

# Improvement support in local authority children's services judged inadequate

Inspectors' handbook

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Guidance for social care HMI in carrying out improvement support in local authorities where children's services have been judged inadequate.

This guidance is designed to assist Ofsted inspectors in their work. It describes the main activities that inspectors undertake to provide improvement support to local authority children's services. Those working in local authorities can use the guidance to see how inspectors will provide improvement support.

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## Introduction

1. The Office for Standards in Education, Children's Services and Skills (Ofsted) believes that all children who use children's social care services are entitled to a good or better quality of service. Where local authority children's services are judged in inspections to be inadequate or to require improvement, Ofsted will consider offering a range of improvement support to enable standards to rise. Ofsted inspectors lead this improvement work.
2. This guidance is designed to assist Ofsted inspectors in their work. Local authorities and professionals working with children and young people and their families can use the guidance to see how improvement support will be conducted. Ofsted is committed to ensuring that all guidance used by inspectors is published.
3. Ofsted will use its powers under schedule 13 of the Education and Inspections Act 2006, which enables Her Majesty's Chief Inspector (HMCI) to provide 'advice or assistance for other public authorities'. The purpose of this work is to support local authorities to achieve and sustain good or better standards of service for all children and young people who use them. Ofsted has no powers to enforce improvement work so local authorities who take up the offer of support do so voluntarily unless required to by the Secretary of State using powers of direction or an improvement notice.
4. The improvement support comprises two key strands. Strand 1 is targeted at local authorities judged to require improvement. Strand 2 (set out in this document) is aimed at those judged to be inadequate. Although each begins with a common element – the improvement planning seminar – the strands then diverge to better reflect the needs of each type of authority. All inspectors should be familiar with both strands and apply them rigorously.
5. This strand, directed at local authorities judged to be inadequate, has six core components:
  - notification of the inspection judgement and the improvement offer
  - the improvement planning seminar
  - the improvement plan
  - monthly improvement monitoring visits
  - quarterly improvement board review
  - a progress inspection.

## Notification of the inspection judgement and the improvement offer

6. At the end of the fieldwork phase of an inspection, if it is likely that the local authority will be judged inadequate, the **lead inspector** should:
  - alert the **regional director and senior HMI** (SHMI) to the provisional judgement
  - remind the Director of Children's Services (DCS) that the **regional director** will formally write to invite the local authority to host an improvement planning seminar once the judgement is confirmed through the quality assurance, moderation and factual accuracy checking processes.

## Improvement planning seminar

### Background

7. Ofsted will offer all local authority children's services judged inadequate the opportunity to host an improvement planning seminar. Local authorities are not compelled to accept this offer. However, if they decide to refuse, the responsible **regional director** will inform the DCS that this decision will become part of Ofsted's risk assessment process – an integral part of the inspection planning cycle. In cases where the local authority has been judged inadequate, Ofsted will formally notify the Department for Education's (DfE) inspections and interventions team so that it can decide on the content of any subsequent advice to ministers.
8. The seminar is hosted by the local authority that has been inspected. It takes place between 25 and 35 days after publication of the inspection report and is attended by:
  - the inspection's lead inspector or if the lead inspector is unavailable another member of the inspection team
  - senior HMI based in the local authority's region
  - six to eight participants from the local authority, including:
    - senior managers of the local authority children's services
    - where appropriate, key partner organisations that the DCS chooses to invite.
9. As the seminar is concerned with the work of children's services professionals, elected councillors should not be invited to attend.
10. The purpose of the seminar is to give local authorities and their partners a comprehensive understanding of the inspection judgements. This enables the local authority to fulfil its statutory responsibility to develop a 'written statement

of action' (commonly referred to as the inspection improvement plan), which it must submit to the Secretary of State and HMCI within 70 days of the publication of the inspection report. This responsibility is set out in the Education and Inspections Act 2006 (Inspection of Local Authorities) Regulations 2007, Paragraph 3.

11. Ofsted has produced an improvement planning seminars pack containing four key documents:
  - an advice note on the process to be followed
  - a draft letter to the DCS (see Annex A)
  - an outline programme for the improvement planning seminar (see Annex B)
  - a record template for the improvement planning seminar (see Annex C).

## Planning

12. Immediately after publication of the inspection report, if the judgement of inadequate is confirmed, the **regional director** should formally write to the DCS inviting him/her to host an improvement planning seminar. The seminar should take place between 25 and 35 days after the inspection report's publication date (the template for this letter is at Annex A). This letter should be copied to:
  - the lead inspector
  - the regional SHMI
  - the National Director, Social Care
  - the DfE inspections and interventions team at: [SocialCare.INSPECTION-IMPROVEMENT@education.gsi.gov.uk](mailto:SocialCare.INSPECTION-IMPROVEMENT@education.gsi.gov.uk).
13. To help the local authority set a date for the seminar, the regional **SHMI and HMI should advise the regional director** of their availability within the 25- to 35-day window so that these dates can be included in the letter of invitation.
14. **Once the DCS has replied to the regional director agreeing to host a seminar**, the **regional director** should immediately confirm the date with the DCS and the copy recipients to the original letter of invitation. The **lead inspector** should immediately ask **scheduling colleagues** to set dates for preparing (one day) and presenting (one day) the seminar. At the same time the lead inspector should also notify the **inspection and management support team supervisor** of the date of the seminar. This will generate an amendment to the return date for the evidence notebook on the inspection tracking system to a date five days after the seminar.
15. **If the DCS declines the invitation to host a seminar**, the **regional director, SHMI and lead inspector** should agree a further approach to try to

persuade the DCS to change this decision. They should consider who is best placed to hold the discussion and the 'lines to take'. This discussion will be sensitive and will need to strike a balance between:

- persuading the DCS of the benefits of the seminar in helping to develop the improvement plan
  - informing the DCS that refusing the offer will mean that the DfE will be formally notified
  - informing the DCS that Ofsted will weigh the significance of the refusal when considering the timing of the next inspection.
16. Should the meeting achieve the desired effect and the DCS agrees to accept the invitation, the process described in paragraph 14 should go ahead without further delay. Where no agreement can be reached, the **regional director** should make an entry on the Single Inspection Framework (SIF) SharePoint site for the relevant authority: <http://teams/sites/FH-IST/SLAC/Forms/Local%20authority.aspx>.

## Preparation

17. The **SHMI and lead inspector** will agree the priorities and content of the inspection report that they wish to emphasise in the seminar. These may be areas of contention or misunderstanding about the inspection that were not resolved at the feedback stage. It is important that the lead inspector and SHMI have a full grasp of the issues and the evidence that underpins them, and are fully prepared for the challenging debates that can arise. For this reason, it is recommended that lead inspectors and SHMI set preparation time sufficiently in advance of the seminar date.
18. The lead inspectors' presentations should not replicate inspection feedback. They should be concise, helpful and targeted at the key issues that need to be discussed. They should inform debate with and between seminar participants so that participants can use the material to develop their improvement plan. The lead inspector should enter a summary record of the evidence presented to the seminar into the appropriate section of the record of the improvement planning seminar.
19. The **SHMI and lead inspector** should discuss the agenda and focus for the seminar with the DCS before the event. This gives the DCS an opportunity to state any areas that they want the seminar to focus on. It is important that the tone of these discussions affirms that the event is 'owned' by the local authority, notwithstanding that the lead inspector and SHMI will make major contributions. It is therefore important to reinforce this by agreeing that the DCS will introduce the event and set out its purpose, which is to enable the lead inspector and the senior HMI to:

- present the priorities and key recommendations of the inspection report in more detail
  - enter into informed discussion with the participants so they can be fully aware of:
    - the evidence that supports the recommendations
    - the priorities for action
    - the detail that underpins any areas about which the local authority remains uncertain.
20. Some local authorities will have an early draft of their improvement plan (or parts of it) by the time this discussion takes place. It is helpful if this document is shared with the lead inspector before the seminar to assist planning. (It should be noted that early drafts of improvement plans are accepted as 'work in progress' and are not to be responded to formally in accordance with the statutory requirement set out in paragraph 10.) Following discussions with the DCS, **the lead inspector and SHMI** should compile and distribute the final agenda for the seminar (where possible five working days before the seminar), suitably adapted to match local need. A draft agenda is at Annex B.

## Attendance

21. Attendance should be limited to a small number of senior managers from the local authority and, where appropriate, partner agencies, together with senior officers of the Local Safeguarding Children Board. However, based on the experience of the inspection, it is important that the lead inspector and SHMI have a clear view of who should be present. The lead inspector should probe for reasons if there is an indication that an invitation is not likely to be extended to key professionals who on the basis of the inspection would appear to have an important role to play. The absence of key participants without good reason can affect the quality of the final improvement plan.
22. The seminar is aimed at professionals working in children's services; therefore councillors are not to be invited. If necessary, the DCS can brief them separately on the outcome of discussions. The **lead inspector/SHMI** should encourage the DCS to apply the following 'rules' when inviting people to the seminar:
- all participants should be senior managers **and** have the ability and authority to commit their agencies/organisations to the action in the final improvement plan
  - they should have a specific contribution to make to one or more of the inspection report's recommendations and priorities.



## Process

23. As the event is largely based around discussion, information-sharing and debate, it is important that it follows the structured agenda sent to the local authority in advance. The seminar is an integral part of Ofsted's improvement offer to local authorities that are not yet good. As such, a record of the event should be formally recorded by the SHMI and signed by the SHMI and HMI using the document 'Record of improvement planning seminar' (Annex C). The SHMI should upload a copy of this record to the SIF SharePoint site for the relevant authority: <http://teams/sites/FH-IST/SLAC/Forms/Local%20authority.aspx>. This SHMI should also send it to the DCS, copied to the National Director, Social Care.

## Improvement plan

### Background

24. Local authorities have a maximum of 70 working days from the date they receive their inspection report (the effective date of publication) to submit a 'written statement of action' (the local authority improvement plan) to the Secretary of State and HMCI. This action is required irrespective of the inspection judgement. The requirement is set out in legislation in the Education and Inspections Act 2006 (Inspection of Local Authorities) Regulations 2007, Paragraph 3. Complaints about the conduct or findings of the inspection do not affect the date for submitting the improvement plan. However, HMI and SHMI will be sensitive to the circumstances.

### The post-inspection process

25. At the inspection feedback meeting, the SHMI present should remind local authorities that they are responsible for producing a post-inspection action plan when setting out the detail of the stages leading to publication of the inspection report. The inspector should draw their attention to the relevant section(s) of the SIF where this requirement is set out.
26. At pre-publication reporting stage, the letter from Ofsted's inspection management support (IMS) team that accompanies the pre-publication copy of the inspection report will include the legal requirement to submit an improvement report. It will also give the submission date and set out the address for reply. A copy of this letter will be sent to the lead inspector and the responsible regional SHMI.
27. The details will be entered on the 'inspection tracker' maintained by IMS. IMS will send a further email to the local authority after 50 days if the lead inspector and SHMI confirm that the improvement plan has not already been received.
28. It is advised that the lead inspector and the regional SHMI maintain their own record of key dates to enable them to manage their time appropriately.

29. **Once IMS have received the post-inspection improvement plan** they will upload it to the SharePoint library for the single inspection and notify the lead inspector, regional SHMI and the Director of Inspection and Improvement accordingly.
30. The lead inspector will review the post-inspection improvement plan as soon as possible after receipt to check that it properly and sufficiently reflects the recommendations contained in the inspection report. Ofsted is not responsible for 'signing off' the improvement plan, as this is the responsibility of the DCS. Ofsted should not imply that it approves any areas of the improvement plan not contained within the scope of the inspection.
31. If the lead inspector is satisfied that the content of the improvement plan reflects the inspection, they should send a letter to the DCS confirming this (see Annex D).
32. If the improvement plan fails to properly reflect or address the priority areas for action or the areas for improvement set out in the inspection report, the lead inspector and/or the SHMI should set out in writing the areas of difference (see Annex E). They should discuss the areas of disagreement with the DCS in order to achieve a satisfactory resolution, involving the regional director and the National Director, Social Care if necessary. If they achieve a resolution, they should send a letter confirming this (see Annex F).
33. If they are unable to resolve the differences, the SHMI and lead inspector will respond in writing to the DCS setting out the area(s) of difference and the evidence-based reasons for their concern (see Annex G). In the same letter they will inform the DCS that the inspections and interventions team at the DfE and the National Director, Social Care will be informed of the failure to resolve the differences. This will enable DfE officials to advise the Secretary of State about possible conditions to be written into the notice of improvement or direction. The regional director should be fully informed of this process and become involved where necessary.

## Monthly improvement monitoring visits

34. A programme of 12 monthly improvement monitoring visits will begin at a date agreed between the HMI and local authority. The first date will be within four weeks of the improvement plan being judged to be an acceptable basis for improvement support to be offered. Each monthly visit will be led by an HMI, working closely with a senior children's service colleague nominated by the local authority. The visit will last for two days and involve:
  - the identification of performance priorities (usually reflecting those in the inspection report and improvement plan)
  - an overview of performance and quality of work in relevant cases selected by the HMI to reflect priorities for improvement. The HMI will take into account performance data and focused qualitative analysis when assessing

the local authority's work. Evaluations of the cases selected will be conducted in accordance with the case tracking guidance set out in the SIF handbook

- improvement recommendations that will be reviewed at the next monthly improvement monitoring visit.
35. Each stage of this process will be set out in a letter, which will be agreed with the responsible SHMI before being sent to the DCS. There is no requirement for the DCS to submit this letter to the local authority improvement board or its equivalent and the letter will not be published by Ofsted.

## Quarterly improvement board review

36. Each participating local authority is offered four quarterly reviews of progress as part of their improvement support offer. The review letter gives a written summary of the findings of the three previous monthly monitoring visits. It concludes with analysis and judgement about the trajectory of travel and the rate of improvement. Each review letter is drafted by the HMI in conjunction with the SHMI. It is approved by the regional director, where necessary in consultation with the Director of Inspection and Improvement, before being sent to the DCS before the improvement board meeting. Copies of the draft review letter should also be sent in advance of the board meeting to the DfE's inspection and interventions team.
37. The letter should describe concerns about any aspect of progress so that the improvement board and the DfE are fully informed. Differences of opinion with the local authority about the trajectory of improvement or the rate of progress should be documented in detail, setting out the nature of the difference or concern, the impact on the quality of services experienced by children and young people and the implications for the relevant part of the improvement plan. Where concerns about progress or differences of opinion with the local authority are such that they threaten the continuing viability of the improvement offer, the HMI and SHMI should alert the regional director and National Director, Social Care without delay so that they can decide on the next course of action.
38. HMI will attend the improvement board meeting to present the findings of each quarterly review orally and to answer any questions that arise. Final versions of the quarterly improvement review letters undertaken at the six, nine and 12 month points are published on the local authority and Ofsted websites. However, there is no intention to publish the first quarterly report in the knowledge that it is likely to be too early in the process for significant improvement to be identified.

## Progress inspection

39. **The progress inspection takes place 12 months after the start of the improvement offer.** This inspection is an opportunity to thoroughly assess the impact that the improvement plan has had on the service experienced by children and young people.
40. Progress inspections will be conducted under section 136 of the Education and Inspections Act 2006 in local authorities judged in their last inspection to be inadequate. The framework for progress inspections will be confirmed in writing to the local authority by the end of the third quarter. The local authority will have one month to respond, raising any concerns about the detail of the inspection to be carried out. Within a further month the SHMI will write to the DCS confirming the final framework to be used.
41. **The inspection team will comprise** a lead inspector plus two team HMIs. In inspections where services to looked after children and help and protection are to be considered, the team will be expanded by one HMI. The team will not include the HMI who undertook any aspect of the improvement work preceding the progress inspection. However, the inspector will be expected to provide a written briefing to the inspection team summarising the work carried out and the progress made. This briefing will largely comprise a distillation of the monthly monitoring visits and quarterly reviews.

## Timeframe

42. The timeframe for inspection, including preparation, on-site work and publication of the inspection report, is set out below.
  - The lead inspector will notify the DCS five working days before arriving on site (day one)
  - Ofsted will notify the link person at the DfE and the chair of the improvement board on the same day.
  - The local authority will provide child-level data and documentation relating to the improvement period<sup>1</sup> four working days before the inspection team arrives on site (day two).
  - The lead inspector will select the cases for tracking and auditing by the end of day two, or within half a day of receiving the case lists.

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<sup>1</sup> The local authority should provide the following documentation in advance (most recent three months except where specified): the original and most recent versions of the improvement and action plan, minutes of improvement board, the improvement notice or direction, monthly and quarterly reports, the most recent peer review or other external evaluation including findings of internal performance evaluations/audit reports and the most recent performance information and analysis undertaken by the local authority. The local authority will have the opportunity to provide and present a self-evaluation of the progress achieved and other information significant to the progress inspection.

- The inspection team will consist of a lead inspector plus two or three social care HMIs; the exact team composition will be determined by the scope of the progress inspection (see paragraph 41).
- The team will be on site for five consecutive days.
- The DCS will be given an opportunity to brief the lead inspector as part of an extended set-up meeting on the first day on site (day six).
- Provisional findings will be given to the DCS on the final day on site (day 10).
- A draft report will be sent to the local authority by day 25. The local authority will respond by day 30 with any matters of factual accuracy.
- The response to the factual accuracy comments and final report for publication will be sent to the local authority by day 32.
- A progress inspection letter will be published within 35 days of notification of the start of the inspection.
- Any areas of concern about, or particular strengths of, the contribution of other agencies to the local authority's safeguarding or child protection work will be formally notified to the relevant inspectorate by HMCI within five working days of the publication of the progress inspection letter. To do so, HMCI will use powers under the terms of paragraphs 6, 7 and 8 of schedule 13 of the Education and Inspections Act 2006.

## Evaluation of progress

43. During a progress inspection Ofsted will evaluate the progress made in relation to key inspection recommendation areas against the core practice standards as set out in the scope of the inspection. The progress inspection will consider the key components of effective practice to safeguard and protect children and, in inspections where services to looked after children are also considered, how well they are cared for and prepared for adult life.

## Judgement

44. In determining progress made since the most recent inspection, the areas for improvement critical to achieving safety and quality of care for children in the area and associated aspects of the improvement plan will be considered. When undertaking a progress inspection, HMI will evaluate whether children are safe, well cared for and whether sufficient progress has been made against the widespread or serious failures identified during the course of the previous inspection. The progress inspection will prioritise those lines of enquiry that ensure the safety, protection, care and well-being of children. The focus of the progress inspection will include direct evaluation of practice with children and their families.
45. Inspectors will reach an overall judgement on the local authority's progress. This judgement will be either 'satisfactory progress' or 'unsatisfactory progress'.

Judgements will be proportionate and will take into account the nature of progress, the pace of change and its sustainability, together with the extent to which senior leaders, managers and staff understand the detail and priority of the improvement agenda.

46. Concerns identified during the progress inspection that impact on children's safety, protection and experience of care will be taken into account in arriving at the judgement on overall progress made.

## Reporting

47. Following Ofsted quality assurance procedures, the draft report letter and judgement will be provided to the local authority by day 25 (three working weeks after the completion of the on-site phase of the inspection).
48. The DCS will be given the opportunity to comment on matters of factual accuracy by day 30 (four working weeks after the completion of the inspection on site phase).
49. Ofsted will publish a report on our website within 35 working days of the notification of the start of the inspection.
50. The report letter will be a brief summary of the local authority's strengths and where improvement has taken place. The report letter will:
  - state clearly what has been done to deal with areas of serious or widespread weaknesses, and what the impact has been
  - be evaluative, avoiding repeating judgements previously made
  - focus on how far the local authority has moved forward and specify whether there has been sufficient progress made since the last inspection
  - set out clearly the most important areas for improvement.

## After the inspection

51. The local authority will be required to respond within 70 working days of the publication of the progress inspection letter with a written statement setting out what action it proposes to take in light of the report letter findings. The statement will identify the timetable for implementing those actions.
52. Where inspection evidence suggests that there are weaknesses in multi-agency practice, the relevant inspectorates will be notified and may decide to inspect in accordance with their statutory powers. This evidence will be clearly identified in the report and shared with the relevant inspectorates at the pre-publication stage.
53. The draft report will also be shared with DfE colleagues where the authority is subject to a notice to improve or ministerial direction.

54. Once the report is published, the local authority will be offered an improvement planning seminar to support it in amending and updating its existing improvement plan in light of the findings of the progress inspection. This seminar will be attended by the lead inspector or another member of the inspection team if the lead inspector is unavailable, and regional SHMI. They will also be responsible for evaluating the plan and responding to the DCS accordingly. Completing the evaluation and sending the final letter marks the end of the improvement work and the local authority concerned will re-enter the current inspection cycle. However, unless there are serious concerns about the quality of service received by children and young people, it is unlikely that a full repeat SIF inspection will take place until a date between two years and six months and three years after the publication of the inspection report which found the local authority to be inadequate.
55. A copy of an exemplar progress inspection framework used in the two pilot authorities is attached at Annex H.

## Annex A. Draft letter to DCS: improvement planning seminar

The regional director should send this letter to the DCS and copy it to the Director of Inspection and Improvement as soon as the inspection report is published. Please cut and paste the letter on to the regional letter template.

Dear (director)

### Inspection of (name of local authority): improvement planning seminar

You will be aware that as part of Ofsted's support to local authorities judged to **(require improvement/be inadequate)**, we now offer an improvement planning seminar. We would like to invite your authority to participate in this offer. The seminar is targeted at you and your senior leaders, together with **(in inadequate authorities only** the improvement board chair and your link person from the DfE's inspections and intervention team) colleagues from partner agencies and the Local Safeguarding Children Board.

We normally expect the seminar to take place between 25 and 35 working days after publication of the report. In your case this means between **(enter dates)**. **(If the lead HMI/SHMI has preferred dates enter them here.)** Although as host of the event the attendance list is for you to decide, our experience suggests that it should be limited to those who will have a direct contribution to make to improvement in your authority and who have the authority to do so (approximately six to eight attendees). As this event is targeted at senior managers, councillors should not be invited, although they can be briefed on the outcome of the seminar at a later stage.

The purpose of the seminar is to enable the lead inspector and senior HMI to present the key priorities of the inspection report in more detail before entering into informed discussion with you and your delegates to:

- ensure you are fully aware of the evidence that supports our recommendations and the priorities for action
- clarify any areas about which you are still not certain.

The seminar will take approximately three hours and will focus on discussion. We are confident that it will be helpful and directly relevant to the work that you are undertaking to finalise your improvement plan.

I would be grateful if you could confirm that you agree to your authority participating in this improvement offer activity, the options for dates that you can accommodate and your proposed list of attendees. I shall look forward to hearing from you at your earliest convenience.

Yours sincerely

(name of regional director)



cc SHMI, HMI and Director of Inspection and Improvement

## **Annex B. Draft programme for improvement planning seminar**

*Session 1: 9.30–9.45 – Welcome and introductions*

(Activity: Input by DCS)

Purpose:

- set out the content and objectives of the seminar
- establish the basis for future improvement activity, the importance of a prioritised local authority developed and owned improvement plan and management delivery and oversight of change
- clarify the respective roles, responsibilities and activities of Ofsted and the DfE.

*Session 2: 9.45–10.30 – Understanding the inspection findings and final judgements*

(Activity: Input by lead HMI and group discussion)

Purpose:

- set out the evidence underpinning the final judgements, including the findings in respect of 'front-line' practice, management oversight, leadership (political and professional) and the experiences of children, young people and families
- explain the purpose and significance of recommendations in the context of the three key judgements
- set out the implications for statutory partners, including the Local Safeguarding Children Board.

*Session 3: 10.30–11.00 – What does 'good' look like?*

(Activity: Input from SHMI/HMI and discussion about what this means in this particular local authority)

Purpose:

- set out Ofsted's evidence and criteria for 'good' in each key judgement area and share good practice and evidence from stronger authorities
- describe whether and how children, young people and families benefit from good services in the authority and draw upon evidence to identify where there is shortfall in service quality and the extent of that shortfall
- begin to consider the skills, experience and qualities of leaders, managers and practitioners needed to develop good services and use discussion to relate this to the local area

- set out the contributions of statutory partners and other professionals in good local authorities.

*11.00–11.15 – Break*

*Session 4: 11.15–12.00 – Understanding the performance challenges*

Purpose:

- understand the complexity of the judgement and identify barriers to change
- agree the findings and accept the challenges of improvement
- begin to articulate the priorities for change and the capacity needed to make it happen.

*Session 5: 12.00–12.30 – Identifying improvement priorities, evidence measures for change and leadership responsibilities*

Purpose:

- agree three to five core improvement priorities and associated performance measures, using both quantitative and qualitative data
- set out management oversight, accountable leads and sampling to test improvement (including changed front-line practice)
- agree initial timescales, improvement strategy (including relationship with Ofsted HMI/SHMI and (in inadequate authorities only) improvement board work).

*12.30–12.45 – Summary of improvement planning and next steps*

Purpose:

- review the expectations in respect of next steps, the preparation of the written response to the inspection in the form of an improvement plan and timescales for submission.

Close of seminar.

## Annex C. Record of improvement planning seminar

>INSERT NAME OF LA<

<b>1. List of attendees:</b>

<b>2. Evidence presented to support explanation of recommendations and priorities:</b>
(The presentation is prepared by the lead HMI. The evidence can be set out as bullet points but must draw on specific evidence for the Summary of Analysis and Evidence (SEA) and the inspection report to illustrate and reinforce the points being made.)

<b>3. Details of discussion:</b>
(Should be compiled contemporaneously by the SHMI. Areas of continuing disagreement between the inspection findings and recommendations should be particularly noted.)

<b>4. Details of agreed interpretation of recommendations or priorities:</b>
Improvement planning seminar discussions may lead to agreements about how recommendations and priorities are to be addressed in the improvement plan and subsequent improvement work, but Ofsted should not prescribe how this is to be done. It is important that any agreed variation from the report's recommendations and priorities are recorded together with the reasons.)

Agreed and signed by Ofsted HMI and SHMI:

Date of record:

## Annex D. Letter to DCS following receipt of satisfactory post-inspection improvement plan

(This letter will be required in all cases irrespective of inspection judgement. It will be sent by the regional director and copied to the Director of Inspection and Improvement **and in inadequate authorities only to the link person in DfE's inspections and intervention team.**)

Dear **(name of DCS)**

### Inspection of **(name of local authority)**: improvement plan

Thank you for sending me a copy of your local authority's improvement plan dated (enter date). I can confirm that the plan satisfactorily reflects the recommendations and priorities of the inspection report **(to be included in letters to LAs judged to be requiring improvement or inadequate only)** and incorporates the outcome of discussions at the improvement challenge seminar that took place on **(enter date)**.

**(for good and outstanding local authorities only)** I shall look forward in due course to hearing about the impact of the improvement plan on the quality of services that children and young people receive.

**(or for local authorities that require improvement or are inadequate only)** As you know Ofsted will track the progress of your improvement plan as we proceed through the improvement offer and we shall discuss its impact on children and young people at key stages throughout the process.

Yours sincerely

(name of regional director)

cc SHMI, HMI and the National Director, Social Care and **in inadequate authorities only** the link person in the DfE's inspections and intervention team

## Annex E. Letter to DCS after receiving an unsatisfactory post-inspection improvement plan

(This letter will be required in all cases irrespective of inspection judgement. It will be sent by the regional director and copied to the National Director, Social Care and **for inadequate local authorities only** to the DfE inspections and interventions team.)

Dear **(name of DCS)**

### Inspection of **(name of local authority)**: improvement plan

Thank you for sending me a copy of your local authority's improvement plan dated **(enter date)**. I write to advise you that the plan does not satisfactorily reflect the recommendations and priorities of the inspection report **(to be included in letters to LAs judged to be requiring improvement or inadequate only)** and in the following respects fails to incorporate the outcome of discussions at the improvement challenge seminar that took place on **(enter date)**.

**(Draft paragraph to clearly but succinctly set out the areas of disagreement and the potential impact if they are not addressed)**

I have asked the lead inspector **(enter name)** to have a further discussion with you as soon as possible to establish whether it is possible to achieve a reconciliation of our divergent views. I shall look forward in due course to hearing about the outcome of this discussion. I will be grateful to receive a copy of the improvement plan if any amendment is made following this discussion. Upon receipt I will make arrangements to write to you again.

Yours sincerely

**(name of regional director)**

cc SHMI, HMI and the National Director, Social Care and **(for inadequate authorities only)** DfE inspections and interventions team

## Annex F. Letter to DCS after receiving a satisfactorily updated post-inspection improvement plan

(This letter will be sent by the regional director and copied to the National Director, Social Care and **for inadequate local authorities only** to the DfE inspections and interventions team.)

Dear **(name of DCS)**

### Inspection of **(name of local authority)**: improvement plan

Further to my letter of **(enter date of letter following receipt of unsatisfactory improvement plan)** I am pleased that your discussion with **(enter name of HMI who had further discussion with DCS)** enabled us to reconcile our divergent views about particular aspects of your improvement plan.

Following receipt of the updated plan, I can now confirm that it satisfactorily reflects the recommendations and priorities of the inspection report **(to be included in letters to LAs judged to be requiring improvement or inadequate only)** and incorporates the outcome of discussions at the improvement challenge seminar that took place on **(enter date)**.

**(for good and outstanding local authorities only)** I shall look forward in due course to hearing about the impact of the improvement plan on the quality of services that children and young people receive.

**(or for local authorities that require improvement or are inadequate only)** As you know Ofsted will track the progress of your improvement plan as we proceed through the improvement offer and we shall discuss its impact on children and young people at key stages throughout the process.

Yours sincerely

**(name of regional director)**

cc SHMI, HMI and the National Director, Social Care and **(for inadequate authorities only)** DfE inspections and interventions team

## Annex G. Letter to DCS following a failure to reconcile differences of view over post-inspection improvement plan

(This letter will be sent by the regional director and copied to the National Director, Social Care and **for inadequate local authorities only** to the DfE inspections and interventions team.)

Dear **(name of DCS)**

### Inspection of **(name of local authority)**: improvement plan

Further to my letter of **(enter date of letter following receipt of unsatisfactory improvement plan)** I am disappointed that your discussion with **(enter name of HMI who had further discussion with DCS)** did not enable us to fully reconcile our divergent views about particular aspects of your improvement plan **(to be included in letters to LAs judged to be requiring improvement or inadequate only)** and in the some respects fails to incorporate the outcome of discussions that took place at the improvement challenge seminar held on **(enter date)**.

I would wish to take this opportunity to set out the areas where we have failed to reconcile our divergent views. **(Set out clearly but succinctly the areas of continuing disagreement and the potential impact if they are not addressed)**

Ofsted is concerned about this situation and I have asked my colleague **(enter name)**, the National Director, Social Care within Ofsted, to make contact with you to discuss these issues further. I shall also take steps to ensure that the areas of disagreement are the subject of discussion between us when we meet at our regular Ofsted/local authority liaison meetings. I am sure you will agree that it will be important to monitor the impact of the course of action you are embarking on through our normal discussions and inspection to ensure that it does not adversely affect the quality of services that are received.

**(For local authorities judged to be inadequate only)** I am copying this letter to **(enter name of link in DfE inspections and interventions team)** so that **(he/she)** will be able to consider whether this matter should be included in the advice provided to the minister as part of the improvement notice process.

Yours sincerely

**(name of regional director)**

cc SHMI, HMI and the National Director, Social Care and **(for inadequate authorities only)** DfE inspections and interventions team



## **Annex H. Progress inspection framework: an exemplar**

### **Pilot progress inspection of services for children in need of help and protection: local authorities judged to be inadequate**

Progress inspections will be conducted under section 136 of the Education and Inspections Act 2006 in local authorities judged in their last inspection to be inadequate. During a progress inspection Ofsted will evaluate the extent of progress made in relation to key inspection recommendation areas against the core practice standards as set out in the scope below. The progress inspection will consider the key components of effective practice to safeguard and protect children.

In determining progress made since the most recent inspection, the areas for improvement critical to achieving safety for children in the area and associated aspects of the improvement plan will be considered. When undertaking a progress inspection, inspectors will evaluate whether:

- children are safe
- sufficient progress has been made against the widespread or serious failures identified during the course of the previous inspection.

The progress inspection will prioritise those lines of enquiry that ensure the safety, protection and well-being of children. The focus of the progress inspection will include direct evaluation of practice with children and their families.

Inspectors will reach an overall judgement on the local authority's progress. This judgement will be either 'satisfactory progress' or 'unsatisfactory progress'. Judgements will be proportionate and will take into account the nature of progress, the pace of change and its sustainability, together with the extent to which senior leaders and managers and staff understand the detail and priority of the improvement agenda.

The progress inspection does not include:

- a review of the Local Safeguarding Children Board
- an assessment of the early help offer.

Concerns identified during the course of the progress inspection that impact on children's safety and protection will be taken into account in arriving at the judgement on overall progress.

#### **The children and young people within the scope of the progress inspection are those:**

- at risk of harm
- who have been referred to the local authority, including those:
  - for whom urgent action has to be taken to protect them

- subject to further assessment
- subject to child protection enquiries
- who become the subject of a multi-agency child protection plan setting out the help that will be provided for them and their families to keep them safe and to promote their welfare.

## Methodology

When scheduling progress inspections, Ofsted takes account of:

- previous inspection outcomes
- improvement plans
- the findings from Ofsted improvement visits
- serious incident notifications and serious case reviews
- information from other sources including whistleblowing and complaints.

## Timeframe

The timeframe for inspection, including preparation, on-site work and the publication of the inspection report, is set out below.

- The lead inspector will notify the Director of Children's Services (DCS) five working days prior to arrival on site (day one).
- Ofsted will notify the link person at the DfE and the chair of the improvement board on the same day.
- The local authority will provide child-level data and documentation relating to the improvement period<sup>2</sup> four working days before the inspection team arrives on site (day two).
- The lead inspector will select the cases for tracking and auditing by the end of day two, or within half a day of receiving the case lists.
- The inspection team will consist of a lead inspector plus two social care HMIs.
- The team will be on site for five consecutive days.

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<sup>2</sup> The local authority should provide the following documentation in advance (most recent three months except where specified): the original and most recent versions of the improvement and action plan, minutes of improvement board, the improvement notice or direction, monthly and quarterly reports, the most recent peer review or other external evaluation including findings of internal performance evaluations/audit reports and the most recent performance information and analysis undertaken by the local authority. The local authority will have the opportunity to provide and present a self-evaluation of the progress achieved and other information significant to the progress inspection.

- The DCS will be given an opportunity to brief the lead inspector as part of an extended set-up meeting on the first day on site (day six).
- Provisional findings will be given on the final day on site (day 10).
- A draft report will be sent to the local authority by day 25. The local authority will respond by day 30 with any matters of factual accuracy.
- The response to the factual accuracy comments and final report for publication will be sent to the local authority by day 32.
- A progress inspection letter will be published within 35 days of notification of the start of the inspection.
- Any areas of concern about, or particular strengths of, the contribution of other agencies to the local authority's safeguarding or child protection work will be formally notified to the relevant inspectorate by HMCI within five working days of publication of the progress inspection letter. To do so, HMCI will use powers under the terms of paragraphs 6, 7 and 8 of schedule 13 of the Education and Inspections Act 2006.

Most inspection evidence will be gathered by evaluating individual children and young people's experiences. This will be through consideration of children's cases. The lead inspector will, at the point of initial contact, ask the local authority to provide an electronic spreadsheet record, using Excel, of the case lists to select the children and young people who will be considered during the progress inspection.

The local authority will be asked to provide this information by midday on day two. The lead inspector will select the initial 30 children and young people's cases, based on the areas for improvement identified at the last inspection with a judgement of inadequate. Two cases will have a child sexual exploitation dimension. The local authority will also be offered the opportunity to put forward four additional cases (comprising two child protection and two children in need cases) as examples that reflect improved practice. The lead inspector will identify six cases from the initial selection that the local authority will be asked to audit. The case selections will be made by the end of day two (or within half a day of being provided with the case spreadsheets). The completed audits will be made available to the inspection team as soon as they arrive on site in the local authority to begin the fieldwork phase of the progress inspection.

Inspectors will focus inspection activity on evaluating progress against the areas for improvement identified in the inspection(s) as inadequate. These will form the central lines of enquiry, informing case tracking, observation and sampling. Inspectors will also consider any subsequent improvement activity undertaken as a consequence. The key focus will be on the cases selected.

Inspection will focus on direct practice by:

- scrutinising and discussing the identified sample of children's cases that reflect the scope of the progress inspection alongside practitioners, including social workers and representatives of commissioned services

- some shadowing of staff in their day-to-day work, for example observing the duty function and other direct practice
- inviting the views of children and families currently involved with the local authority – inspectors will particularly want to hear from children and young people whose cases are being considered during the course of the progress inspection.

Inspectors will triangulate evidence by talking with practitioners, managers and carers, either in person or by telephone. Meetings with groups will only occur in exceptional circumstances and only in connection with cases under consideration. The inspector leading the group will agree in advance the officers and agencies to be represented.

Inspectors will also aim to create opportunities to engage with managers. This will involve discussion of how managers ensure improvement and their impact on service delivery.

The DCS or nominated senior officers will be informed of emerging findings throughout the inspection. This will be on a daily basis in the form of face-to-face keeping in touch (KIT) meetings. These meetings will give the local authority the opportunity to understand, explore and challenge emerging findings. Any matters of concern to inspectors, within or beyond the central lines of enquiry, will be addressed at these meetings.

The quality assurance (QA) arrangements of the evidence, draft judgement and report letter will be undertaken by a senior HMI, ideally one from the region of the inspection. The senior HMI who undertakes the QA role will not have been directly connected to the previous inspection.

## Standards

These are the practice standards that will be considered when establishing whether satisfactory progress has been made. **They should be evident in the majority of cases seen by inspectors.**

- Thresholds for statutory child protection work are appropriate and operate effectively.
- Children and young people who are, or are likely to be, at risk of significant harm are identified and protected.
- Risk is sufficiently understood.
- Children and young people are listened to and heard.
- Children and young people receive timely multi-agency protection through assessment, planning and review that results in positive change.
- Decisions about safeguarding and protecting children and young people are based on the harm they have experienced or the risk of harm to which they are exposed.

- Children and young people develop increasingly safe and secure relationships with adults.
- When support is needed, children and their families are able to access it at key times during their childhood.
- Actions and decisions are recorded and up to date. Leaders at all levels drive service improvement.
- The local authority works sufficiently well with partners to protect children and young people.
- There is a suitably qualified and experienced workforce with managers at all levels having a clear understanding about what is happening at the 'front line'.
- Leaders and managers oversee effective performance management and quality assurance arrangements, demonstrating adequate responses to identified service deficiencies.

### **Evaluation schedule**

In establishing whether sufficient progress has been made in achieving the practice standards, inspectors will evaluate the extent<sup>3</sup> to which:

- Referrals and assessments show early help agencies have a clear understanding of the interface with statutory child protection work.
- Thresholds for intervention are sufficiently understood by partners and effectively applied. Drift and delay are avoided. No work is unallocated or without active oversight.
- Children and young people in need of help and protection are identified by professionals and appropriate referrals are made to children's social care. Social work expertise and advice is available to support professionals in determining next steps. There is a timely and effective response to referrals, including out of normal office hours, ensuring that no child is left at risk.
- If there is evidence of immediate or potential risk of harm to children and young people, appropriate action is taken informed by a decision made in a strategy meeting. Findings in relation to significant harm are clear and result in all children and young people being protected.
- Information-sharing between agencies and professionals is timely, specific and effective and parental consent is sought when indicated.
- All children and young people receive help that is proportionate to risk<sup>4</sup> and are subject to formal child protection investigations when necessary.

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<sup>3</sup> In line with Ofsted descriptors of sample sizes (see Annex B). Inspectors will apply the descriptor 'in at least a majority of the cases seen' except where specified.

<sup>4</sup> This includes children in the community and those who are privately fostered, missing from home, care or full-time school education, and those at risk of sexual exploitation and trafficking; children and young people offending or who misuse drugs or alcohol; children in families where one or more adults experience mental ill-health, domestic abuse or substance abuse.

- Child protection work is always led by a suitably qualified and experienced registered social worker. Decision-making is undertaken by suitably qualified and experienced social workers and managers, and actions and rationale for decisions are recorded in timely ways.
- All children and young people are listened to and the focus of intervention is centred on the child's needs. Children are seen regularly and seen alone by social workers and the content of discussions and observations are recorded.
- Children's needs, including their need for protection and to be looked after, are assessed and decisions take account of historical events. Managers exercise responsibility for authorising and recording next steps and explain why action is being taken.
- Assessments identify risks, needs and strengths and for most children result in a direct (and planned) offer of help. When significant changes or risks emerge plans are reviewed. Authoritative action is taken in all cases where change is not secured or the risk to children increases.
- Plans clearly identify the work required to effect change and to reduce identified risk within specified timescales to achieve change. Robust contingency plans are in place.
- Allegations of abuse, mistreatment or poor practice by professionals and carers are taken seriously, always acted upon and result in children being protected.
- There is effective use of the Public Law Outline. Applications and assessments for care or other orders are accepted by the courts, reducing the appointment of experts and avoiding delay.
- Managerial and professional oversight of practice, assessments and plans is evident and effective in most cases.
- Service quality and improvement are informed by the views of children and their experiences, as well as the views of parents and outcomes of complaints.
- Leaders at all levels drive improving outcomes, making sure that measurable progress is made against the improvement plan and the associated inspection recommendations. There is a clear and positive trajectory of improvement. They have a clear understanding of the quality of 'front line' practice throughout the local authority.
- The local authority has effective performance management and quality assurance arrangements in place. These result in an accurate and systematic understanding of the effectiveness of progress made in implementing the improvement plans. Leaders, including elected members and managers, respond appropriately and quickly to identified failings and any emerging concerns.
- Management oversight of practice, including practice scrutiny by senior managers, is established in most cases and is demonstrably and actively used to improve the quality of decisions and service provision.
- The social care workforce (permanent and agency workers) is sufficient, stable, suitably qualified and competent to deliver services to children and their families.

Managers and practitioners are sufficiently experienced, effectively trained, supervised and directed. The quality of practice contributes to minimising risk and improving outcomes.

## **Making a judgement**

A judgement of satisfactory progress will be made where the inspection team concludes that the evidence overall fits most appropriately with the expected practice standards. The scope of the judgement and report will be the safeguarding and child protection areas identified for improvement in the last inspection, which judged the local authority as inadequate. When looked after children services were also judged inadequate the scope of the inspection will be appropriately extended.

When considering the progress made since the last inspection, inspectors will use the descriptors of satisfactory progress as the benchmark of improved performance. They will take into account the starting point of the local authority's improvement 'journey' and will evaluate carefully the extent, pace and sustainability of progress against practice standards, the requirements of the local authority's improvement plan and the terms of its notice to improve or directions.

Inspectors will make a judgement of satisfactory progress where the characteristics in the evaluation schedule are common practice and demonstrably lead to improved outcomes for children. Satisfactory progress also requires that risk is identified and managed for every child considered by inspectors. Improvements should, overall, show a positive performance trajectory with measureable impact.

The inspection team will collate the evidence and, on the last morning on site, will meet to form the judgement of whether satisfactory improvement has taken place. The lead inspector will produce a brief summary of overall findings, along with the draft judgement. At an agreed time in the afternoon of the final day on site, the summary and draft judgements will be reported orally to the DCS, head of children's social care, the local authority chief executive, the improvement board chair, Local Safeguarding Children Board chair and a representative from the DfE.

## **Reporting**

Following Ofsted quality assurance procedures, the draft report letter and judgement will be provided to the local authority by day 25 (three working weeks after the completion of the on-site phase of the inspection).

The DCS will be given the opportunity to comment on matters of factual accuracy by day 30 (four working weeks after the completion of the inspection on site phase).

Ofsted will publish a report on our website within 35 working days of the notification of the start of the inspection.

The report letter will be a brief summary of the local authority's strengths and where improvement has taken place. The report letter will:

- state clearly what has been done to deal with areas of serious or widespread weaknesses, and what the impact has been
- be evaluative, avoiding repeating judgements previously made with a focus on how far the local authority has moved forward and specifying whether there has been sufficient progress made since the last inspection
- set out clearly the most important areas for future improvement.

The local authority will be required to respond within 70 working days of the publication of the progress inspection letter with a written statement setting out what action it proposes to take in light of the report letter findings. The statement will identify the timetable for implementing those actions.

Where inspection evidence suggests that there are weaknesses in multi-agency practice, the relevant inspectorates will be notified and may decide to inspect in accordance with their statutory powers. This will be clearly identified in the report and shared with the relevant inspectorate at the pre-publication stage.

The draft report will also be shared with DfE colleagues where the authority is subject to a notice to improve or ministerial direction.

### Annex A. Example programme

	Monday	Tuesday	Wednesday	Thursday	Friday
LI*	Travel/pm on site – consider evidence in advance PM team meeting	On-site activity	On-site activity	On-site activity	Collation and provisional judgement – AM Feedback - PM
TI1	Prep/travel PM team meeting	On-site activity	On-site activity	On-site activity	Collation and provisional judgement – AM Feedback – PM
TI2	Prep/travel PM team meeting	On-site activity	On-site activity	On-site activity	Collation and provisional judgement – AM Feedback – PM
QA	QA manager to attend		QA manager to attend		QA manager to attend

\*Ofsted formally notifies the local authority of the dates of the progress inspection five working days before beginning the on-site phase of the progress inspection.

The lead inspector (LI) uses time before the on-site inspection to prepare and identify cases to be tracked, including those to be audited by the local authority. Typically this will in the week immediately before the inspection. The LI will inform the local authority of the cases selected by midday on day two.



The LI will receive a pre-inspection briefing at least 10 working days before the on-site inspection. This will be limited to the key areas of the inspection, focusing on the areas for improvement identified within the previous inspection. Key to this briefing will be the contribution of the HMI and SHMI who have undertaken improvement work with the local authority and relevant contemporary data relating to the scope of the progress inspection provided by Ofsted’s data and insight team (IDI).

The LI will confirm the pre-inspection briefing, identifying the initial lines of enquiry to the team before the Monday of the inspection week.

### **Annex B. Sample sizes descriptors**

<b>Proportion</b>	<b>Description</b>
97–100%	Vast/overwhelming majority or almost all
80–96%	Very large majority, most
65–79%	Large majority
51–64%	Majority
35–49%	Minority
20–34%	Small minority
4–19%	Very small minority, few
0–3%	Almost no/very few

### **Annex C. Formal record of cases of concern referred to the local authority.**

If a case of concern is identified by an inspector, and the concern has not been satisfactorily addressed between the inspector and the practitioner/manager, this must be brought to the attention of the LI.

The inspector will provide to the lead inspector:

- case identification (team/location)
- issues of concern and their view of the significance of these concerns.

The LI will:

- give the local authority a formal written note of the concerns, seeking a written response within a specified period
- retain a copy, incorporating any response from the local authority
- establish findings, individually and overall, by the end of the inspection period
- communicate the findings to the local authority.

### **Annex D. Template for progress inspection report letter**

Dear (DCS)

## **Progress inspection of children in need of protection and looked after children**

Following the progress inspection of xxxx (LA) on xxx - xxx dates, I write on behalf of Her Majesty's Chief Inspector of Education, Children's Services and Skills to confirm the inspection findings. Thank you for the help given during the inspection and for the time you made available to discuss the actions taken since the inspection that identified inadequacies.

The inspection was the first progress inspection since the local authority became subject to improvement notice/direction by the Secretary of State following the inspection which took place in xxx date. The areas for improvement identified during that inspection are set out in the annex to this letter. The progress inspection report is attached.

Having reviewed all the evidence, I consider that the local authority is making satisfactory/ unsatisfactory (delete as appropriate) progress.

This letter and inspection report will be published on the Ofsted website. I am copying them to the Secretary of State, the chair of the Local Safeguarding Children Board, the lead member for children's services, and the chief executive of xxx council.

Yours sincerely

### **Her Majesty's Inspector**

#### **The areas for improvement identified during the inspection that took place in xxx date**

- (list of core improvements required within the inspection).

#### **Report on the progress inspection on xxx dates**

##### **Evidence**

*(What inspectors did during the inspection – cases, documents, meetings)*

##### **Findings**

*(Achievements and shortcomings in brief, against the standards within the evaluation schedule)*