

Arrangements for the Inspection of Local Authority Children's Services: Ofsted Consultation

Purpose of report

For discussion and direction.

Summary

In July, Ofsted launched a consultation on new arrangements for the inspection of children's services, which will come into effect from May 2012. A number of changes to the current inspection regime are proposed, which take into account the recommendations of the Munro Review. Miriam Rosen, appointed Her Majesty's Chief Inspector of Education, Children's Services and Skills in July 2011, will attend the Board meeting to discuss the proposals. A summary of the proposals and key issues which Board members may wish to raise with the Chief Inspector are set out in this report. A fuller summary of the future plans for children's services and schools, supplied by Ofsted is attached at **Appendix A**.

Recommendation(s)

The Board is invited to discuss with the Chief Inspector the proposals in the Ofsted consultation and give a steer to officers to assist the development of an LG Group response, which will be submitted by 30 September.

Action

Officers to take account of members' comments and circulate a draft of the LG Group's submission to the Office Holders for approval prior to submission.

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Background

1. In July, Ofsted launched a consultation on new arrangements for the inspection of children's services, which will come into effect from May 2012. Ofsted has provided a summary of the future plans for children's services and schools which is attached at **Appendix A**.
2. A number of changes to the current regime are proposed, which take into account the recommendations of the Munro Review related to inspection:

The inspection framework should examine the effectiveness of the contributions of all local services, including health, education, police, probation and the justice system to the protection of children.

The new inspection framework should examine the child's journey from needing to receiving help, explore how the rights, wishes, feelings and experiences of children and young people inform and shape the provision of services, and look at the effectiveness of the help provided to children, young people and their families.

3. The consultation also follows an Education Select Committee inquiry in October 2010 on the role and performance of Ofsted, to which the LGA provided written and oral evidence. This evidence, alongside feedback from local authority advisers, is informing the development of our consultation response, the deadline for which is 30 September. The final draft will be cleared by Office Holders prior to submission.

Proposals

4. The consultation includes three sets of proposals, covering:
 - 4.1 Universal inspection of child protection;
 - 4.2 Children in care; and
 - 4.3 Monitoring inspections.

Universal inspections of child protection

5. These will all be carried out on an unannounced basis and will last up to two weeks. Councils have long argued that announced inspections impose a

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disproportionate burden in terms of the resources required for preparation. It will be important to ensure that new arrangements do truly lead to a reduced burden in practice.

6. The consultation outlines that there will be a focus on the child's journey and that identification of needs and early help are within the scope of child protection inspections. This focus on outcomes as opposed to compliance with process is in line with the Munro review and also reflects the emphasis given to early help for families in current policy thinking. It is proposed that inspectors will make a judgment on whether different action would have been more effective and avoided the need for a child to enter the formal child protection system. This has the potential to lead to inspectors viewing all situations with 20/20 hindsight, which risks engendering defensive social work practice. It should also be recognised that a difference of professional opinion between Ofsted and local authority social workers does not necessarily mean a wrong decision was taken.
7. The new arrangements will give full consideration to the effectiveness of contributions of all local services, including health, education, police, probation and the justice system. This is a welcome recognition that these services play a key role in identifying and providing early help alongside councils; however, it is unclear how this will be robustly measured given that multi-inspectorate inspections are not proposed.
8. Central elements of inspection will be the experiences of individual children and the effectiveness of help provided for them, achieved through case tracking and visits. There is also increased emphasis on direct observation of practice. The focus on practice and outcomes, rather than compliance with process, may have implications for the necessary experience and expertise of inspectors.
9. The current range of judgements will be replaced by:
 - 9.1 Overall effectiveness
 - 9.2 Capacity to improve
 - 9.3 Effectiveness of help provided to children, their families and carers
 - 9.4 Quality of practice
 - 9.5 Leadership and management
10. In order to achieve greater proportionality, it is proposed that the frequency of inspection is varied, depending on performance. It is suggested that, following a baseline being established, this might be 18 months to two years for inadequate services; three years for satisfactory services; and five years for good or outstanding services.

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Children in Care

11. Ofsted believes that inspection should retain a significant focus on services and outcomes for children in care, but are unlikely to be able to resource a universal cycle of inspections. It is therefore proposed that a sample of approximately 20-25 local authorities are inspected annually, covering different types e.g. across a spread of urban and rural areas. These would take place with a short notice period and last for one week. Various issues will be taken into account when deciding which local authorities will be inspected, including outcomes of inspections and concerns identified through performance data.

Monitoring Inspections

12. Where Ofsted finds that services for child protection or children in care are inadequate, a further full inspection will normally be undertaken within 18 months. Within a year of the first inspection, undertaking a focused monitoring inspection to evaluate progress will be considered. They will normally be undertaken with either the agreement of the local authority or at the request of DfE, carried out on an announced basis in most cases with results published.

Link to sector-led improvement

13. One of the key issues still to be resolved is how the revised inspection arrangements will link to the sector-led improvement work being developed by the Children's Improvement Board (CIB). The CIB's work programme is set out in **Appendix A to Item 2** in the Board Business Agenda. Whilst the consultation makes no proposals on this, it does request views on how inspection can most effectively add value to and draw value from other elements of performance improvement, including local authority self-evaluation, supported by sector-based peer review and challenge.
14. There are many elements to this, but in particular, there would appear to be a question as to whether the sample inspections for children in care, monitoring inspections or judgements on capacity to improve should be informed by results of peer reviews and to what extent. In addition, moving the focus of inspection to practice may have implications for broader improvement issues that the sector might wish to take a lead on. There is a meeting between the CIB and Ofsted on the 8 September to discuss these issues further.

School inspections

15. Earlier this year, Ofsted consulted on proposals for inspection arrangements for maintained schools and academies from January 2012. The new

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framework is designed to deliver a focus on the quality of teaching and learning, backed by excellent leadership and management, and good discipline and behaviour. In practice, this means that schools will be judged on a smaller number of core aspects than before, but these will be examined in greater depth. The changes are intended to result in more streamlined inspections, with fewer judgements and grades, leading to sharper reports on the quality of education provided by schools and the most important aspects of their performance.

Financial Implications

16. There are no financial implications from this paper.