



## Talking Points

# TALKING POINTS

## INTRODUCTION

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

## LOCAL AREA INSPECTIONS

The NNPCF believes that improving accountability and review of SEND provision is critical to improving the experiences of children and young people with SEND.



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We agree whole-heartedly with the principles of the Children and Families Act 2014, however, the accountability, review and inspection of the new system is still developing and this has allowed poor practice to persist for too long in too many areas.

Local area inspections have been an overwhelming success from the point of view of forums and we are delighted to see that the Secretary of state has asked Ofsted and CQC to look at extending in the framework beyond the current round that ends in 2021. These inspections have quickly become the cornerstone of the compliance and monitoring of the reforms. Following their introduction, we have seen a marked improvement in the focus and urgency from local areas in their implementation of the SEND reforms. In particular, we have seen an improvement in the engagement of CCGs.

For more information on the process of local area inspections see Appendix 1 and the Contact Local Area Inspections Webinar 1.

<https://youtu.be/LaQJy0dtq6s>

### HIGHLIGHTING THE RIGHT ISSUES

The NNPCF are pleased to note that the inspections are highlighting many of the issues that forums have been raising with us (see out talking points<sup>1</sup>). The emphasis on leadership, joint commissioning and working, co-production, the quality and timeliness of EHCPs, waiting times for key services, personal budgets and transitional arrangements mirrors areas of concern for parent carer forums.

For a link to published inspection reports and the “One year on” report see

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<sup>1</sup> NNPCF talking points <http://www.nnpkf.org.uk/about-the-nnpkf/talking-points/>



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For a link to all of the published inspection reports see  
<https://www.gov.uk/government/publications/local-area-send-inspection-outcome-letters>

Local Area SEND inspections: one year on Care Quality Commission and Ofsted October 2017

<https://www.gov.uk/government/publications/local-area-send-inspections-one-year-on>

### GUARDING AGAINST COMPLACENCY

In 2018, over half of the areas inspected were found to have significant weaknesses requiring a written statement of action. Sadly, this confirms the grave concerns the NNPCF have about the experiences of children and young people with SEND.

Some forums have commented that their local area has reacted with complacency when they received a WSOA (“everyone gets one”). We believe that it is critical that the impact of local area inspections is not diluted. The role of Department for Education and NHS England advisers is key to this.

Forums have raised some concerns about some aspects of the inspections, specifically, making suggestions on how they could be conducted differently to engage parent-carers more effectively and to minimise the impact on forums. We also recognise the additional burden that inspections have placed on forums but have been impressed with the way that they have risen to the challenge to engage with inspectors in an active and meaningful way.

Re-visits for those areas with a Written Statement of Action (WSOA)



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The programme of re-visits for areas with a written statement of action commenced in December 2018. The NNPCF are pleased to see that working with parent carer forums before and during the revisit is a key part of the guidance<sup>2</sup> issued by Ofsted.

At time of writing, there were not enough re-visit results to assess the effectiveness of the responses from local areas to WSOA. However, based on feedback from our member forums, we suspect that many areas will not have made sufficient progress. We will be making the following representations to the Department for Education:

Local Area Inspections are key to holding local areas to account. It is vital that they do not lose their impact and importance. Local areas must not start to feel complacent about receiving a WSOA

It is vital that the monitoring visits by DfE and NHSE advisers to areas with a WSOA reflect the urgency and importance of a WSOA. Some forums have reported that balance between support and challenge from the advisers isn't right. They would like to see a more

If revisits to are with a WSOA identify that areas have not made sufficient progress, it is critical that the DfE and NHSE take firm action to ensure improved focus and compliance and Ministers must be willing to exercise their powers of intervention. The credibility of the inspection regime depends upon this.

Parent carer forums should be seen as active partners in this and be included in all meetings, briefings and planning.

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<sup>2</sup> Ofsted guidance for revisits to local areas issued with a WSOA

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/755255/Revisits\\_to\\_local\\_areas\\_issued\\_with\\_a\\_written\\_statement\\_of\\_action\\_publication\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/755255/Revisits_to_local_areas_issued_with_a_written_statement_of_action_publication_version.pdf)


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## CONTINUATION OF THE INSPECTION REGIME BEYOND 2021

The current round of inspections is due to complete in 2021 by which stage each local area will have been inspected. In his speech to the Association of Directors of Children's Services in July 2018, the Secretary of State for Education announced:

"I will be asking Ofsted and the Care Quality Commission to design a programme of further local area SEND inspections to follow the current round, due to conclude in 2021<sup>3</sup>."

The NNPCF are delighted to hear that Local Area inspections will be continuing. We will be working with Ofsted and CQC to co-produce what this next round of inspections should look like.

We have shared these concerns with the joint inspectorate when we met with them in March 2017.

In addition, the joint inspectorate held two training days for inspectors in April 2017 at which NNPCF steering group members presented as key note speakers. We emphasised these points to the joint inspectorate and they were clearly understood and were well received.

## SOME POTENTIAL IMPROVEMENTS IN THE INSPECTION PROCESS

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

<sup>3</sup> Secretary of State for Education, Damian Hinds speech to the Association of Directors of Children's Services Conference 5 July 2018. [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](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)

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- 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 mis-communications 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.

The senior inspectors have since clarified that forums are not being inspected and there is no expectation for forums to attend all inspection meetings.

We emphasised these points at the joint inspectorate training days in April 2017.

The CQC senior CQC inspectors accepted our points and promised to look at this practice.



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**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 explanations or rebuttals have been accepted unfairly.

### 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. Some forums have agreed to share their surveys<sup>4</sup>
- 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.

<sup>4</sup> Suffolk parent-carer surveys to prepare for inspections (based on Hertfordshire survey  
<http://spcn.org.uk/wp-content/uploads/2016/11/SPCN-Survey-Results.pdf>  
<https://www.surveymonkey.co.uk/r/EHCfeedback>



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## APPENDIX: LOCAL AREA INSPECTIONS FRAMEWORK

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,



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where it works well forums have 'significant insight' into what is important to parents and PCFs are viewed as a 'valued partner'.

### 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.

Ofsted 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



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'Our Strength Is Our Shared Experience'

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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.