of the pilot inspection experience. This has been submitted.
- 4.2 The key areas of our feedback were around the following:
- A lack of clarity over what constitutes the "local area".
 - The need to define key lines of enquiry for every meeting.
 - A lack of specificity on subject areas to be discussed and meetings to arrange and professionals they wish to meet (strategic or operational or a mix).
 - The remit of the inspection was too wide resulting in some meetings not covering all key aspects – one meeting did not cover the important post 16 end of the age spectrum for early identification.
 - Clarity on documentation required at central meetings, and within education establishments.
 - The last minute nature of identifying specific children for whom the inspectors would like to meet health professionals. This was identified late on the Tuesday and required for the first visit on Wednesday. This caused angst amongst Health professionals in trying to juggle diaries and meet the Inspectors.
 - The 7pm webinar for parents on the Wednesday evening attracted 68 registrations of interest, but disappointingly only 28-36 actual participants in the process. The value of this is questioned. Alternative mechanisms for effectively engaging parents need to be further explored.
 - The EHC assessment and plan process and identification of those children and young people, i.e. those whose needs are severe and complex, was hardly discussed due to the focus on SEN Support.

- The SEN Support in settings aspect should be part of the Schools Section 5 inspection framework feeding in to any SEND local area inspection, not vice versa.

5. Conclusions and next steps

- 5.1 This has been a positive experience for all Hampshire partners participating in the process. The Inspectors fed back that from their perspective the whole inspection had been a smooth process – this resulted from good team work in preparing for and co-ordinating the inspection process.
- 5.2 A formal letter has been sent to the Head/Principal/Centre Manager of the educational establishments that participated within the pilot inspection process. It was evident that they all wished to showcase their good practice and a lot of hard work and preparation had been undertaken. This was reflected in the very positive feedback received from the Inspectors.
- 5.3 Formal feedback has been provided to HMI on the inspection experience to help shape the formal inspection process, along with informal feedback during the week of the inspection.
- 5.4 The Lead Inspector advised that an SEND Inspection Handbook is being developed and this will be finalised following the formal consultation process that is underway up until 4 January 2016. This would be anticipated in Spring 2016.
- 5.5 Recommendations are as follows:
- 5.6 The Hampshire area “Action Plan” needs to be co-produced to agree what needs to be undertaken, by whom and with clear deadlines.
- 5.7 The Hampshire area formal response to the DfE SEND inspection consultation has been submitted in time for the 4 January 2016 deadline.
- 5.8 An “Inspection ready” pack (electronic and physical) will be compiled following the inspection process to support the formal process when it happens from May 2016.
- 5.9 That Hampshire work with Kent as pilot inspection sites to develop a regional best practice inspection guide to equip regional areas within the South East Peer Network to plan effectively ahead of the formal inspection process.
- 5.10 That the SEND Reforms Implementation Board be continued but re-branded and re-focussed beyond March 2016 as suggested within paragraphs 3.11 and 3.12.

6. Recommendations

That the Children and Families Advisory Panel note the contents of the report and the actions taken.

CORPORATE OR LEGAL INFORMATION:**Links to the Corporate Strategy**

Hampshire safer and more secure for all:	no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	no
Corporate Improvement plan link number (if appropriate):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> SEND Reforms Implementation Update	<u>Reference</u> 6415	<u>Date</u> 3 February 2015
Direct links to specific legislation or Government Directives		
<u>Title</u> Children and Families Act 2014 Chapter 6 http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf		<u>Date</u> May 2014
DfE and DoH SEND Code of Practice 0 to 25 https://www.gov.uk/government/publications/send-code-of-practice-0-to-25		July 2014
DfE Final guidance on transition to the new 0-25 special educational needs and disability system introduced by Part 3 of the Children and Families Act 2014. https://www.gov.uk/government/publications/send-managing-changes-to-legislation-from-september-2014		August 2014

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;

Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;

Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

No direct impact on equalities has been identified in relation to this information report. Appropriate assessments of equality impacts are carried out throughout SEND policy formulation and agreement.

2. Impact on Crime and Disorder:

2.1 No direct impact on crime and disorder has been identified in relation to this information report.

3. Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption?

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

3.1 Not applicable to an information report.

Glossary of acronyms

ASD	Autistic Spectrum Disorder
CAL	Communication and Language
CAMHS	Child, Adolescent and Mental Health Services
CCG	Clinical Commissioning Groups
CQC	Care Quality Commission
DfE	Department for Education
DMO	Designated Medical Officer
DoH	Department of Health
EHCPs	Education, Health and Care Plans
HEP	Hampshire Education Psychology
HMI	Her Majesty's Inspectorate
HPCN	Hampshire Parent Carer Network
IIAS	Impartial, Information and Advice
IPC	Integrated Personalised Commissioning
LAC	Looked After Children
LDA	Learning Difficulty Assessment
LO	Local Offer
LODO	Local Offer Designated Officer
NHS	National Health Service
Ofsted	Office for Standards in Education, Children's Services and Skills
OT	Occupational Therapy
PEPs	Personal Educational Plans
PRU	Pupil Referral Unit
RP	Resourced Provision
SaLT	Speech and Language Therapy
SEN	Special Educational Needs
SEND	Special Educational Needs and Disability
STAs	Specialist Teacher Advisory Service