

# Area SEND inspection of Derbyshire Local Area Partnership

Inspection dates: 23 September to 27 September 2024

Dates of previous inspection: 14 November to 18 November 2016

## Inspection outcome

There are widespread and/or systemic failings leading to significant concerns about the experiences and outcomes of children and young people with special educational needs and/or disabilities (SEND), which the local area partnership must address urgently.

A monitoring inspection will be carried out within approximately 18 months. The next full reinspection will be within approximately three years.

As a result of this inspection, His Majesty's Chief Inspector requires the local area partnership to prepare and submit a priority action plan (area SEND) to address the identified areas for priority action.

## Information about the local area partnership

Derbyshire County Council and NHS Derby and Derbyshire Integrated Care Board are responsible for planning and commissioning services to meet the needs of children and young people with SEND in Derbyshire, as part of the Local Area Partnership.

Derbyshire County Council has experienced significant changes to its leadership since the previous Area SEND inspection. A number of directorate posts are interim, and some are filled by consultants. During the inspection, the newly appointed director of early help and safeguarding was stepping up into the role of director for children's services due to the absence of the substantive director, and other senior staff were also not present during the inspection. Several teams within the local authority have been recently restructured, with some, such as the inclusion support service, only coming into existence in September 2024.

The commissioning of health services changed across England in 2022. On 1 July 2022, the responsibility for health services in Derbyshire passed from the NHS Derby and Derbyshire Clinical Commissioning Group to NHS Derby and Derbyshire Integrated Care Board.

The Derbyshire local area partnership commissions a range of alternative provision (AP). AP provides education for children or young people, including those who cannot attend schools due to social, emotional and mental health and medical needs, or for those who have been or are at risk of being permanently excluded from school.

## **What is it like to be a child or young person with SEND in this area?**

For too many children and young people with SEND in Derbyshire, their needs have not been met for far too long. The system that should ensure that they receive the right help at the right time has not worked well for many years. Children and young people with SEND wait too long for their needs to be assessed and for suitable provision to be put in place to meet their needs. Their difficulties become greater while they wait to get the right support, leading to some missing large amounts of their education. A significant number of families report being in crisis, feeling their requests for help are being ignored, which has impacted negatively on family life. Some parents and carers report that even when their child's needs have been assessed, there are not sufficient special school or AP places for them. Some parents feel that they have no option other than to electively home educate their child. All of this adds to the amount of time children and young people with SEND spend outside of education.

When a child or young person has profound and multiple disabilities needs, they are often well supported by dedicated professionals who collaborate effectively to provide the right support. Some disabled children receive support from the children with disability team based on accurate assessments that lead to clear care plans in which risks and protective factors are identified. Similarly, children and young people who attend a special school or AP often receive the right help from dedicated and skilled staff.

Where children's and young people's needs have not been identified in a timely manner, their experience can be very different. Some provisions, including some schools, struggle to accommodate them, leading to increasing numbers of children and young people with SEND being suspended and/or excluded, or placed on a part-time timetable. The lack of a clearly defined joint strategy for SEND in Derbyshire has led to key stakeholders, such as schools and multi-academy trusts, filling the void with their own strategies and resources. This leads to the disparity seen across the region, with parents reporting a 'post code lottery' for support.

How long children and young people wait for a needs assessment often depends on where they live in Derbyshire and how well they can navigate the complicated system. For example, some children and young people who require access to community paediatric assessments, neurodevelopmental and mental health support and assessments can wait over two years to have their needs assessed. Also, families are waiting too long for home assessments from the social care occupational therapy service, leading to a deterioration in their health.

Significant delays in the processes for education, health and care (EHC) plans and annual reviews mean that, frequently, needs are identified too late. EHC plans are not completed in a timely manner. The accuracy of the plans is poor. Some plans are finalised without contributions from health or social care professionals. This leads to parents being left not knowing how to best help their children and has led to an increase in complaints as parents are frustrated about the suitability of the support being offered.

Area leaders have started to address the issues of timeliness and the quality of EHC plans. However, their work in this area is yet to demonstrate impact.

The voices of children and young people with SEND are not always heard. There are some opportunities for them to give their views on services, particularly in the health sector, but many do not have the chance to talk about what is important to them nor have their ideas shape the support they receive.

There are pockets of opportunities available for children and young people with SEND to engage in community activities. Young adults with SEND can benefit from 'community connectors', who can link them to suitable clubs and interest groups in their area. However, the lack of personal assistants and availability of short breaks mean that many miss out on these opportunities.

Parents feel ignored, which creates high levels of dissatisfaction among families of children with SEND. Co-production (a way of working where children, families and those that provide the services work together to create a decision or service that works for them all) is not embedded through the systems of local planning and support. Communication is poor. Phone calls and emails are often left unanswered. Families and some practitioners report it is unclear where they can go to seek advice for support and provision when a child or young person is not in receipt of an EHC plan. Consequently, for many parents, the reality they experience is that their children can get lost in a system that feels like a constant battle to receive the support that they need.

## **What is the area partnership doing that is effective?**

- A considerable amount of work has been completed by the partnership over the last two years to ascertain the scope of the weaknesses in the area and some plans have been created to address these issues. Some school leaders state that they have felt more listened to in the last few years and appreciate the changes that have been made to try to improve services. Some value the opportunity to be part of the local authority's priorities workstreams.
- There is some evidence of children and young people and their families being involved in some of the newer health offers, for example the formation of 'neurodevelopmental hubs' and 'PINS projects'. Some child and adolescent mental health services (CAMHS) and special schools are establishing user participation groups to ensure that children's views are captured. This has led to changes, such as reasonable adjustments being made to their environment.
- Parents whose children attend a special school or AP are generally much more positive that their child receives the right support at the right time. Some schools and early years provisions are reported by parents as 'going above and beyond' to try and provide the right levels of support for their child.
- The health visiting team works effectively alongside early years settings to complete pre-school readiness assessments. This work provides the potential for most children's needs to be known at the earliest opportunity.

- Some children and young people with SEND known to health and children's social care benefit from effective transitions between services. For example, the majority of children's transition plans from paediatric to adult health services begin from age 14 and are generally well established. For children supported by the children with disability team, transition planning begins at the age of 14, and the virtual school, adult health and care services work effectively together to prepare young people for adulthood. Parents whose children attend a group of special schools have benefited from 'What next fairs' that have brought post-16 and 18 providers and health and social care practitioners together to showcase opportunities available beyond school.
- Children and young people with SEND living outside the local area, including those placed in residential special schools, are visited regularly by quality assurance staff and social workers as part of a robust process of checks on the provision. Many records of these quality assurance visits are detailed and thoughtfully written to be inclusive of children's and young people's needs and aspirations. The co-location of the commissioning and placement teams ensures that there is effective oversight of this area.
- Throughout the inspection, inspectors spoke to individual practitioners who were passionate about making a difference to the lives of children and young people with SEND.

## **What does the area partnership need to do better?**

- There is no clear evidence of fully effective partnership working in Derbyshire. Local area leaders have not ensured that there is a clear and cohesive joint strategic direction for the local partnership. There is not a strategic, shared understanding of the needs of children and young people with SEND in the local area that leads to effective joint working. The lack of a joint strategic needs assessment means that leaders do not have the information they need to inform decision-making and, therefore, shape services around children and young people with SEND. Services do not always work together in a way that would lead to effective improvement.
- Because there is not a shared strategic understanding or agreed approach to joint commissioning, opportunities are missed to commission services to meet the needs of children and young people with SEND effectively. For example, the Derbyshire Information Advice and Support Service does not meet the recommended minimum standard as it has not been jointly commissioned.
- The lack of a shared strategic understanding and agreed approach to joint commissioning also impacts on decisions relating to the commissioning of AP. An absence of a strategic oversight of AP has led to delays in this provision for children and young people. There is a lack of AP in the area. There is little evidence to show that there is a joint strategy to use AP proactively to provide support to prevent suspensions and exclusions from schools. All this has resulted in children and young people with SEND missing education.
- The lack of a clearly visible joint strategy and joint partnership working has led to silo working and short-term decisions being made by individual partners that have failed to consider the full impact on the work across the partnership. The lack of a

joint strategic needs assessment and strategy has made it difficult for area leaders to counter decisions made by others, such as the reduction in early help services, as they have not been able to show the significant impact on the lived experience of parents and children and young people with SEND.

- Although there is an understanding of where improvements are needed within individual agencies, a shared understanding of this across all partners in the system has not yet been achieved. The partnership's self-evaluation is very education focused, and as a result, the workstreams established to address areas of concern are not jointly led and owned.
- There are not enough special school places to meet the increasing number of children and young people with SEND. Due to the lack of a joint strategic needs assessment, sufficiency plans to address this issue have not been adequate or timely. This had led to special school leaders stating that their overcrowded schools are being pushed towards crisis points. The recently announced capital spend to provide more special school spaces will do little to address the significant number of children and young people with SEND who are currently out of education and awaiting a placement at a special school.
- Local area leaders have neither jointly nor accurately identified, assessed and provided for the needs of children and young people with SEND. The significant delay in completing needs assessments means that some children's and young people's needs remain unmet and for many their needs escalate. The lack of involvement of professionals from all agencies in the creation and review of EHC plans has led to inaccurate plans being issued. Furthermore, existing plans have remained out of date for a considerable number of years. This has caused frustration for parents and extra work for professionals who are trying to adapt these plans.
- Local area leaders have identified that, historically, relationships with parents and carers and the local area partnership were not effective. The recent reformation of the Derbyshire Parent Carer Voice has allowed a new start to relationships, and there is a strong desire to improve co-production and capture the child's voice. However, currently, there is no joint plan to capture the parent carer or child's voice in order to inform the partnership strategy. Communication with parents from leaders has been poor for a significant period of time. This has led to an extremely high number of complaints to the local authority, the local government and social care ombudsman and a significant rise in cases being taken through mediation routes and to tribunals.
- Health leaders have undertaken system-wide work to try to reduce the significant waiting lists for services. For example, the introduction of the 'neurodevelopmental hubs' was intended to reduce the demand for diagnostic assessments. However, so far, the demand for these assessments has not decreased. Referral rates remain high and by the time children and young people are seen, their needs have escalated to a point of crisis. This leads to increasing numbers of them not accessing education and the wider community, which negatively impacts their family.
- Children and young people with SEND are waiting too long for specialist chairs and

seating through wheelchair services. As a result, they are suffering from pain and restriction, which impacts on their physical development and their ability to fully participate in activities of daily living.

- There is currently not a robust pathway in place for children and young people moving through the different stages of need for mental health. The mental health in school teams report a gap in provision between their offer and the core CAMHS offer. This has been further exacerbated by the reduction in the early help offer, resulting in vulnerable children and young people and their families only being seen by statutory health and social care services when they have more critical levels of need. Health leaders are aware that they need to make the services more seamless and less confusing for children and young people negotiating this pathway and for the parents supporting them.
- Too many disabled children and young people who do not meet the threshold to access the children with disability team do not have access to the right level of help at the right time.
- Local area leaders have identified transitions and preparation for adulthood as a weakness. Often, support and help for key transitions either comes too late, or in many cases, not at all. Assessments of need are not completed in a timeframe that allows children in early years provision to be considered for a special school place. This results in many attending mainstream primary schools that cannot meet their needs. For some, this leads to them not accessing education. Inaccurate EHC plans that do not contain preparation for adulthood targets do not support pupils effectively to achieve strong outcomes or access appropriate placements. Support arrangements in schools do not always continue with the young person to their next setting. This results in delays to these young people being able to access appropriate support to meet their needs.

## Areas for priority action

Responsible body	Areas for priority action
Derbyshire County Council and NHS Derby and Derbyshire Integrated Care Board	<p>Area leaders need to urgently, jointly and accurately:</p> <ul style="list-style-type: none"> <li>• identify the needs of children and young people with SEND in the local area;</li> <li>• ensure that there is a clear and cohesive strategic direction for the local partnership; and</li> <li>• 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.</li> </ul>
Derbyshire County Council and NHS Derby and Derbyshire Integrated Care	Area leaders need to ensure that there is a strategic partnership commissioning agreement in place based on a thorough joint strategic needs assessment.

Board	
Derbyshire County Council and NHS Derby and Derbyshire Integrated Care Board	<p>Area leaders need to assess and provide for the needs of children and young people with SEND jointly and accurately. This includes:</p> <ul style="list-style-type: none"> <li>• multi-agency assessment of needs,</li> <li>• multi-agency quality assurance processes,</li> <li>• timely issuing of high-quality EHC plans, and</li> <li>• a holistic oversight of these plans through annual reviews to ensure that they are kept up to date.</li> </ul>
Derbyshire County Council and NHS Derby and Derbyshire Integrated Care Board	<p>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.</p>
Derbyshire County Council and NHS Derby and Derbyshire Integrated Care Board	<p>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.</p>
Derbyshire County Council and NHS Derby and Derbyshire Integrated Care Board	<p>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.</p>

## Areas for improvement

<b>Areas for improvement</b>
<p>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.</p>
<p>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</p>

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.

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.

Health leaders need to address the lengthy waits children and young people with SEND experience for specialist chairs and seating through wheelchair services.

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.



## Local area partnership details

Local authority	Integrated care board
Derbyshire	NHS Derby and Derbyshire Integrated Care Board
Carol Cammiss, Director of Children's Services	Chris Clayton, Chief Executive Officer
<a href="http://www.derbyshire.gov.uk">www.derbyshire.gov.uk</a>	<a href="http://www.joindupcarederbyshire.co.uk">www.joindupcarederbyshire.co.uk</a>
County Hall, Matlock, Derbyshire DE4 3AG	The Council House, First Floor, Corporation Street, Derby DE1 2FS

## Information about this inspection

This inspection was carried out at the request of the Secretary of State for Education under section 20(1)(a) of the Children Act 2004.

The inspection was led by one of His Majesty's Inspectors (HMI) from Ofsted, with a team of inspectors, including: two HMI from education and social care; a lead Children's Services Inspector from the Care Quality Commission (CQC); and another Children's Services Inspector from the CQC.

## Inspection team

### Ofsted

Dave Gilkerson HMI, Ofsted Lead inspector  
Anne Maingay HMI, Ofsted  
Brenda Mclaughlin HMI, Ofsted

### Care Quality Commission

Claire Mason, CQC Lead inspector  
Deana Fowle, CQC inspector

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Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

T: 0300 123 1231  
Textphone: 0161 618 8524  
E: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
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