

The handbook 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

Handbook for inspecting local areas in England under section 20 of the Children Act
2004

Age group: 0–25

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Introduction

1. Duties on local areas regarding provision of support for children and young people with special educational needs and/or disabilities (SEND) are contained in the Children and Families Act 2014, and regulations made under the Act.¹ The duties are expanded on in the statutory guidance 'Special educational needs and disability code of practice: 0 to 25 years' (the Code of Practice) published jointly by the Department for Education (DfE) and the Department of Health and Social Care (DHSC).² These duties came into force in September 2014.
2. At the request of the Minister of State for Children and Families, Ofsted and the CQC inspect, under section 20 of the Children Act 2004, the effectiveness of local areas in fulfilling their duties towards children and young people with SEND. This handbook is primarily a guide for inspectors on how to carry out local area inspections. It should be read alongside the 'Framework for the inspection of local areas' effectiveness in identifying and meeting the needs of children and young people with special educational needs and/or disabilities', which sets out the legal basis and principles of inspection.³ It is also made publicly available to ensure that young people, parents and carers, local authorities and health services, early years settings, schools, further education providers and other organisations can inform themselves about the process and procedures of inspection.
3. The handbook should also support local areas in their self-evaluation and ongoing improvement. The handbook provides guidance and should not be regarded as a set of inflexible rules. It is an account of the procedures that govern inspection, setting out how inspectors will gather evidence to make their judgements about the effectiveness of the local area in meeting its duties. Inspectors will exercise their professional judgement when using this handbook.

¹ The local area includes the local authority, clinical commissioning groups (CCGs), public health, NHS England for specialist services, early years settings, schools and further education providers.

² 'Special educational needs and disability code of practice: 0 to 25 years', Department for Education and Department of Health and Social Care, June 2014;

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>.

³ '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', Ofsted and the CQC, April 2016; <https://www.gov.uk/government/publications/local-area-send-inspection-framework>.

4. The handbook has two parts:⁴
 - **Part 1: How local areas will be inspected**

This contains information about the processes before, during and after the inspection.
 - **Part 2: The evaluation schedule**

This contains guidance for inspectors on assessing the effectiveness of local areas in fulfilling their statutory duties set out in the Code of Practice and the kinds of evidence that inspectors will collate and analyse to make their judgements.

Privacy notice

5. During an inspection, inspectors will collect and process a wide range of personal data about individuals who work for relevant local agencies and educational institutions. We also collect personal data about children/young people and their parents and/or carers who are provided with services by the local area.
6. Ofsted and the CQC use this personal data to inform our report to the Secretary of State following a local area inspection. We never identify individuals in our reports. We use this information to prepare our report and for the purposes set out in [Ofsted's privacy policy](#) and in the [CQC's privacy policy](#).
7. We normally gather evidence electronically using a range of devices, including laptops, mobile telephones and tablets. All evidence is securely transferred to Ofsted's and CQC's systems. This will be stored but is not retained by the inspector personally.

Inspection during the COVID-19 (coronavirus) pandemic

8. This section outlines the additional considerations for inspectors when carrying out inspections of local areas during the COVID-19 pandemic. It should be read alongside parts 1 and 2 of the inspection handbook, which go into further detail about how we have adapted our methodology and evaluation schedule to take account of the impact of COVID-19. We will keep our handbook and methodology under review as circumstances change and we continue to emerge from the pandemic.

⁴ This handbook was previously in three parts. Part three, now removed, outlined the process to be followed in carrying out re-visits to local areas required to produce a WSOA. These re-visits now follow: 'Guidance for carrying out re-visits to local areas required to produce a written statement of action', Ofsted and the Care Quality Commission, March 2021; <https://www.gov.uk/government/publications/local-area-send-inspection-guidance-for-inspectors/guidance-for-carrying-out-re-visits-to-local-areas-required-to-produce-a-written-statement-of-action>.

9. To support local areas during the COVID-19 outbreak, some of the duties placed on them in sections 42 and 43 of the Children and Families Act 2014 were temporarily modified to 'reasonable endeavours' by notices made by the Secretary of State under the Coronavirus Act 2020. This applied between 1 May and 31 July 2020. They were reinstated fully from 1 August 2020.
10. Also, the Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020⁵ modified the requirements in relation to the timeliness of actions that local areas take after receiving a request for an education, health and care needs assessment. These modifications replaced the prescribed periods with a requirement to take relevant actions as soon as 'reasonably practicable'. They expired on 25 September 2020.
11. Guidance from NHS England for local commissioning bodies and health providers from July 2020 sets out the importance of children, young people and families receiving the care and support they need. It specifies that community health services that support children and young people with SEND (including therapy services) should be prioritised in the NHS's response to COVID-19.
12. Inspectors will be mindful of the current context and the impact of the pandemic on local areas' ability to fulfil their responsibilities towards children and young people with SEND. The response to the pandemic led to temporary closures of educational and other settings where children and young people normally attend or receive services. It also affected the delivery of health and care services. Local area leaders should be prepared to discuss with inspectors how they have:
 - understood the experience and needs of children and young people with SEND, and their families, during the pandemic
 - involved children and young people with SEND and their families in co-producing decisions about how best to support them
 - worked collaboratively to prioritise, adapt and provide the services and support that children and young people with SEND and their families need.
13. Inspectors will use this information to understand the challenges the local area may have faced during this difficult period. Evidence gathered will allow inspectors to determine whether any identified problems are long-standing and systemic or whether they have been caused or exacerbated by the pandemic.
14. All inspections will be carried out on site. However, it may be necessary to carry out some inspection activities remotely. This will be agreed with the local area at the start of the inspection. While COVID-19 safety measures are required, the usual approach to gathering evidence is likely to require adaptations. Discussions between the local area nominated officer (LANO) and the lead HMI,

⁵ The Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020; <https://www.legislation.gov.uk/uksi/2020/471/regulation/5/made>.

and between the CQC inspector and the CCG or its nominated officer, should consider how all meetings, visits and gathering of evidence during the inspection can be carried out as safely as possible. Where inspectors conclude that it is necessary, meetings and/or other activities will be carried out remotely.

Part 1: How local areas will be inspected

Before the inspection

Inspectors' planning and preparation

15. In planning for the inspection, the lead His Majesty's Inspector (HMI) and CQC inspector will consider all available evidence to develop an initial picture of the local area's performance in fulfilling its responsibilities.⁶ The lead HMI and CQC inspector will develop initial hypotheses and key lines of enquiry informed by analysing:
 - outcomes (as described in the Code of Practice) for children and young people with SEND
 - attendance and exclusion information, taking appropriate account of how these have been affected by the COVID-19 pandemic
 - data relating to the identification of SEN at SEN support and education, health and care (EHC) plan levels
 - information about the destinations after leaving school, including about young people not in education, employment or training
 - performance towards meeting expected timescales for statutory assessment
 - inspection reports for the local area, its services and providers
 - the published local offer
 - the local authority short break statement
 - schools' and nurseries' published SEN information reports
 - the joint strategic needs assessment
 - the joint health and well-being strategy
 - SEND strategic plans devised and used by the local area, including any adaptations to take account of the impact of COVID-19
 - appeals to the First-tier Tribunal (Health and Social Care Chamber) (Special Educational Needs and Disability), including cases resolved prior to tribunal

⁶ The lead HMI will take into account that, due to COVID-19, some of this information may not be available or presented in the same way that it would have been before the pandemic.

hearing; also, information about appeals through the single route of redress⁷

- complaints to Ofsted and the CQC
- any relevant serious case reviews and their outcomes
- performance information published by the DfE and DHSC
- commissioning and performance data on delivery of:
 - the healthy child programme, spanning early years and school-aged children (previous 12 months)
 - the neonatal screening programme
- 0–25 services for child and adolescent mental health services (CAMHS), speech and language therapy, occupational therapy and physiotherapy (to include commissioned care pathways and specialist arrangements for children with SEND).

16. The lead HMI and CQC inspector should also review additional information such as:

- any evaluations from service users and how these have influenced commissioning and changes to service delivery
- data about initial and health review assessments for children looked after who have or may have SEND
- pathways for referrals to health services for assessment, including CAMHS, therapies, child development centres and associated performance data
- statistics on health attendance and input into EHC assessment and review meetings
- specifications for local area services, including those for young people aged 16 to 25
- guidelines on transfer of responsibility.

Notification and introduction

17. The lead HMI will normally contact the local authority's director of children's services (DCS) by telephone to announce the inspection five working days before the inspection. This notification call will normally take place between 9am and 10am. The lead HMI will make arrangements to speak with the director's nominated officer for the inspection as soon as possible to make the necessary arrangements for the inspection. The nominated officer should be

⁷ See: 'Extended powers SEND tribunal: national trial', Department for Education and HM Courts & Tribunals Service, March 2018; <https://www.gov.uk/government/publications/extended-powers-send-tribunal-national-trial>.

the single point of contact for the lead HMI.⁸ Together, they will manage the coordination of the inspection.

18. If the DCS is unavailable when the notification call is made, the lead HMI will ask to speak to the most senior member of staff available. Once the lead HMI has contacted the local authority, the CQC inspector will contact the chief executive(s) of the clinical commissioning groups (CCG) to inform them of the inspection and to make necessary arrangements for the local health services' contribution to the inspection. In the absence of the chief executive(s), the CQC inspector will ask to speak to the most senior member of staff available to announce the inspection.
19. Once the lead HMI has confirmed with the CQC and the Ofsted inspection support officer that the inspection will take place, Ofsted will send confirmation to the local area by email.
20. Once it is confirmed that the inspection will take place, the lead HMI and the CQC Children's Services Inspector will make a telephone call to the LANO. The purpose of the call is to:
 - confirm who the LANO is for the inspection; this is who the inspection team will liaise with regularly and who will arrange meetings and ensure that the inspection team can access the evidence they need
 - invite the LANO to share a summary of any self-evaluation, if available, that the local area has done; this may include peer reviews and information about the impact of COVID-19 on the local SEND system and how the local area has adapted its approach in light of that
 - seek to understand the specific impact of COVID-19 on the local SEND system and how local area leaders have responded to the situation
 - discuss which evidence-gathering activities, including meetings with local area partners, children and young people and their parents and carers, can be carried out remotely and which can be carried out safely on site
 - ask the LANO to arrange for any documentation intended for scrutiny to be held at one centralised location in order to reduce the need for inspectors to travel between different sites
 - discuss the suitability of the early years settings, schools and colleges selected by Ofsted for engagement and visits during the inspection and confirm their contact details; this discussion will also cover how inspectors can carry out these visits safely and will confirm that the lead HMI will put the LANO as the named point of contact in the notification letters that the local area will send to these settings/schools/colleges to set up the visits

⁸ Each local area should nominate a representative as the LANO, who will act as a single point of contact on behalf of all local agencies throughout the inspection and until the publication of the inspection report. Their role will be to liaise with the lead HMI throughout the inspection so that inspection activities can be coordinated effectively.

- identify education, health and care officers who will be interviewed by inspectors
- identify representatives from strategic and operational groups who will be interviewed by inspectors
- identify sources of evidence that will need to be available to help inspectors to make their evaluations; this information should be made available from the start of the inspection
- arrange for inspectors to hold meetings with children and young people, as required, and also parent and carer groups
- request contact information for young people groups and parent and carer groups so that the lead HMI can inform them of the inspection and invite them to contribute their views by taking part in meetings and surveys, when practicable; the lead HMI and CQC inspector will consult with the local area about who to gather views from but will ultimately determine this themselves
- make available information gathered by the local authority from children and young people, and parent and carer groups, about their engagement in the area's planning and review, including their satisfaction with how needs have been identified, the extent to which these needs are met and how, if at all, outcomes have improved
- request that the local authority ensures that providers within the local area, and those outside of this area but within the local offer, are made aware of the inspection and how they can contribute their views. Ofsted and the CQC will provide a template letter for this purpose, which may be adapted as necessary by the local area
- request that the local authority informs parents and carers of children and young people with SEND who are resident in the local area of the inspection and how they can contribute their views; Ofsted and the CQC will provide a template letter for this purpose that may be adapted as necessary
- request information about early years settings, schools and colleges outside the local area that provide education for the area's children and young people with SEND
- request information about any of the local area's children and young people with SEND who are not attending school, including those who receive home education
- establish how the files for children and young people who are being considered for, assessed for, or who have an EHC plan, can be accessed
- request information about those children and young people with SEND who are:
 - children in need
 - children who have a child protection plan

- children looked after and care leavers
 - in the youth justice system
 - eligible to receive adult care services
 - make arrangements for regular feedback on and discussion about the emerging findings of the inspection.
21. The CQC inspector's call to the chief executive(s) of the CCG(s) or nominated CCG officer is to:
- identify health professionals who will be interviewed by inspectors
 - identify sources of evidence required to enable inspectors to make their evaluations and request that this information is made available as soon as possible
 - seek to understand the specific impact of COVID-19 on the health and care services for children and young people with SEND and how leaders have responded to the situation
 - make arrangements for regular feedback on and discussion about the emerging findings of the inspection
 - establish how to access the health files for children and young people who are accessing SEN support, or who have been considered or are being assessed for an EHC plan
 - discuss which evidence-gathering activities can be carried out remotely and which can be carried out safely on site
 - discuss arrangements for any documentation intended for scrutiny to be held at one centralised location in order to reduce the need for inspectors to travel between different sites.
22. Following confirmation of the inspection with the local authority and CCG, the lead HMI will contact the local area's parent carer forum and the Information Advice and Support Service (IASS) to inform them of the inspection and request that they inform parents and carers of the inspection. The LANO will usually arrange for inspectors to meet representatives of these groups. In addition to meeting them, inspectors will carry out a survey of parents and carers of children and young people with SEND to gauge their experiences of the local SEND system.

Self-evaluation

23. While it is expected that the local area will have a thorough understanding of its effectiveness in fulfilling its responsibilities, Ofsted and the CQC do not require the local area to produce a self-evaluation document or summary in a particular format. Any self-evaluation that is provided should be part of the local area's usual business processes and not generated solely for inspection purposes. The

local area may provide any additional or updated self-evaluation in light of COVID-19 and resulting development plans.

When can an inspection take place?

24. Inspection can take place at any point during the usual school term time.

Requests for deferral

25. Ofsted does not anticipate having to defer the inspection of a local area other than in exceptional circumstances, such as an extreme weather event or other major incident. The absence of the CCG chief executive or DCS or their equivalent will not normally be a reason for deferring an inspection. If local areas have concerns about the timing of an inspection, they may submit a deferral request, with any supporting reasons, to the lead HMI at the point of notification of the inspection. The lead HMI must notify Ofsted through the appropriate region as soon as possible. Ofsted and the CQC will both consider requests and will make decisions on deferrals jointly. We will consider each individual request on its merits and in line with [Ofsted's deferral policy](#).

Safeguarding

26. Inspectors will always have regard for how well children and learners are helped and protected so that they are kept safe. Inspectors will not provide a separate judgement for this aspect of a local area's work. Inspectors will always follow published procedures if, during the inspection, they receive information that raises concern about the safeguarding of children or young people.

27. 'Inspecting safeguarding in early years, education and skills settings', should be read alongside the framework and this handbook.⁹ It sets out the approach inspectors should take to inspecting safeguarding.

28. It is also essential that inspectors, local areas and providers are familiar with and adhere to the statutory guidance in relation to safeguarding:

- 'Keeping children safe in education: Statutory guidance for schools and colleges'¹⁰
- 'Working together to safeguard children 2018'.¹¹

⁹ 'Inspecting safeguarding in early years, education and skills settings', Ofsted, August 2015; <https://www.gov.uk/government/publications/inspecting-safeguarding-in-early-years-education-and-skills-from-september-2015>.

¹⁰ 'Keeping children safe in education', Department for Education, March 2015; <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>.

¹¹ 'Working together to safeguard children', Department for Education, March 2015; <https://www.gov.uk/government/publications/working-together-to-safeguard-children--2>.

During the inspection

29. The starting point for inspection is the expectation that the local area should have a good understanding of how effective it is, including any aspects of its responsibilities that require further development. Inspectors will test out this understanding during the inspection as they make their evaluations.

Days allocated to inspection and inspection team members

30. Inspections do not normally last longer than five days. The inspection team will spend most of its time gathering first-hand evidence to inform evaluations of the work of the local area. The inspection team is usually made up of three inspectors: one HMI who will lead the inspection (the lead HMI), an HMI or Ofsted Inspector and a CQC inspector. The decision on whether to deploy more than one CQC inspector will be based on a number of factors, including (but not restricted to) the number of NHS providers, the complexity of the local health economy, the nature of the geographical area and the number of CCGs and/or the size of the local authority.

The start of the on-site inspection

31. Inspection activities will not start before 9am on the first day of the inspection. Inspectors must show their identity badges on arrival. The lead HMI and CQC inspector should meet the LANO and other colleagues as agreed by the lead HMI and the LANO. The first meeting is likely to include the following people:
- the DCS and elected members with specific responsibilities for SEND
 - senior managers of the local authority responsible for the implementation of the Children and Families Act 2014 reforms, including the strategic development and operational management of educational and social care provision for children and young people with SEND
 - the chief executive(s) of the CCGs
 - senior health service managers responsible for the implementation of the Children and Families Act 2014 reforms, including the strategic development and operational management of provision for children and young people with SEND
 - representatives of the local area's education, health and care providers and services.
32. At this first meeting, the lead HMI will:
- introduce the inspection team
 - make arrangements for ongoing feedback with the LANO
 - seek to understand the specific impact of COVID-19 on the local SEND system and how local area leaders have responded to the situation

- confirm arrangements for meetings with EHC managers and staff as identified by the local area to show their effectiveness in identifying children and young people with SEND, and in meeting these needs and in improving their outcomes
- confirm arrangements for meetings with children and young people, and with parents and carers.

Meetings during inspection

33. The lead HMI and the CQC inspector should meet the LANO and CCG nominated officer and, where possible, the DCS regularly throughout the inspection in keep-in-touch meetings to:
 - provide an update on emerging issues, including to enable further evidence to be provided
 - allow the local area to raise any concerns it may have about the conduct of the inspection or of individual inspectors
 - alert the local area to any serious concerns.
34. The inspection team will meet at different points during the course of the five days of the inspection. In particular, the team should, as far as is practicable, meet each day to discuss and record emerging findings and ensure that the lead HMI has sufficient evaluative information to feed back to the LANO.
35. The inspection team will record important points from, and the outcomes of, all team meetings on evidence forms. Each inspector will retain a cumulative summary of evidence and analysis record that captures their key findings and an evaluative summary as the inspection progresses.
36. It is the local area's responsibility to provide evidence about its effectiveness in identifying children and young people's SEND and in meeting their needs and improving their outcomes. This includes providing an opportunity for inspectors to meet relevant managers and other local area representatives, and providing appropriate information and data.
37. During the final team meeting, a summary of evidence and analysis record will be completed that provides the final evaluative judgements that the team reached. The main points for feedback to the local area will be recorded as the meeting progresses, including strengths and any areas for improvement, as well as any urgent priority areas that require swift action.
38. During the final team meeting, inspectors will consider whether to recommend to HMCI that the local area be required to produce a written statement of action (WSOA) to tackle any areas of significant concern that the inspection team reports on at final feedback. If the inspection team judges that the local area is required to submit a WSOA, the lead HMI will recommend which agency within the local area should be the 'principal authority' with overall responsibility

for producing the action plan. If the inspection team makes a recommendation to HMCI, the final decision about the inspection findings and actions rests with HMCI.

Gathering and evaluating evidence

39. The inspection team will use a range of methods to gather and evaluate the effectiveness of the local area in fulfilling its duties under the Children and Families Act 2014. Inspectors will gather evidence to assess the effectiveness of the local area for three primary questions that underpin the Evaluation Schedule in Part 2 of this handbook.
40. During the week, the lead HMI, Ofsted inspector and CQC inspector will gather inspection evidence through:
 - meetings with a range of leaders from education, health and care agencies to discuss and evaluate their impact in leading provision for SEND across the local area
 - meetings with children and young people to discuss their views and experiences, making sure that reasonable adjustments can be made in order to communicate with children, young people and adults with SEND in line with the Equality Act 2010.
 - meetings with parents and carers to hear their views, discuss their involvement in identifying and assessing their children's needs and review how well leaders across the local area engage with them to drive improvement
 - scrutinising and evaluating documentary evidence used by the local area to strategically plan for and evaluate impact in meeting the requirements of the Code of Practice and delivering high-quality practice
 - visits to a range of agencies and providers to meet with staff and review documentary evidence
 - interviewing staff across the local area to understand the impact of the local area's effectiveness.

Setting up meetings or telephone calls with children, young people, parents and carers

41. The lead HMI will ask the LANO to arrange opportunities for inspectors to talk directly with the children, young people, parents and carers selected by the inspection team. During the telephone calls between the lead HMI, CQC inspector, the LANO and the lead for the CCG(s), an initial selection will take place and be confirmed before the inspection begins. The lead HMI will liaise with the LANO to resolve any issues and ensure that children and young people, and their parents or carers, know when they are due to talk to inspectors. They will also liaise on how best to organise these meetings, for example if it is safe to do them on site or remotely.

42. For all inspection activities that involve children and young people, and their parents or carers, the lead HMI will need to assure him/herself that consent is gained before these activities take place. At the start of meeting or telephone call with children and young people, and their parents or carers, inspectors should check that they have given their consent to be part of the inspection.
43. Inspectors must make clear to children and young people, and their parents or carers, that information from these meetings becomes part of the evidence for the inspection. Inspectors should also make clear that any information about safeguarding concerns must be dealt with in accordance with Ofsted's and the CQC's safeguarding policies and statutory requirements.

Gathering the views of children, young people, parents and carers

44. Gathering views of children, young people, parents and carers is crucial to these inspections and a central feature of inspection activity. Inspectors should take advantage of opportunities to gather the views of children, young people and their parents and carers, in the following ways:
 - meeting children and young people and their parents and carers during visits to nurseries, schools and colleges at the time of the inspection, as long as this can be done safely
 - meeting established groups of children and young people and their parents and carers in the local area
 - talking to a range of staff who work with children and young people, and their parents and carers, in a range of settings across education, health and social care
 - inviting all parents and carers of children and young people with SEND to participate in a survey about their experiences of the local SEND system
 - reviewing information already gathered by the local area, such as through local consultations and surveys, and how this is used to evaluate and respond to the views of children and young people and their parents and carers.

Children and young people's records

45. Inspectors will review a selection of records held by providers and services and by the local authority. This review will contribute to inspectors' evaluation of how effectively needs are identified, the extent to which needs have been met and how well outcomes are improving.
46. Inspectors will use information from reviewing records to inform further discussion with leaders and, if appropriate, with parents and carers. Inspectors should evaluate how well records track the needs and support for children and young people through work with education, health and care professionals. At the start of and, where necessary, during the inspection, the lead HMI will request that the LANO arranges for any documentation intended for scrutiny to

be held at one central location to reduce the need for inspectors to travel between different sites.

Visits to providers and services and discussions with stakeholders

47. Inspectors will visit a range of early years, school, further education and health providers and specialist services within the local area. They are likely to contact other providers and services within the local area and also ones outside the local area that provide support for the local area's children and young people. The inspection team and the LANO will liaise throughout to ensure that these visits can be carried out safely. The purposes of these visits and discussions are:
- to gather the views of children and young people, and their parents and carers, about how effectively their needs have been identified and met
 - to discuss with leaders, managers and staff their contribution to, and understanding of, the local area's evaluation of its effectiveness in identifying needs, and in meeting these needs and improving outcomes for children and young people
 - to sample children and young people's files and other relevant sources of information to confirm or otherwise the local area's own evaluation of its effectiveness in identifying and meeting needs and improving outcomes.
48. Schools, colleges and similar providers are an integral part of the inspection. They share responsibility across the local area for the local area's SEND performance, but inspectors will not carry out observations of teaching and learning or service delivery. No evaluations will be made about the quality of the individual providers or services visited during the inspection.

The use of performance information¹²

49. During inspection, inspectors will draw on quantitative and qualitative information used by the lead HMI and CQC inspector in planning the assessment and inspectors will also consider performance information presented by the local area. This may include evidence provided by external organisations. Inspectors should have also considered relevant published data available to them before the inspection.
50. Performance information must be considered alongside other evidence gathered during the inspection.
51. Inspectors should consider a wide range of information. No single measure or indicator should determine the evaluations made by inspectors.

¹² This will include performance information from national data sets, information provided by the local area and performance information from relevant inspection reports both by the CQC and Ofsted.

Reviewing documentation

52. The inspection team will review the documentation requested in advance by the lead HMI and CQC inspector during their telephone calls to set up the inspection. Inspectors will not require documentation such as self-evaluation to be provided in a specific format. Any assessment that is provided should be part of the local area's usual business practice and not generated solely for inspection purposes.
53. Inspectors should take a range of evidence into account when making their evaluations, including published performance data, evidence held in children's files and information gained from meetings with stakeholders, including parents, carers and young people. Ofsted and the CQC do not expect performance information to be presented in a particular format. Such information should be provided to inspectors in the format that the local area would ordinarily use to monitor provision of services for, and progress of, children and young people with SEND.

Providing feedback at the end of the inspection

54. The inspection week concludes with a final feedback meeting attended by the LANO and representatives of the local area. The attendees at this feedback meeting will be agreed between the lead HMI and the LANO. However, those likely to attend include:
 - the LANO
 - the DCS, the chief executive and elected members with responsibility for SEND
 - senior managers of the local authority who are responsible for the implementation of the Children and Families Act 2014 reforms, including the strategic development and operational management of educational and social care provision for children and young people with SEND
 - the chief executive(s) of the CCGs or their representative(s)
 - senior health service managers responsible for the implementation of the Children and Families Act 2014 reforms, including the strategic development and operational management of provision for children and young people with SEND
 - linked NHS England and DfE SEND advisers
 - representatives of the local area's education, health and social care providers and services.
55. During the feedback meeting, the lead HMI will ensure that those present are clear:
 - about the local area's effectiveness in:
 - identifying children and young people with SEND

- assessing and meeting the needs of children and young people with SEND
- improving outcomes for these children and young people
- about areas of strength
- about areas that need to improve
- about any safeguarding concerns identified during the inspection
- about the quality and accuracy of the local area’s self-evaluation
- about areas of significant weakness that, subject to HMCI’s decision, may require the local area to submit a WSOA, and the identity of the principal authority responsible for drawing this up
- that if a WSOA is judged not fit for purpose, follow-up review or inspection activity may take place as set out in Annex A of this handbook
- that all feedback remains confidential to those present until the report is published
- that, on receipt of the draft report, the local area must ensure that the report remains restricted and confidential to the relevant senior personnel and that the information contained within it is not shared with any third party or published under any circumstances
- about making a complaint if any matters raised with the lead HMI have not been resolved during the inspection.

Quality assurance

56. Ofsted monitors the quality of inspections through a range of formal processes. HMI and Senior HMI may visit a local area SEND inspection to quality assure the inspection, or may provide off-site quality assurance. Ofsted may also evaluate the quality of an inspection evidence base. The lead HMI will be responsible for giving feedback to Ofsted inspectors about the quality of their work and their conduct. Additionally, quality assurance managers from the CQC will either join inspections or provide off-site quality assurance of SEND inspection activity.
57. The quality assurance of an inspection will ensure:
- consistent and correct application of the inspection guidance, the evaluation schedule and inspection methodology as set out in this handbook
 - that any emerging concerns or gaps in the inspection evidence are quickly addressed
 - that the LANO is confident that the inspection is being properly carried out, in line with the guidance set out in this handbook

- any concerns raised by the local area about the inspection are resolved
 - that the findings of the inspection are communicated clearly through feedback to the local area at the end of the inspection.
58. All inspectors are responsible for the quality of their work. The lead HMI must ensure that inspections are carried out in accordance with the principles of inspection and the code of conduct.
59. The lead HMI will ask the LANO to coordinate a response from the local area to a short evaluation questionnaire. Ofsted and the CQC will use the feedback to improve future inspection practice.

Complaints

60. If concerns arise during an inspection, these should be raised with the lead HMI as soon as possible. The lead HMI will attempt to resolve the matter before the inspection is completed.
61. If it has not been possible to resolve concerns through these means, a formal complaint can be raised under [Ofsted's complaints procedure](#). Ofsted will process and coordinate the investigation of the complaint on behalf of both inspectorates.

After the inspection

The inspection report

62. Ofsted and the CQC will publish an inspection report in the form of an inspection letter. This will be addressed to the local authority and sent to the chief executive(s) of the CCG(s). It will outline the evidence that inspectors reviewed and provide a summary of key findings, including strengths and areas requiring further development. It may also include areas of significant concern that may, subject to determination by HMCI, require a written statement to be submitted to identify how weaknesses will be remedied.
63. Inspectors will report on the extent to which the evidence collected during the inspection supports the local area's self-evaluation.
64. The lead HMI is responsible for writing the inspection report and submitting the evidence to Ofsted shortly after the inspection ends. The judgements are reached corporately by the inspection team. The CQC inspector will contribute to the process of finalising the inspection report.
65. As far as possible, and subject to the outcome of the quality assurance process, the findings in the report will be consistent with the feedback given to the local area at the end of the inspection.
66. Inspection reports will be quality assured by Ofsted and the CQC before the draft report is sent to the local authority and CCG. The draft report is restricted

and confidential to the DCS and the chief executive(s) of the CCG(s) and their representatives. The draft report or any of its content must not be shared more widely or published.

67. The local authority and CCG(s) will have 10 working days to comment on the draft report, including on any matters of factual accuracy. The lead HMI will review matters of factual accuracy and other comments, and amend the report as necessary. The lead HMI will liaise with CQC inspectors regarding any changes to the report. Ofsted will notify the local authority and the CCG(s) of the lead HMI's response to the local area's comments on the report.
68. The local authority and CCG will receive an electronic version of the final report, usually within 28 working days of the end of the inspection. In most circumstances, the final report will be published on Ofsted's and the CQC's websites within 33 working days.
69. In exceptional circumstances, Ofsted and/or the CQC may decide that a report should be subject to further quality assurance procedures/checks, which may result in a delay in publication. If this is the case, the local authority and CCG(s) will be informed promptly about any impact on the publication timeline for the report.

Publication of the report

70. Ofsted will publish the inspection report under the relevant local authority on its [reports website](#). The CQC will publish the report on its website alongside reports arising from other local area children's inspection and review activity.
71. As required by The Children Act 2004 (Joint Area Reviews) Regulations 2015, a copy of the final report will be sent to:
 - the Secretary of State¹³
 - the local authority for the area inspected
 - the principal authority, if HMCI has determined that an action plan is required and the principal authority is different from the local authority
 - any other people or organisations HMCI considers appropriate.
72. The regulations also require that relevant recipients of the report must publish it on their organisation's website and supply a copy to a member of the public, on demand, for a reasonable charge.¹⁴

¹³ A copy of the report should be sent to the Secretary of State for Health and Social Care as well as to the Secretary of State for Education.

¹⁴ The Children Act 2004 (Joint Area Reviews) Regulations 2015;
<https://www.legislation.gov.uk/uksi/2015/1792/regulation/3/made>.

The inspection evidence base

73. The evidence base for the inspection will be retained in accordance with Ofsted's and the CQC's retention policies. Information must not be disposed of if it is found that it is still required by Ofsted or the CQC. Inspection evidence must be kept for longer than six months when, for example:
- safeguarding concerns have been identified
 - there is a potential or current litigation claim against Ofsted or the CQC, such as a judicial review
 - a formal complaint has been made under Ofsted's complaints procedure
 - the local area has been required to produce a WSOA
 - inspections are of a sensitive nature, or are likely to be of national or regional importance due to high levels of political or press interest.

Written statement of proposed action

74. The Children Act 2004 (Joint Area Reviews) Regulations 2005 require HMCI to determine whether a statement of action is required following an inspection and, as appropriate, who the principal authority responsible for drawing up the statement of action will be.
75. The principal authority must make the WSOA within 70 working days of receiving the report.
76. The local authority (when it is not the principal authority) and parties to whom the report is sent, as set out in paragraph 72 above, must cooperate with the principal authority in the making of the written statement.¹⁵
77. The written statement must:
- state who it is proposed should take action
 - include a statement of the period within which the action is to be taken.
78. The principal authority must send a copy of the written statement to:
- HMCI
 - any other person or body who carried out the review to which the written statement relates
 - the Secretary of State.

¹⁵ The Children Act 2004 (Joint Area Reviews) Regulations 2015;
<https://www.legislation.gov.uk/ukxi/2015/1792/regulation/4/made>.

79. The local authority (when it is not the principal authority) and every other person or body who has cooperated with the principal authority must publish the written statement on its website.

Part 2: The evaluation schedule

80. The evaluation schedule sets out the types of inspection evidence and the considerations that guide inspectors in judging the effectiveness of the local area in meeting its responsibilities under the Children and Families Act 2014 as explained in the Code of Practice.
81. The evaluation schedule must be used in conjunction with the guidance set out in Part 1: How local areas will be inspected. It should also be read alongside the 'Framework for the inspection of local areas' effectiveness in identifying and meeting the needs of children and young people with special educational needs and/or disabilities' and the Code of Practice.¹⁶
82. The evaluation schedule is not exhaustive and the final inspection outcomes are subject to inspectors' professional judgement.
83. Inspectors will take account of the local area's self-evaluation during the inspection, including any changes to this self-evaluation as a result of the impact of COVID-19 on the local SEND system, alongside its strategic plans. It is the local area's responsibility to ensure that inspectors are provided with the evidence about its effectiveness. Inspectors do not require self-evaluation to be provided in a specific format. Any assessment that is provided should be part of the local area's business processes and not generated solely for inspection purposes.
84. Inspection is primarily about evaluating how well the local area fulfils its responsibilities towards individual children and young people with SEND from the age of 0 to 25 years. The inspection framework is designed to test the local area's response to individual needs by assessing how well it helps all children and young people with SEND and how the impact of the work by the local area supports better outcomes for children and young people.
85. In order to do this, inspectors will examine evidence on how needs are identified, the provision made to meet those needs and the outcomes of all children and young people from 0 to 25 with SEND, including those who are:
- attending an educational setting within their area or out of their area
 - missing from education
 - being educated out of school/college

¹⁶ 'Special educational needs and disability code of practice: 0 to 25 years', Department for Education and Department of Health and Social Care, May 2015;
<https://www.gov.uk/government/consultations/special-educational-needs-sen-code-of-practice-and-regulations>.

- children looked after and/or care leavers
 - subject to youth justice
 - eligible to receive adult care services
 - in transition between placements or phases of education or health services, including between child and adult services.
86. Inspectors will also pay particular attention to gathering evidence about how needs are identified and met for groups of children and young people with SEND whose specific circumstances require additional consideration, as set out in the Code of Practice. This will include children and young people with SEND:
- who are looked after or who were formerly looked after
 - who are care leavers
 - with care needs, including those who have a child in need or a child protection plan
 - who are educated out of area
 - who are educated at home
 - in alternative provision
 - who are in hospital
 - who are children of service personnel
 - in youth custody or secure accommodation.
87. In considering the local area's performance in relation to the identification of needs, inspectors will take into account the impact of COVID-19 and the modifications to local areas' relevant duties during the period of the pandemic (see also paragraphs 9 to 10).
88. To gather evidence about the effectiveness of local area partners in improving health for children and young people with SEND in the local area, inspectors will evaluate how well the local area uses specialist services and its impact on outcomes. This should, for example, include evidence about the work of specialist support and therapies, such as clinical treatments and delivery of medications, assistive technology, personal care (including access to it), child and adolescent mental health services (CAMHS) and a range of nursing support. Inspectors will be mindful that the pandemic caused considerable disruption to the normal delivery of health and care services. Where this has been the case, inspectors will want to explore how leaders have responded to the situation, including in managing the return of services to normal operation.
89. Inspectors will also examine how well the local area uses highly specialist services needed by only a small number of children and young people. This may include support services for children with severe learning disabilities or who require services that are commissioned centrally by NHS England, for example some augmentative and alternative communication systems.

90. To gather evidence about the effectiveness of local area partners in improving social care provision for children and young people with SEND in the local area, inspectors will take account of the following aspects:
- childcare
 - practical assistance in the home, including adaptations to the home
 - provision or assistance in obtaining recreational and educational facilities at home and outside the home
 - transport and assistance in travelling to facilities
 - facilitating holidays or provision of meals at home or elsewhere or providing assistance in obtaining a telephone and any special equipment necessary
 - non-residential short breaks
 - support for young people when moving between social care services for children to social care services for adults, including information on how and when the transfer is made
 - support for young people in living independently and finding appropriate accommodation and employment
 - support in participating in society, including:
 - understanding mobility and transport support
 - how to find out about social and community activities
 - opportunities for engagement in local decision-makingdeveloping and maintaining friendships and relationships.

Evaluating evidence

91. To make their judgement about the effectiveness of the local area, inspectors will gather evidence to answer three primary questions:
- Question A: How effectively does the local area identify children and young people with SEND?
 - Question B: How effectively does the local area assess and meet the needs of children and young people with SEND?
 - Question C: How effectively does the local area improve outcomes for children and young people with SEND?
92. In gathering evidence and making judgements for questions A to C, several crucial aspects will inform the inspectors' evaluations. These include:
- the leadership of provision for SEND across the local area
 - the impact of joint commissioning

- the local arrangements, including the local offer and how well leaders understand the local area
 - how well leaders have understood the impact of COVID-19 on the local SEND system and how they have adapted their plans to deal with the challenges caused by the pandemic
 - how the local area uses the intelligence gathered from evaluation of its effectiveness to plan for and lead future improvement.
93. Inspectors will assess the quality and impact of joint commissioning arrangements between partners, including through the local strategic needs assessment and well-being strategies. In assessing partners' work, inspectors will review how efficient, effective, equitable and sustainable this is in improving outcomes for children and young people.
94. In making their judgements, inspectors will also take account of:
- the impact of COVID-19 and the local area's response to the challenges caused by it, for example how plans have been adapted
 - the temporary modification or relaxation of local areas' relevant duties during the pandemic (see also paragraphs 9 and 10)
 - whether any identified problems are long-standing and systemic or whether they have been caused or exacerbated by the pandemic.

Question A: How effectively does the local area identify children and young people with SEND?

95. In order to assess how well the local area identifies children and young people with SEND, inspectors should take account of the following:
- timeliness
 - the quality of identification and assessment information – spanning the 0 to 25 age range
 - how both of the above have been affected by the COVID-19 pandemic.

Timeliness

96. To evaluate the timeliness of identification of children and young people with SEND, inspectors should take into account:
- when potential needs were raised with the local area by the young person, parents and carers or teachers or other staff working with the young person, and the efficiency and appropriateness of the response
 - appropriate monitoring arrangements to ensure assessment information remains up-to-date
 - the effectiveness of routine assessment of educational attainment and progress, including the application of national assessment arrangements

- how care needs of children and young people are identified and assessed
- the effectiveness of the use of information from early health checks and health screening programmes
- performance towards meeting expected timescales for EHC needs assessments, including the timeliness of annual reviews
- the timing of assessments in preparation for a child or young person's move from one provider to another, or into adult services
- how school census data is used to identify possible inconsistencies in the identification of needs.

Quality of identification

97. In order to assess the quality of identification and assessment information, inspectors should take into account evidence that the information has been used for:
- establishing a baseline for setting targets for progress and improvement towards meeting education, health and care support or therapy needs
 - informing joint commissioning, predicting the need for services and putting in place provision that meets the needs of children and young people
 - informing planning for effective teaching and other education, health and care support or therapy
 - evaluating the effectiveness of the teaching and other education, health and care support or therapy provided.

Reporting on the effectiveness of identification of need

98. In arriving at the judgement about how effectively the local area identifies children and young people with SEND, inspectors must report on aspects of effective identification as they relate to:
- children and young people being considered or assessed for, or having, EHC plans
 - children and young people being considered or assessed for, or in receipt of, SEND support
 - the thoroughness of the area's understanding of the views of children and young people with SEND, and their parents and carers, including as part of the identification process
 - the extent to which the needs of children and young people with SEND in the whole local area are identified, irrespective of individuals' characteristics and circumstances, and that this identification is rigorously and routinely reviewed.

99. Based on this evaluation, inspectors will also report on the quality and sufficiency of the information on which the local area has evaluated its own effectiveness in identifying children and young people with SEND. This will include how well leaders have understood the impact of the pandemic on the local SEND system and how well they have adapted their plans and evaluations in response.

Question B: How effectively does the local area assess and meet the needs of children and young people with SEND?

100. In order to evaluate how effectively the local area assesses and meets needs, inspectors should take account of the following aspects:
- engagement and co-production with children and young people, and their parents and carers
 - effectiveness of coordination of assessment between agencies in joint commissioning – clarity of roles and responsibilities, and accountability of partners in assessing and meeting needs
 - satisfaction of parents and carers/satisfaction of children and young people
 - the suitability of EHC plans, including, when relevant, alignment with child in need and child protection plans
 - the local offer, including its development, accessibility and currency
 - that planning is appropriate to meet the needs of children and young people receiving SEND support.

Engagement and co-production with children and young people, parents and carers

101. Inspectors should evaluate how well the local area engages with children and young people in the identification and assessment of, and provision for, their needs. Inspectors will gather information about how well children and young people understand their needs and how involved they are in setting targets for their own progress. In talking to children and young people, inspectors will test the extent to which they have co-ownership of both the process and decisions that affect how their needs are met.
102. Inspectors will also gather views of parents and carers about how successfully the local area provides the necessary information and support to help parents and carers engage in assessing and meeting their children's needs. Inspectors should evaluate the effectiveness of their involvement in the identification of needs, review how well they understand their children's needs and are involved in setting targets for progress.
103. Inspectors should also take into account the use of impartial information and advice and support services, including advocacy, when appropriate, to meet children and young people's needs.

104. Inspectors should confirm that the local area has robust procedures for protecting sensitive information when sharing this across agencies. Procedures used by the local area for sharing information should meet statutory requirements and government guidance.

Effectiveness of local arrangements

105. Crucial to evaluating the work of the local area in assessing and meeting needs is the effectiveness of inter-agency working for the identification of SEND support and EHC needs assessments. Inspectors should gather evidence about the coordination of assessment between agencies, their roles and responsibilities and how they assure accountability across the local area. Inspectors should evaluate how education, health and care services work together in the best interests of children and young people and minimise unnecessary duplication. Inspectors will consider how effectively assessment and reviews are coordinated, especially at each stage of the young person's transition towards adulthood.

Satisfaction of children and young people with SEND that their needs are being met and their outcomes are improving

106. Inspectors will gather views of children and young people during inspection. Inspectors will want to hear about how well the children and young people are listened to, how well their aspirations are heard and the extent to which children and young people with SEND feel that outcomes in their lives are improving. Inspectors will consider information from other sources, including complaints that have been made to Ofsted and the CQC over time, appeals to the First-tier Tribunal (Health and Social Care Chamber) (Special Educational Needs and Disability), single route of redress and any relevant serious case reviews.

107. Inspectors will also take into account children and young people's access to and the effectiveness of impartial information, advice and support services, and advocacy when appropriate.

Question C: How effectively does the local area improve outcomes for children and young people with SEND?

108. In order to assess how well the local area improves outcomes, inspectors should take account of the following aspects in their evaluation:

- outcomes – across education, health and care
- leaders' assessment of the effectiveness of the local area in improving outcomes for children and young people.¹⁷

¹⁷ The term 'leaders' refers to those responsible for the strategic planning, commissioning, management, delivery and evaluation of services to children and young people with SEND.

Outcomes

109. In order to assess how well the local area supports and improves outcomes for children and young people with SEND, inspectors will review evidence for a wide range of outcomes for both health and care, as well as academic achievement. Leaders should be prepared to demonstrate their understanding of how outcomes have been impacted since March 2020 by the COVID-19 pandemic, and how they have incorporated this into any self-evaluation and improvement plans. Inspectors will test this throughout the inspection. Inspectors will review evidence of how well the local area prepares young people for adulthood as detailed in the Code of Practice. This includes their preparedness for:

- higher education/employment
- independent living
- participation in society
- being as healthy as possible in adult life.

110. Inspectors should examine how securely progress towards these outcomes is based on high expectations and aspirations, taking into account the age and needs of the individual children and young people.

111. In making their evaluations, inspectors will take into account evidence of:

- the accuracy and quality of the assessment of individual starting points
- the thoroughness of understanding of the child's or young person's SEND
- the impact of teaching and other education, health and care support or therapy
- the use of national assessment comparative data, if available, to set targets and evaluate outcomes, and that the data shows progress at or above expected levels for the young person's age and starting point
- the rigour of moderation in the evaluation of progress made
- the regularity and effectiveness of reviews of progress
- whether the child or young person, and their parent/carer, as appropriate, is involved in the co-production of targets and reviews of progress
- whether destinations match aspirations and achievements
- the extent to which the range of outcomes matches the diversity of children and young people with SEND
- the application of thresholds and eligibility criteria and their clarity and consistency to ensure equity and transparency of service delivery
- availability of services at universal, targeted and specialist levels as identified in the early help and local offer

- commissioning of education for students who have high levels of need.
112. Inspectors should review information about the effectiveness of the local area's approaches to improving outcomes. This includes evidence about:
- early intervention
 - personal budgets
 - short-break care
 - out-of-area placements
 - transition arrangements between services and providers
 - jointly commissioned specialist educational, medical and therapeutic services
 - the use of advisory and advocacy services to support children and young people with SEND, and their parents and carers
 - the thoroughness of the local area's understanding of the views of children and young people with SEND, and their parents and carers.

Reporting on the effectiveness of improving outcomes

113. Inspectors must report on the above aspects as they relate to:
- children and young people being considered for, assessed for or having EHC plans
 - children and young people who are being considered for, assessed for or receiving support for their SEND
 - the extent to which the local area meets the needs and improves the outcomes of different groups of children and young people with SEND and the extent to which their needs are met and outcomes improved, including through routine reviews
 - the range of ways by which the local area meets children and young people's needs, including the effectiveness of early intervention, personal budgets, short-break care, the use of specialist support, therapeutic and health professionals and the published local offer.

Leaders' assessment of the effectiveness of the local area in improving outcomes for children and young people

114. Inspectors must examine how leaders across the local area examine the quality and sufficiency of the information the local area has used to evaluate its own effectiveness in meeting the needs and improving the outcomes of children and young people with SEND. Inspectors will report when the local area does not have a sufficient understanding, for example of the needs of particular groups of children and young people.

115. When reporting, inspectors should identify areas of strength and areas where improvements need to be made, including any priority areas for urgent improvement.

Post-inspection

116. Inspections are intended to be constructive for local areas as well as to hold them to account. If a WSOA is required, the DfE, working with the DHSC and NHS England when relevant, will seek to engage closely with the local area to provide appropriate challenge and support to bring about the necessary improvements identified by the inspection.

117. If, following a full inspection after June 2021, HMCI deems that the local area must produce and submit a WSOA, it is required to do so as set out in the Children Act 2004 (Joint Area Reviews) Regulations 2015.¹⁸

118. Local areas inspected after June 2021 that are required to produce a WSOA will not receive a re-visit from Ofsted and the CQC under the current inspection framework. This is because there will not have been a period of 18 months since their inspection by the time Ofsted and the CQC introduce a new inspection framework. Following the introduction of the new framework, Ofsted and the CQC will determine, on an individual basis, what further visits or inspection activity will be appropriate for these local areas.

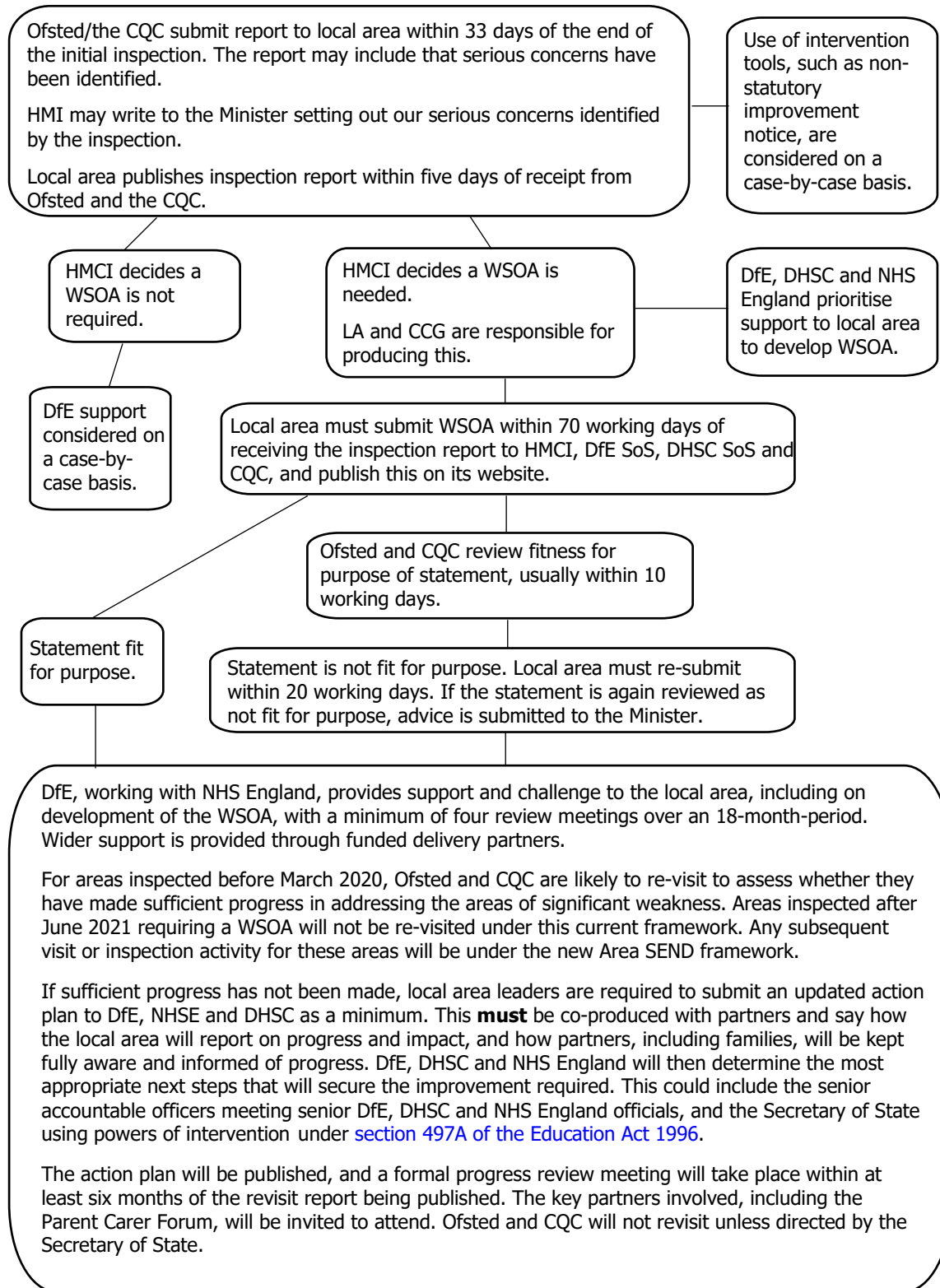
119. Local areas inspected before March 2020 that were required to produce a WSOA will likely receive a re-visit from Ofsted and the CQC under the current framework. These re-visits will be carried out in line with our guidance, which takes account of the impact of COVID-19.¹⁹

120. Annex A outlines the post-inspection support and challenge arrangements.

¹⁸ The Children Act 2004 (Joint Area Reviews) Regulations 2015; <https://www.legislation.gov.uk/ukxi/2015/1792/regulation/3/made>; <https://www.legislation.gov.uk/ukxi/2015/1792/regulation/4/made>.

¹⁹ 'Guidance for carrying out re-visits to local areas required to produce a WSOA', Ofsted and the Care Quality Commission, March 2021; <https://www.gov.uk/government/publications/local-area-send-inspection-guidance-for-inspectors/guidance-for-carrying-out-re-visits-to-local-areas-required-to-produce-a-written-statement-of-action>.

Annex A: Responding to findings from the local area special educational needs and disability inspections



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