

## **Improvement Notice**

To: Derbyshire County Council (“the Council”)  
County Hall  
Matlock  
DE4 3AG

**This Improvement Notice is issued to Derbyshire County Council on 14 January 2025 following the Ofsted and Care Quality Commission (CQC) Area SEND Inspection, published on 14 November 2024 and in response to the areas for priority action and improvement highlighted in the report.**

1. This notice is given to address the six areas for priority action and five areas for improvement identified in the report of the inspection published on 14 November 2024.
2. To comply with this notice, the following actions are required of the Council, working with Derby and Derbyshire Integrated Care Board (ICB) and its other local partners (“partners”), as set out in section 28 (2) of the Children and Families Act 2014.

### **Improvement plan**

3. The Council’s improvement plans working with the ICB, should deliver appropriate and sustainable improvement, taking account of the views of parents, children and young people, school and education leaders and wherever possible, putting co-production at the centre of improvement activity. The improvement plans will be set out in the Priority Action Plan and the updated Strategic Plan and must cover the areas for priority action and areas for improvement identified in the Ofsted and CQC inspection report published on 14 November 2024, and the recommendations made by the Department for Education (DfE), including:
  - a. Area leaders need to urgently, jointly and accurately: identify the needs of children and young people with SEND in the local area; ensure that there is a clear and cohesive strategic direction for the local partnership; and ensure that there is an agreed co-produced strategy in place that includes effective joint plans which clearly demonstrate how improvements will be made in a timely manner to address the key areas that need improvement.
  - b. Area leaders need to ensure that there is a strategic partnership commissioning agreement in place based on a thorough joint strategic needs assessment.
  - c. Area leaders need to assess and provide for the needs of children and young people with SEND jointly and accurately. This includes: multi-agency assessment of needs, multi-agency quality assurance processes, timely issuing of high-quality EHC plans, and a holistic oversight of these plans through annual reviews to ensure that they are kept up to date.

- d. Area leaders need to urgently address the number of children and young people with SEND missing education. Leaders need to ensure that joint strategies address the underlying reasons for this issue, such as the lack of special school and AP places, long waits for needs assessments, and the lack of effective mental health support, which prevent children's and young people's needs escalating to a point where they stop attending school.
  - e. Area leaders need to accelerate plans to improve communication with parents and other key stakeholders in order to explain changes they have made to their area's services. Leaders need to ensure that the voices of families are heard and used where appropriate to shape the services and support these families receive.
  - f. Health leaders must address the current waiting times for community paediatric assessments, neurodevelopmental and mental health support and assessments. Children and young people's needs should be identified at the earliest opportunity for plans to be developed to support them. Area leaders must ensure that there is sufficient support for families across all services while they wait for an assessment or support.
  - g. Area leaders need to co-produce a partnership approach to working with mainstream schools to ensure that the right early help support reduces the rates of suspensions and exclusion for children and young people with SEND.
  - h. Area leaders need to improve transitions and support more effective preparation for adulthood. They need to ensure that all settings understand the statutory guidance for preparation for adulthood outlined in the SEND code of practice. There needs to be more timely and effective communication so that transitions to different settings and services are managed in a way that reduces the stress and anxiety for families.
  - i. Local authority leaders need to ensure that all children and young people with disabilities are provided with the right support at the right time, not just those who meet the threshold for the children with disability specialist team.
  - j. Health leaders need to address the lengthy waits children and young people with SEND experience for specialist chairs and seating through wheelchair services.
  - k. Area leaders need to ensure that there is a more seamless and less confusing pathway in place for children and young people moving through the different stages of need for mental health.
4. The improvement plans should also include any further recommendations from the Department as a result of ongoing support and intervention.
  5. To ensure there is clear evidence of progression:
    - a. The Council must ensure there is an improvement board, with an independent chair, which is attended by key leaders across Education, Health and Care services, Parent/Carer Forum and appropriate Elected Members of the Council, to a timetable agreed with the Department. It is expected that the Chief Executives of the Council and the ICB, and the Children's Services and ICB Accountable Officers are held to account for

- the improvements required to be made through effective engagement with the Board and escalation/resolution of matters arising as the Board identifies;
- b. the Improvement Board must have clearly assigned accountabilities for all actions agreed, along with clear and measurable targets covering the areas of priority action and areas for improvement identified in the Ofsted and CQC report and any actions recommended by DfE;
  - c. those accountable for the actions in the improvement plans must keep the content up to date, with a risk register and mitigation plan updated in line with the meeting cycle and provided to the Improvement Board in advance;
  - d. reports to the Improvement Board should include data, analysis and evidence of the impact of improvements on the lived experience of children and families;
  - e. the Improvement Board should maintain an action and impact log which is updated at each meeting, highlighting objectives which are slow to progress and where contributions need to be strengthened.
6. Invitations to Improvement Board meetings must be sent on each occasion to the DfE appointed SEND advisor, NHS England advisor and to the Department's case lead as external attendees, rather than members of the board.

**Improvement against the above measures will be assessed as follows:**

7. The DfE appointed SEND advisor and NHS advisors will provide regular updates to the Department of progress or concern against the areas set out in this notice; improvement against the Ofsted and CQC requirements; and any other such information relevant to the improvement journey.

**Department for Education Stocktake Reviews**

8. Officials from the Department will undertake reviews of progress against the improvement plans at least every six months and more regularly where appropriate.
9. Reviews, including areas of priority action deep dives, may cover but are not exclusive to leadership; governance; co-production; quality of workforce training and support; multi-agency arrangements including joint commissioning, Education, Health, and Social Care provision; the timeliness and quality of Education, Health and Care plans; and engagement with children, young people, families and carers.
10. Prior to any reviews, the Council should provide to the Department its own assessment of improvement. This may include, but is not limited to:
  - a. progress against improvement plan objectives;
  - b. feedback from parents, carers, children and young people;

- c. clear information about local accountability and governance structures;
- d. the documentary evidence used to plan, track and evaluate the impact of actions. This may include:
  - i. A progress update against each area of priority action, each area for improvement and DfE recommendations;
  - ii. A dashboard of performance measures showing whether targets and milestones are being met in a timely manner; any slippage; evidence of impact and whether the local area is on track to meet the next set of milestones.
  - iii. Evidence that key partners, including children and young people, families and schools are playing an active role in improving services.

11. From time to time, the Department may require that a diagnostic review or assessment is undertaken by a party agreed with the Department.

12. For any review or assessment, the Council must provide the person(s) conducting it with:

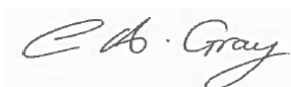
- a. access to, and time with, staff and leadership;
- b. accurate and up to date data on performance and quality;
- c. facilities to carry out the reviews; and
- d. access to minutes of meetings or any other relevant information.

### **Timescales:**

13. The Council should aim for the impact measures set out in the Improvement Plan to be evidenced by the agreed target dates. The Council should also aim for actions included in the improvement plans to be delivered by the end of March 2026 or sooner. However, the Improvement Notice will not be stepped down until sufficient progress has been evidenced, and the Minister agrees.

### **Failure to comply with this Improvement Notice by the assessment dates or poor progress:**

14. Should the Council be unwilling or unable to comply with this Improvement Notice or should the Secretary of State not be satisfied with the Council's progress at any stage, she may choose to invoke her statutory powers of intervention (s497A Education Act 1996) to direct the Council to take any further actions deemed necessary to secure the improvements required in SEND services.



**Signed:**

**Date:** 14 January 2025

**Senior Civil Servant in Department for Education**