

# SCRUTINY ADVISORY BOARD – CHILDREN AND YOUNG PEOPLE

**Meeting date: 4<sup>th</sup> December 2020**

**From: Executive Director - People**

## Board Briefing

### 1 Introduction

- 1.1 The purpose of this report is to outline the existing regulatory regimes that relate to the breadth of children's services, to highlight where these have been impacted by the current Covid pandemic, and to provide a current status update against each area.
- 1.2 The report concludes with an overview of the North West Peer Challenge Process and a recommendation that Scrutiny review the self-evaluation submissions at a future meeting.

### 2 Children's Social Care

- 2.1 Children's social care are subject to the Inspection of Local Authority Children's Services (ILACS) framework.
- 2.2 Cumbria's last full inspection was under the previous Single Inspection Framework (SIF) in November 2017 and the judgements were as follows:

Overall Judgement	Requires Improvement
Sub-Judgements	
Children who need help and protection	Requires Improvement
Children looked after and achieving permanence	Requires Improvement
Adoption Performance	Good
Care Leavers	Requires Improvement
Leadership, management and governance	Good

- 2.3 Under the ILACS framework local authorities receive a full inspection approximately every three years with a minimum of two short focused visits (usually thematic) undertaken between inspections, one of which could be a Joint Targeted Area Inspection (JTAI) which is a thematic multi-agency inspection which Ofsted and other regulators undertaken with a small

number of authorities each year against a selected topic, such as child exploitation, or mental health.

- 2.4 Our first short focused visit under the ILACS framework took place in August 2019. There were no priority areas for improvement resulting from the visit and many areas of positive practice highlighted. Our second short focused visit was scheduled for March 2020 and postponed due to the Covid pandemic.
- 2.5 During Covid, the formal inspection schedule has been postponed, however Ofsted have recently initiated support/assurance visits to local authorities and we have been anticipating one of these imminently with a full ILACS potentially towards the end of 2021, though the impact of Covid on timelines for this is as yet unknown.
- 2.6 Ofsted have currently paused ILACS support/assurance visits during the national lockdown effective from 5 November, and state that due to the 10 day notice period it is likely to mean there are no further focused visits until the New Year.

### **3.0 SEND**

- 3.1 The framework for the inspection of local areas' effectiveness in identifying and meeting the needs of children and young people who have special educational needs and/or disabilities was introduced in 2016.
- 3.2 This framework details how local areas will be jointly inspected by Ofsted and CQC at least once in a five year period. Inspections do not result in a judgement, but where there are areas of significant concern, local areas are required to produce a Written Statement of Action (WSOA), and can expect to be re-inspected against that in the future.
- 3.3 Cumbria received our first SEND inspection in 2019. The inspection identified 9 areas for priority action which formed the basis of a WSOA which is the joint responsibility of the local authority and the two Clinical Commissioning Groups (CCGs) in Cumbria.
- 3.4 The improvement activity is led by our SEND Improvement Board, with an independent chair and strong partnership representation including parents/carers and elected members.
- 3.5 Monitoring/progress evaluation visits take place quarterly led by the DfE and NHS England. Our last such visit took place on 16 November 2020. The timeframe for our re-inspection is unknown and is likely to have been impacted by the pause in inspections during Covid.

### **4.0 Education**

- 4.1 Ofsted inspections of Local Authority (LA) arrangements for supporting school improvement ceased due to changes in government policy on 19

October 2018. However, the LA retains a statutory duty to identify schools causing concern and those that are in decline or at risk of failure; to challenge and undertake timely interventions in schools to raise standards.

- 4.2 The LA must engage in an annual conversation with Ofsted to report and be held accountable for school performance. There are also termly challenge meetings with the regional HMI in relation to early years provision and outcomes, post 16 provision and outcomes and school improvement and pupil outcomes. The Learning Improvement Service ensures LA statutory duties are met by championing high standards, including for the most vulnerable learners. It drives improvement in academic and Ofsted outcomes by identifying, brokering and monitoring support in schools through system leadership and by exercising LA statutory powers of intervention where required. As at 31 October 2020, 286/321 schools in Cumbria were judged good or outstanding (89.1%) This compares to 86% nationally as at 31 December 2019.
- 4.3 School inspections are carried out under the Education Inspection Framework which covers Ofsted inspections of maintained schools, academies, non-association independent schools, further education and skills provision and registered early years settings in England. The frequency of inspection will depend on the most recent judgement afforded to a setting.
- 4.4 The COVID pandemic resulted in a pause of Ofsted inspections on 17 March 2020. Ofsted commenced an interim visit programme on 28 September 2020. These interim visits were introduced to reassure and inform parents, government and the public about how schools are managing the return to full education for all pupils. The lead Her Majesty's Inspector (HMI) writes a short letter after each interim visit. This is to provide parents with information about what leaders are doing to help pupils back into full-time education. Letters do not provide any evaluation or graded judgement. There have been 15 of these section 8 visits to Cumbrian schools as at 19 November 2020. Ofsted plan to restart inspection from Spring term 2021.

## **5.0 Early Years**

- 5.1 Early years services are not inspected as a separate entity. In December 2019 Cumbria County Council invited the LGA to conduct a Peer Challenge of early years services across the multi-agency partnership.
- 5.2 There is currently no separate inspection framework for children's centres. The last children's centre inspections in Cumbria took place in June 2015. Since then children's centres have been included as part of wider area inspections relating to children's social care and SEND.
- 5.3 Routine Ofsted inspections of childminders and private, voluntary and independent early years settings were suspended in March 2020 due to the pandemic. Since September 2020, Ofsted have been conducting registration and compliance visits. Ofsted risk assess on a case-by-case basis

whether to carry out this work virtually, or on-site or a combination of the two. Regulatory enforcement work continues both on and off sites.

- 5.4 Ofsted have recently released their plans to re-introduce inspections from January 2021 but these are under constant review. When full routine early years inspections resume under the Education Inspection Framework (EIF), Ofsted will schedule these based on risk assessment and inspection grades, prioritising nurseries, pre-schools and childminders that are not yet good and those there are significant concerns about.
- 5.5 Under the new arrangements, all early years providers will be inspected in a six-year window from the date of their last inspection, rather than the current four-year cycle. Ofsted will still aim to inspect all new childcare providers within 30 months of registration where possible, childcare providers judged to require improvement will be inspected within a year and inadequate childcare provision will be inspected within 6 months. Nursery and Reception provision within schools comes under the school inspection regime.

## **6.0 Residential Provision**

- 6.1 Cumbria County Council's Edge of care and Children's home services are regulated by Ofsted using the Social Care Common Inspection Framework (SCCIF). Ofsted inspect homes once per year, known as a 'key inspection' over two days, whereby a judgement of, outstanding, good, requires improvement or inadequate will be made. If a home is judged to be inadequate or requires improvement, then a second inspection would occur in the same year known as an interim inspection (one day).
- 6.2 Due to the COVID-19 Pandemic Ofsted have changed the way they are carrying out inspections and are undertaking 'assurance visits' which are undertaken over two days, the first day by telephone and the second day in person at the home. This assurance visit is not graded. All our residential provision is currently rated good or outstanding, other than a newly opened provision in Kendal which is awaiting interim inspection and currently has no grading.
- 6.3 Once per month an independent person from NYAS carries out a Regulation 44 visit which looks at how the home is operating and may make recommendations for change and looks at good practice. The report is then sent to Ofsted. The Regulation 44 visit is usually an unannounced visit to the home, but due to COVID-19 restrictions they have been carried out over the phone with the information required being sent over prior to the call.

## **7.0 Youth Offending Service (YOS)**

- 7.1 HMIP (Her Majesty's Inspectorate of Probation) are the body responsible for inspecting Youth Offending Services across England and Wales. Youth

Offending Services are selected for inspection on a risk basis, determined by a set of criteria including volume, performance information and the date since last inspection. Most Youth Offending Services will be subject to a core inspection but a small number will be selected for a joint agency Inspection. In addition to these core inspections, HMIP carry out a number of thematic reviews, focusing on a specific area, where a number of services take part, looking at a similar theme.

- 7.2 HMIP are currently half way through a 4 year program of inspections, it is anticipated that at some point all Youth Offending Services will be inspected. The focus from now until January will be on two thematic reviews, with core inspections likely to restart in March 2021. Cumbria YOS was subject to a full inspection in 2009 and subject to a Short Quality Screening Inspection in 2016. In July 2020 Cumbria YOS were one of 7 services selected to be part of the HMIP thematic review in to how Youth Offending Services have operated during Covid-19. The report is due to be published on 18<sup>th</sup> November 2020.

## **8.0 Self Evaluation**

- 8.1 Cumbria are active participants in the annual NWADCS regional peer challenge process. This involves the submission of self-evaluation in relation to children's social care, education and SEND, with accompanying data packs.
- 8.2 Self-evaluations are currently being updated/developed and will be submitted on 20 January 2021, prior to the peer challenge session being held on 9 February. These self-evaluations also feed into the Ofsted 'annual conversation' as well as being used as evidence when we receive an inspection.

## **9.0 Recommendations**

- 9.1 That Scrutiny members note the information shared regarding inspection frameworks, and receive at a future meeting the self-evaluations relating to children's social care, education and SEND, for further detailed discussion and review.

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## **Appendices**

None

## **Previous Relevant Council or Executive Decisions *[including Local Committees]***

No previous relevant decisions.

## **Background Papers**

No background papers.

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