

Children and Families Overview and Scrutiny Committee

Date of Meeting: 28 September 2020

Report Title: Update on Interim Inspection Arrangements

Portfolio Holder: Cllr Kathryn Flavell – Portfolio Holder for Children and Families

Senior Officer: Mark Palethorpe – Executive Director of People

1. Report Summary

- 1.1. This report sets out the interim arrangements for Inspections of Local Authority Children's Services (ILACS) and Special Educational Needs and/or Disabilities (SEND) Inspections following a pause in inspections due to Covid-19.

2. Recommendations

- 2.1. Children and Families Overview and Scrutiny Committee is asked to:
 - 2.1.1. Note the contents of the report in preparation for an inspection.

3. Reasons for Recommendations

- 3.1. It is important that members have an overview of inspection arrangements and the key areas that inspectors will scrutinise in order to support effective oversight and scrutiny of outcomes for children and young people in Cheshire East.
- 3.2. One of the areas inspectors will evaluate is the the impact of leaders on frontline practice and outcomes for children. The committee has a key role in contributing to this.

4. Other Options Considered

- 4.1. Not applicable.

5. Background

- 5.1. All routine Ofsted inspections were suspended on 17 March 2020 as a result of Covid-19, although urgent inspections where specific concerns were raised were still carried out.
- 5.2. On 6 July, Ofsted announced their plans to recommence inspections, including their plans for ILACS and SEND inspections.
- 5.3. Ofsted published the guidance for the interim ILACS arrangements on 17 August.
- 5.4. Ofsted published the guidance for the interim SEND arrangements on 9 September.

6. Interim ILACS arrangements

- 6.1 ILACS inspections recommenced on 15 September.
- 6.2 The way inspections will be carried out has changed as an interim arrangement following the pause in inspections and taking into account the additional pressures services are under as a result of Covid-19. This interim arrangement will remain in place until December 2020 and could be extended depending on the circumstances.
- 6.3 Usually, there are three types of inspections we could receive under the ILACS framework. Under the interim arrangements, there will only be one type of inspection.

What the ILACS inspection covers

- 6.4 ILACS are inspections of children's services across the levels of need, and cover the partnership support provided to children, young people and families within the following areas:
 - Prevention and Early Help
 - Child in Need and Child Protection
 - Cared for services and Care Leavers
 - Education for vulnerable pupils
 - Support to vulnerable groups of children and young people, for example those going missing or who are at risk from exploitation.
- 6.5 Although ILACS are local authority inspections, the effectiveness of the support we provide to children and young people is dependant on the effectiveness of our partnership arrangements. Therefore, Inspectors will

review how effectively we work together as a partnership to protect our children and young people.

- 6.6 Inspectors will also evaluate the impact of leaders within Cheshire East on frontline practice and outcomes for children.
- 6.7 Inspectors will consider how we have responded to, prioritised and met children and young people's changing needs throughout the Covid-19 pandemic. There will be a particular focus on the quality and impact of decision making for children and young people.
- 6.8 These interim inspections have a larger focus on education due to the implications to this as a result of the pandemic. The inspection will consider how we have worked together as a partnership to promote school attendance during this time, particularly for our most vulnerable pupils.
- 6.9 Inspectors will consider the last 6 months of practice in making their evaluations. The scope of the interim inspections is attached in the appendix for further information.

Inspection Activity

- 6.10 The inspection team will usually consist of four Social Care Inspectors and one Schools Inspector.
- 6.11 Inspectors will use a mix of on-site and off-site activity to inform their evaluations. Some meetings will be held virtually. Inspectors who are meeting with practitioners virtually will ask practitioners to share their screens so they can view the child's record together as they would in a face to face meeting.
- 6.12 Interim inspections will take place over three weeks:

Day	Inspection Activity
Week 1	
Tuesday	The notification call will take place on a Tuesday morning. Inspectors will give us 10 working days' notice before they arrive on-site. There will be a detailed call with the Lead Inspector on the Tuesday afternoon to discuss the inspection arrangements.
Wednesday	Off-site activity
Thursday	Off-site activity
Friday	We provide Ofsted with performance data on our

	services, lists of the cases we hold, and a list of cases that have been audited in the last 6 months. Inspectors review this information and will select the cases they want to track in detail when they arrive on-site. This will inform the key areas they want to review.
Week 2	
Monday	We provide Ofsted with information on our services, and our evidence and reports on the quality of practice and outcomes for children.
Tuesday	Phone interviews will take place between Tuesday and Thursday between the Lead Inspector and key leaders within the Council, such as the Lead Member, Chief Executive of the Council and Director of Children's Services, and also key leaders within the partnership including the Clinical Commissioning Group, the Police, Cafcass, and the local family judiciary.
Wednesday	
Thursday	
Friday	Off-site activity
Week 3	
Monday	Off-site activity
Tuesday	Inspectors are on-site and meet with practitioners.
Wednesday	Inspectors are on-site and meet with practitioners.
Thursday	Inspectors are on-site and meet with practitioners.

- 6.13 The inspection will focus on frontline practice and the difference this makes to children and families. Inspectors will spend almost all their time shadowing and speaking to workers and managers about casework when they are on-site. They will also sample and review children's case records, and will speak with children, young people, parents and carers.
- 6.14 Inspectors will look at the experiences of children and young people, and how we have made decisions in their best interests in the context of the pandemic. Inspectors are keen to look at examples of good practice as part of the inspection.

Findings

- 6.15 At end of the inspection, a letter will be completed which outlines our strengths and our areas for development. This will be published on the Ofsted website. No judgements will be made on the quality of practice (e.g. outstanding, good).

- 6.16 Until the letter is published, we are not allowed to share the findings as these may change following moderation.

Timing of the Inspection

- 6.17 We don't know when or if we will receive an interim inspection, however Ofsted have said that they are aiming to visit as many areas as they can.

7. Interim SEND Inspection arrangements

- 7.1 SEND inspections are multi-agency inspections of the local area. They are carried out by two inspectorates, Ofsted and CQC.
- 7.2 There will be a phased return to SEND inspections. SEND inspections and SEND revisits will remain paused for the time being.
- 7.3 As an interim arrangement, Ofsted and CQC will undertake visits to local areas to help them improve their services to children and young people with SEND.
- 7.4 Visits will start in the autumn term 2020 and will take place across that term and spring term 2021. Participation will be voluntary.
- 7.5 Ofsted and CQC have said they will return to completing SEND inspections and revisits when it is right to do so, and that the visits will help to determine when would be the right time.
- 7.6 A new framework is being developed for continuous cycles of SEND inspections which will commence after all areas have been inspected within the current framework.

What the SEND Visits will cover

- 7.7 The purpose of the visits is to:
- Support local areas to understand the impact of the pandemic on children and young people with SEND and their families
 - Find out what has worked well for them during this time, what the challenges have been, and any lessons learned
 - Work with the local area to identify opportunities for improvement that address the remaining challenges faced by children and young people with SEND.
 - Highlight positive case studies and share insights nationally to promote whole-system learning.

- 7.8 Inspectors will focus on the main theme of children and young people's access to the right support at the right time, including remotely where necessary.
- 7.9 Inspectors will consider how solutions and services have been co-produced with children, young people and families, and how well agencies have worked together to understand and meet needs during this time.
- 7.10 Local areas will also have the opportunity to put forward a specific area of focus that they would like inspectors to review with them.

Inspection Activity

- 7.11 Visits will last for two days and will involve three inspectors: one Ofsted education HMI, one Ofsted social care HMI, and one children's services inspector from CQC.
- 7.12 Inspectors will select 4 to 6 children and young people with SEND to be part of case studies. Half of these will have an education, health and care plan, and half will be receiving SEND support. Families will be asked for their consent to participate in the inspection. The 4 to 6 families will meet with inspectors during the visit either face to face or virtually to give their feedback. Inspectors will also meet with the multi-agency practitioners who have supported these families.
- 7.13 Two online surveys will also be completed during the inspection to inform the findings: a parent carer survey, and a survey for young people with SEND who are over the age of 16.
- 7.14 Inspectors will also meet with the leaders from the local area.

Findings

- 7.15 Learning from the visits will be shared in national reports. Ofsted and CQC will not give graded judgements or publish individual reports. Verbal feedback will be shared with the local area during the visit and the local area will receive a summary note following the visit which will not be published. The findings will be shared with the DfE and NHS England.

Timing of the Inspection

- 7.16 A limited number of local areas will be invited to participate. Agreement to participate will be required from the local authority and the clinical commissioning group(s) in each local area. Visits will not be carried out to all local areas. Ofsted and CQC are aiming to cover a range of areas with different characteristics, such as geographical make-up, population characteristics and previous inspection outcomes.

8. Challenges

- 8.1 As these are unprecedented circumstances, it will be more challenging to prepare for these inspections. There is no baseline for what good support should look like during lockdown and the pandemic. Learning from other authorities who receive these interim inspections will be key.

9. Implications of the Recommendations

9.1. Legal Implications

- 9.1.1. As part of the ILACS inspection, Inspectors will want to understand how any of the changes to regulation set out in [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020](#) have impacted on the experiences of children and families. This will include looking at management oversight.

9.2. Finance Implications

- 9.2.1. There are no financial implications.

9.3. Policy Implications

- 9.3.1. The findings from inspection may inform policy decisions.

9.4. Equality Implications

- 9.4.1. There are no equality implications. Ofsted have said that where staff are working from home due to the risk from Covid-19 they will conduct meetings with these staff virtually.

9.5. Human Resources Implications

- 9.5.1. Staff from the service areas above will be directly involved in the inspections.
- 9.5.2. A briefing on the interim arrangements for ILACS inspections has been sent to all Children and Families staff, and to senior leaders within the Safeguarding Children Partnership to circulate to their workforce.

9.6. Risk Management Implications

- 9.6.1. The existing working arrangements will be taken into account when planning for inspection to ensure staff continue to be protected from the risk from Covid-19. Inspectors will be expected to comply with the existing controls within buildings.
- 9.6.2. There are reputational and financial risks of not providing good children's services. These risks are also included as risks for the Safeguarding Children's Partnership. The Council, as the lead agency,

must continue to ensure that these risks are minimised by ensuring effective plans are in place to improve where areas for development are identified.

9.7. Rural Communities Implications

9.7.1. There are no direct implications for rural communities.

9.8. Implications for Children & Young People/Cared for Children

9.8.1. The findings from inspection inform the development of our services so we can better meet the needs of our children and young people. Children and young people's views inform the inspectors' evaluations.

9.9. Public Health Implications

9.9.1. Existing controls that are in place to reduce the risk of Covid-19, for example social distancing and one-way systems within buildings, and individual risk assessments, will continue to be observed during inspection to protect staff and inspectors.

9.10. Climate Change Implications

9.10.1. Carrying out some aspects of inspections virtually will enable us to reduce our carbon footprint.

10. Ward Members Affected

10.1. There are no direct implications for individual wards.

11. Consultation & Engagement

11.1. We will continue to consult and engage with all our key stakeholders as we prepare for inspection.

12. Access to Information

12.1. There is no additional information.

13. Contact Information

13.1. Any questions relating to this report should be directed to the following officer:

Name: Jacquie Sims

Job Title: Director of Children's Social Care

Email: Jacquie.Sims@cheshireeast.gov.uk

Name: Jacky Forster
Job Title: Director of Education and Skills
Email: Jacky.Forster@cheshireeast.gov.uk

Appendix

Scope of ILACS Inspections from September 2020

These inspections will evaluate the quality and impact of key decision-making in the following practice areas:

- help and protection
- children in care and care leavers
- impact of leaders

Help and protection

In the help and protection area, inspectors will evaluate:

- the effectiveness of the front door, with specific reference to any rise in and response to referrals, section 47 enquiries and strategy discussions
- the progress of children subject to child protection and child in need plans (those who have experienced abuse, neglect or exploitation)
- the progress of those recently stepped up or stepped down to early help and the exercise of thresholds

Children in care and care leavers

In the children in care and care leavers area, inspectors will evaluate:

- edge of care/pre-proceedings, particularly those subject to a letter before proceedings (under the pre-proceedings stage of the Public Law Outline, local authorities are required to write to parents setting out what needs to change if they are to avoid family court proceedings).
- the focus on physical and mental health of children in care and care leavers, including how the local authority has maintained contact with the child/care leaver and how they have facilitated contact with families
- placement decisions, including the quality of matching, particularly when sufficiency is a challenge

Impact of leaders

In the impact of leaders area, inspectors will evaluate:

- the quality assurance of practice and 'line of sight' to the quality and impact of practice with children and families
- management and workforce capacity, including responses to staff well-being
- the effectiveness of leaders in leading and contributing to multi-agency working that leads to effective social work practice

Inspectors will need to look at what has happened for children and families in the 6 months before the visit to understand children's experiences.

Our focus will be on child-centred practice that has been carefully risk assessed to result in the best possible decisions for children in the context of the pandemic locally.

Inspectors will want to understand how any of the changes to regulation set out in [The Adoption and Children \(Coronavirus\) \(Amendment\) Regulations 2020](#) have impacted on the experiences of children and families. This will include looking at management oversight.

Role of the schools HMI

A schools specialist will add value to our evaluation at a time when schools will have re-opened for all pupils, and will play a critical role in providing early help and identifying 'hidden harm'.

Schools HMI will evaluate:

- the educational progress of children in care
- children missing education
- electively home-schooled children
- how the local authority has promoted school attendance
- partnership working between schools and the local authority
- the effectiveness of the virtual school
- the experiences of care leavers not in education, employment or training (NEET)

To carry out their evaluation, schools HMI may speak with children and their foster carers, care leavers, the virtual school headteacher and relevant staff at a sample of schools. These conversations may be individual or in groups. They may happen through both phone and video calls.

This will not be an inspection of the schools in an area, but inspectors may comment on the effectiveness of schools' work and partnership with the local authority both during and post-lockdown. The schools HMI will triangulate their findings with the findings of the social care inspectors.