

ADCS position paper on inspection

20 November 2009

The Association of Directors of Children's Services Ltd (ADCS) is the national leadership organisation in England for directors of children's services appointed under the provisions of the *Children Act 2004* and for other children's services professional in leadership roles. The Association provides a national voice as a champion for children, with local and central government, and with the public.

Our objectives in publishing this position paper are:

- To bring together in one place the views variously expressed by ADCS members on inspection matters
- To identify what we believe to be the very serious problems with the current Ofsted inspection model as part of the Comprehensive Area Assessment (CAA)
- To acknowledge what is good in the new inspection frameworks, including the inspection of schools although the principal focus of this paper is not on the school inspection framework, and the recent initiatives on the part of Ofsted designed to address concerns raised by ADCS and others
- To state clearly the Association's position on the retention of a single inspectorate regulating and inspecting the delivery of services for children and young people in England including the integration of the inspection of children's health services into the same single inspectorate.

Introductory comments

1. It is vitally important that the quality of public services is rigorously and thoroughly inspected; inspection is an important part of the accountability framework. Inspectorates and those charged with delivering services have a shared interest in making a difference to service users by striving to identify and make the improvements that are necessary in order to continuously improve outcomes. This must especially apply to the protection of society's most vulnerable children and young people.
2. Continuous improvement must be a shared endeavour between Government, Regulators and those charged with delivering services. Inspectorates must work closely together and with the sectors they inspect and they themselves must be willing to learn, adapt and play their part in improving public services. Open and regular dialogue between Inspectorates and the sectors is essential.
3. We need a system that improves services, works in an integrated way and allows our very best practitioners to influence the development of models of quality.
4. ADCS is absolutely committed to the Every Child Matters framework which enshrines the integration of services for children and young people. As such we are strongly committed to the retention of a single inspectorate regulating and inspecting the

delivery of those integrated services. And indeed the progressive integration of the inspection of children's health services would be welcome.

Ofsted

5. We acknowledge recent initiatives on the part of Ofsted designed to address concerns raised by ADCS and others:
 - ADCS welcomes HMCI's recent introduction of a regular email note to DCSs to improve basic communication
 - We acknowledge Ofsted's willingness to listen and move swiftly to address flaws in the new inspection framework, particularly the use of the descriptor 'serious concerns' in the unannounced inspection framework
 - Ofsted's acceptance that this first year of CAA will be treated as transitional is helpful
 - We are pleased that Ofsted will hold a series of regional conferences early in the New Year on the annual process for rating children's services as part of the CAA. The purpose of these conferences is to review the 2009 process and consult on proposed changes for 2010. ADCS looks forward to working with Ofsted to develop the programme for these events so they make a meaningful contribution
 - We are pleased that Ofsted will nominate a link inspector for each local authority
 - Ofsted's interest in developing a secondment model for better involvement of the children's services workforce in inspections is also welcome.

We welcome these actions which show an inspectorate committed to transparency and working in partnership with the sector to improve standards.
6. There are aspects of all of the current Ofsted frameworks (unannounced, full safeguarding & LAC and the new school inspections) that are positive and have the potential to raise standards and help drive improvement. For example, the reading of files, meetings with service users and staff in both the unannounced and the full safeguarding and LAC services inspections are strengths of the current approach. ADCS is pleased that safeguarding is given prominence in the inspection of schools alongside the attention to the quality of teaching and learning and the progress pupils make. But, all too often a reductionist approach is taken to the inspection, moderation and judgements of services, particularly local safeguarding services where risk-averse approaches on the part of inspectors are leading to perverse judgements and unintended consequences. The perceived punitive effects and the impact of judgements on services in terms of the local media and political response are in danger of creating a climate whereby the inspected manage for inspection rather than managing for quality and outcomes for children and young people.
7. We welcome Ofsted's intention to review the evaluation of SCRs. This review is essential because in our view Ofsted's evaluation of SCR reports thus far has been inconsistent, ill-defined and poorly moderated. It has signally failed to contribute to the core purpose of SCRs – learning lessons in practice – while being detrimental to services and public perception along the way. It may be that SCR Overview reports only should be evaluated by Ofsted, providing clear and consistently applied descriptors can be achieved with the focus on how far the SCR has helped local learning and the improvement of practice.
8. Ofsted must work closely with the sector to ensure that its contribution supports and complements the improvement efforts of local, regional and central government in

order to avoid contradictory judgements and guidance and to better reflect integrated service delivery in children's services.

9. It is for Ofsted to continue to rise to the challenge of ensuring its Inspectors are suitably experienced, qualified and trained.
10. Ofsted should have a role in identifying issues of **national** concern, e.g. over-reliance on social care agency staff, excessively high Social Worker caseloads (as an aside, we are not aware of any national guidance on what is an acceptable case load for a Social Worker outside of the NQSW protected caseload arrangements. Inspection comments on workloads and capacity do not appear comparable), insufficiently experienced Social Workers carrying complex casework, high staff turn-over rates, etc. These are matters of concern in many if not all LAs. Ofsted would add greater value by highlighting these linked issues as ones of national concern rather than highlighting one or more of these linked issues as an area for priority action in individual local authority inspections.
11. Local authorities are unsure as to how Ofsted arrives at some of its judgements. ADCS has been consistently critical of Ofsted inspection frameworks as being process-driven and methodologically flawed. ADCS acknowledges that process has its place but grade descriptors which largely measure conformity to process should not be used as a proxy to measuring the quality of practice or outcomes. We also acknowledge the difficulties of identifying measurable qualitative outcomes, particularly with regard to safeguarding practice. The methodological flaw in the frameworks is in essence as follows: supposition becomes fact becomes judgement. For example, the supposition on the part of an inspector that the late recording of the closure of an initial assessment puts a child at risk is flawed.
12. The performance profile, in particular, is not fit for purpose; weightings are not transparent. The draft children's services rating letters are prosaic and brief almost to the point of meaninglessness. Not only do they lack analysis of data but they also lack insight of the context in which any given LA operates and the challenges it faces. The overall rating is based on inspection outcomes over a three year period which in some cases negates any recent local improvement trends.

CAA

13. If CAA is to continue, the inspection regime for children's services should be much more integrated into it so that CAA can reliably provide the overarching view of quality of services in an area in a way that is meaningful to members of the public.
14. Given the economic downturn and the impact on public spending, inspection and regulation in their current form cannot be sustained. As local authorities and their partners are scrutinising budgets for major efficiency savings so the Government should be doing the same to regulation. The key test has to be one of value, namely: **What value does CAA add?** The promise of integration and lightened burden of CAA has not yet been realised – the contribution of Ofsted is an important element of this realisation.
15. The cost of inspection and regulation to the sector is significant, as the Local Government Association (LGA) has highlighted in its Pre Budget Report submission.

- The cost of staff time alone amounts to many thousands of hours per annum preparing for, facilitating and responding to innumerable inspections during the year.
16. Against this backdrop, the time is ripe for the development of a viable system-wide, sector-led alternative based on peer review, which acts as a catalyst for improvement and offers better value for money than the existing model.

A new approach

17. ADCS will continue to contribute to the debate and respond to the LGA's call for evidence on developing a new accountability framework for local government – *Freedom to Lead*.
18. Several LAs have brokered peer-to-peer review arrangements with neighbouring authorities and/or are participating in the more formal IDEA peer review programme.
19. Regionally LAs are working across a range of models to facilitate rigorous peer support by acknowledging that each LA in a region will have strengths in some areas, and will face challenges in others.
20. What distinguishes these approaches is that they are developmental and improvement focussed, thereby helping LAs to move forward.
21. ADCS supports a new delivery model for the inspection of local authority children's services. We need a framework that supports continuous improvement in local outcomes and is proportionate to need, with a greater emphasis on self evaluation and peer challenge with an attendant reduction in the burden of performance monitoring and inspection by central government and inspectorates. To help achieve this there must be a re-direction of improvement funding to local authorities from Field Forces and other bodies. We look forward to continuing to discuss with Ofsted the benefits of a peer-led Ofsted assisted and evaluated inspection of local authority children's services. We know that Ofsted supports the development of a peer engaged inspection model and we look forward to sharing our detailed proposals with government and inspectorates in due course.
22. A new delivery model should be based on the principles of sector-led improvement, building on the successful C4EO model – a peer-led, Ofsted assisted and evaluated inspection regime for local authority children's services:
- i) LA self evaluation and audit (know your story and benchmark it).
 - ii) Peer engagement for qualitative inspection.
 - iii) Peer support, assessment, challenge and review (mentoring, stocktake and challenge).
 - iv) Inspectorate then reviews: LA self evaluation and audit, peer review and peer support outcomes and comments on the LA's capacity to: accurately audit and benchmark its own work; make sound judgements about the quality of its own performance and its capacity to improve in areas of challenge identified by the LA itself and the peer review team.



In conclusion, we look forward to working with government and inspectorates in the development of these ideas in the spirit of partnership and improvement.