

Guidance for the inspection of local authority education services for children and young people

from September 2010



ASSOCIATION OF DIRECTORS OF EDUCATION IN WALES
CYNGEITHAS CYFARWYDDWYR ADDYSG CYMRU



WALES AUDIT OFFICE
SWYDDFA ARCHWILIO CYMRU



Rhagoriaeth i bawb – Excellence for all

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Her Majesty's Inspectorate
for Education and Training in Wales

The purpose of Estyn is to inspect quality and standards in education and training in Wales. Estyn is responsible for inspecting:

- nursery schools and settings that are maintained by, or receive funding from, local authorities (LAs);
- primary schools;
- secondary schools;
- special schools;
- pupil referral units;
- independent schools;
- further education;
- adult community learning;
- youth and community work training;
- local authority education services for children and young people
- teacher education and training;
- work-based learning;
- careers companies; and
- offender learning;

Estyn also:

- provides advice on quality and standards in education and training in Wales to the Welsh Assembly Government and others; and
- makes public good practice based on inspection evidence.

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Introduction

Purpose of this guidance

This guidance sets out the way the inspectorate will inspect local authority education services for children and young people for the six-year inspection cycle from 2010. Each local authority will receive a core inspection in the first three years of the six-year cycle. During the second three years of the six-year cycle, a local authority will undergo a second inspection. The second inspection will be a lighter touch for those authorities that perform well in the core inspection.

The purposes of inspection are to:

- provide accountability to the users of services and other stakeholders through our public reporting on providers;
- promote improvement in education and training; and
- inform the development of national policy by Welsh Assembly Government.

The inspectorate conducts a core inspection for all providers in each sector of education and training. This guidance explains how we will carry out core inspections. Where an inspection identifies a concern in relation to standards quality of education and training or leadership and management, then the inspectorate will conduct follow-up activity with the provider. This guidance contains information about follow-up activity in Annex 7.

Local authority education services for children and young people (LAESCYP) can use this guidance to see how inspections work and to help them in carrying out their own self-evaluation. In addition, LAESCYP can use the inspectorate's guidance on self-evaluation that is aligned with the School Effectiveness Framework.

This guidance has two parts that are about:

- carrying out inspection; and
- making judgements.

This guidance will be reviewed at the half way stage of the inspection cycle.

Further information and guidance about inspections can be found on the Estyn website www.estyn.gov.uk.

Legal basis for the inspection of local authority education services for children and young people (LAESCYP)

Inspections of local education authorities are carried out under Section 38 of the Education Act 1997 which provides that Her Majesty's Chief Inspector of Education and Training in Wales (HMCI) 'may, and, if requested to do so by the Secretary of State, shall, arrange for any local authority to be inspected'. Such an inspection

'shall consist of a review of the way in which the authority are performing any function which relates to the provision of education for (a) persons of compulsory school age (whether at school or otherwise) or (b) for persons of any age above or below that age who are registered as pupils at schools maintained by the authority'.

Other aspects of local authority provision are subject to inspection under a range of legislation, including the functions conferred on them under sections 25 and 26 of the Learning and Skills Act 2000 relating to education, training or youth support services (within the meaning of section 123 of the Learning and Skills Act 2000).

The Children Act 2004 introduces a duty on local authorities and their partners to co-operate to improve the wellbeing of children. As far as local education authorities are concerned, the inspectorate is given the powers to review the LEA's functions relating to Section 51 of the Act, namely in co-operating to improve wellbeing and producing children and young people's plans where these functions relate to education, training or youth support services.

Section 51 of The Children Act 2004 changes the Education Act 1997 so that 'An inspection of a local education authority in Wales under this section shall consist of a review of the way in which the authority are performing:

- any function conferred on them in their capacity as a local education authority; and
- the functions conferred on them under sections 25 and 26 of the Learning and Skills Act 2000 relating to education, training or youth support services.

Local education authority inspections will be conducted by Her Majesty's Inspectors of Education and Training (HMI) in Wales. In response to the Children Act 2004 requiring inspectorates to work more closely together, HMI may be joined by inspectors from Care and Social Services Inspectorate for Wales (CSSIW) and Health Inspectorate Wales (HIW). HMI may also be joined on inspections by additional inspectors (AI) authorised under paragraph 2 of Schedule 1 of the School Inspections Act 1996. HMCI may, under Section 41 of the Education Act 1997, as amended by the Public Audit (Wales) Act 2004, request the Wales Audit Office to assist with any inspection under Section 38. HMCI and the Wales Audit Office have agreed that:

- i the Wales Audit Office will contribute to those inspections of local authorities in which their expertise will add to the rigour and effectiveness of the inspection;
- ii the Wales Audit Office will contribute to the regular collection and analysis of local authority performance data; and
- iii as partners in the inspection of local authorities, the Wales Audit Office and the inspectorate may use local authority inspection reports to produce other reports, surveys and studies.

The inspection of local authority education services for children and young people will cover the statutory functions of the local authority, including the local authority youth service. In addition, it will include inspection of the partnership arrangements for youth support services (YSS).

These partnership arrangements are those led by the local authority to plan, co-ordinate and oversee all youth support services in an area. These partnership arrangements are set out in the Learning and Skills Act 2000, and the Welsh Assembly Government policy as described in Extending Entitlement and associated guidance¹. Under the Children Act 2004², this statutory responsibility for partnership planning can be fulfilled through a young people's partnership, children and young people's partnership or a framework partnership.

Youth support services are those services for young people aged between 11 and 25, which are provided, procured or facilitated by a local authority and identified in the partnership plan and/or self assessment report. They are those, which in the opinion of the Welsh Assembly Government will encourage, enable or assist young persons (directly or indirectly) to:

- participate effectively in education or training;
- take advantage of opportunities for employment; or
- participate effectively and responsibly in the life of their communities.³

In addition to referring to those partnership arrangements for youth support services, the term partnership is used more generally throughout this guidance. National policy and the drive to improve services and be more cost effective means that local authorities are increasingly working in partnership and integrating services. In this guidance, 'partnership' is used to refer to any joint working arrangements where partners, who are otherwise independent, co-operate to achieve a common goal. The term will not be used to describe consultative arrangements, professional networks or contractual arrangements.

The Local Government (Wales) Measure (2009) reinforces the duty on local authorities to secure continuous improvement and account for it. The Measure requires authorities to report achievement against its improvement objectives and compare performance with other authorities.

The Measure also requires inspectorates and regulators to co-ordinate audit, inspection and regulation through their methodology. It also places an emphasis on sharing good practice.

In LAESCYP inspections we look at how the local authority are implementing those aspects of the CYPP relating to education and training for which the local authority is responsible.

¹ Extending Entitlement and the accompanying directions and guidance for its implementation extend the legal basis in Wales for the provision of youth support services. In these documents, the Welsh Assembly Government has set out frameworks within which local authorities in Wales will provide youth support services.

² Stronger Partnerships for Better Outcomes Guidance (2006) National Assembly for Wales Circular No: 35/2006.

³ Extending Entitlement: supporting young people in Wales Report by the Policy Unit The National Assembly for Wales 2000, p83.

Part 1: Carrying out inspections

Introduction

This section is set out in a way that reflects the sequence of work before, during and after a core inspection.

The reporting inspector is responsible for the conduct and management of the inspection, and for the inspection report. While this guidance focuses mainly on the role of the reporting inspector, all team members must comply with the same inspection requirements.

Principles of inspection

We will:

- ensure that inspection is of high quality and responsive to the needs of all children and young people;
- ensure that judgements are secure, evidence-based, first-hand, reliable and valid;
- involve LAESCYP fully in the inspection process, including the use of a nominee;
- use the LAESCYP's self-evaluation report as the starting point for the inspection and identify key issues for investigation in order to make judgements on the validity of its findings;
- include peer inspectors in the inspection process;
- keep to a minimum any requirements for documentation and preparation by the LAESCYP;
- gain the children and young people's perspective and that of other stakeholders;
- apply the principle of equality for Welsh and English to all our inspection work, providing bilingual services whenever they are appropriate; and
- be constructive in identifying areas for development for LAESCYP.

Code of conduct for inspectors

Inspectors should uphold the highest possible standards in their work. All inspectors have to meet the standards in the inspectorate's code of conduct. When conducting the inspection, inspectors will:

- carry out their work with integrity, courtesy and due sensitivity;
- evaluate the work of the LAESCYP objectively;
- report honestly, fairly and impartially;
- communicate clearly and openly;
- act in the best interests of children and young people; and
- respect the confidentiality of all information received during the course of their work.

Inspectors will carry out inspections in accordance with the inspectorate's guidance on health and safety in inspections.

If you observe anything that you think constitutes an obvious danger to the safety of staff, visitors or learners, you should alert managers at the provider being inspected. You should also notify them if less than obvious threats are noticed and a note should be made on the evidence file of the threat, and that the managers were informed of it. You should report on obvious breaches of health and safety legislation in the body of the inspection report.

You should be aware that requests for disclosure of information may be made for details contained in inspection evidence, letters and e-mails. All information (written or electronic) should be recorded in a way that is fit for the public domain.

Expectations of providers

In order that inspection is constructive and beneficial, it is important that inspectors and providers establish and maintain a professional working environment based on mutual courtesy, respect and professional behaviour. Inspectors are expected to uphold Estyn's Code of Conduct but we also expect providers to:

- be courteous and professional;
- apply their own codes of conduct in their dealings with inspectors;
- enable inspectors to conduct their inspection in an open and honest way;
- enable inspectors to evaluate the provision objectively against the Common Inspection Framework;
- provide evidence that will enable inspectors to report honestly, fairly and reliably about their provision;
- maintain a purposeful dialogue with the inspector or the inspection team;
- recognise that inspectors need to observe practice and talk to staff, learners, and other stakeholders without the presence of a manager or senior leader;
- work with inspectors to minimise disruption and stress throughout the inspection; and
- ensure the health and safety of inspectors while on their premises.

Responding to a safeguarding allegation

If an inspector is alerted to an allegation/suspicion in respect of a child, young person or vulnerable adult, you should follow the procedures as set out in Section 4 of the inspectorate's Policy and Procedures for Safeguarding. These policies and procedures can be found on our website at www.estyn.gov.uk.

The reporting inspector has a crucial role in this process and is responsible for making a safeguarding referral, reporting to the inspectorate's safeguarding officer and informing the provider that a referral is being made.

As directed by the policy and pocket guide, inspectors have a duty to:

- report any concerns to the inspectorate's safeguarding officer or deputy;
- follow their instructions regarding information sharing;
- record details on the inspectorate's safeguarding log; and
- avoid investigating matters relating to safeguarding concerns.

Approach to inspection

This guidance sets out the procedures for core inspections of LAESCYP. These will be complemented by follow-up activity that we will focus on those LAESCYP that we have found, through their core inspection, to be underperforming or demonstrating excellence in their practice (sector leading).

The starting point for inspection is the evaluation of the performance and prospects for improvement of the LAESCYP, produced by the local authority and its partners, supported by relevant performance information and evidence. Inspectors will not inspect all aspects of work in depth during a core inspection. They will sample evidence to test the LAESCYP's own evaluation of its work. The self-evaluation report will guide how the team samples the evidence, but the main focus will always be on the standards that children and young people achieve. The self-evaluation report will normally contain references to the authority's key documents and should focus on the main strengths and areas of development of the authority's performance. Self-evaluation should be part of a local authority's annual cycle of management tasks and part of a corporate cycle of review.

The outcomes achieved by children and young people and the progress they make are the key measure of the quality of the education and training that they have received and of the effectiveness of the leadership and management of the LAESCYP. Inspection will focus on the needs of children and young people and the impact that education and training have on raising standards. Inspectors will also consider the outcomes of the Wales Audit Office and CSSIW reports.

All inspections are carried out in line with our Welsh Language Scheme, available from Estyn's website www.estyn.gov.uk.

We will inspect LAESCYP in all local authorities twice within a six-year programme of inspections and undertake appropriate follow up activity. The first inspection will be a core inspection.

Core inspection reports will cover all key questions and quality indicators of the common inspection framework.⁴

The inspection team

Inspection teams will be led by HMI (or Additional Inspectors on secondment to the inspectorate), with other team members drawn from among HMI or additional inspectors. Additional inspectors may be on secondment or contracted to the inspectorate and staff currently working in the sector (peer inspectors).

The link inspector for the local authority from the inspectorate's regional team will usually be part of the team but will not usually act as the reporting inspector.

The reporting inspector manages the inspection team and the whole inspection process, and is the first point of reference for everyone involved in the inspection.

⁴ Please see Annex 6 Common Inspection Chart.

The local authority will be invited to select a senior member of staff, called the nominee, to work with the inspection team. The nominee will have sufficient seniority to act as a link between the local authority and the inspection team.

The inspection team will always include an inspector from the Wales Audit Office (WAO). The team may be joined by inspectors from Care and Social Services Inspectorate for Wales (CSSIW) or Health Inspectorate Wales (HIW). The reporting inspector will contact CSSIW before the inspection to ascertain whether CSSIW will join the inspection team.

Contacting the local authority before the inspection

Section 23 of The Local Government (Wales) Measure 2009 requires the Auditor General for Wales to produce a timetable for regulatory activity for each local authority. A programme of local authority inspection for LAESCYP will be planned over a three-year cycle. This programme will be discussed with other regulators to help avoid duplication and take advantage of opportunities to work jointly with WAO, CSSIW or HIW.

This three-year programme will be shared with local authorities. Prior to an inspection, the inspectorate will contact the appropriate director to set up the arrangements for the inspection. The first contact is an important opportunity to build up a constructive relationship and a climate of trust.

The inspectorate will:

- explain the purpose of the inspection and discuss an outline programme for the inspection;
- establish whether the local authority wishes to have a nominee and, if it does, agree the role of the nominee and who would be most appropriate;
- discuss the information required before the inspection and make the arrangements for receiving it in an electronic form if possible;
- arrange the availability of supporting evidence;
- discuss the timetable requirement for interviews and visits, including meetings with children and young people and other stakeholders, and explain that these will be linked to lines of enquiry;
- organise any domestic arrangements such as a base for the inspectors and parking;
- ask if there are any issues or risks the team should be aware of and ask for a general health and safety briefing for the team at the start of the inspection;
- ensure that there are agreed procedures for addressing any concerns or complaints that might arise during the course of the inspection;
- set up the arrangements for feeding back the inspection findings; and
- confirm the key matters of the arrangements in writing.

The inspectorate will require a copy of the local authority's most recent self-evaluation report and relevant business or action plans. The inspectorate has developed a self-evaluation manual to assist the local authority in preparing a self-evaluation of its LAESCYP. This is available on our website www.estyn.gov.uk.

The inspectorate will ask the local authority to inform other partners and stakeholders about the inspection. The inspectorate will inform the local authority about their procedures for gaining the views of children and young people and stakeholders.

Planning the inspection and preparing the team

Taking into account the local authority's self-evaluation report on its LAESCYP and any information already held by the inspectorate, the reporting inspector will plan the inspection and allocate responsibilities to members of the inspection team.

The inspectorate will arrange to get a briefing on the LAESCYP from the WAO Improvement Assessment Lead (IAL), Estyn link inspector for the local authority, regional inspector from CSSIW and others as appropriate.

Inspectors will form hypotheses based on the self-evaluation report and other information and use these hypotheses to direct their lines of enquiry during the inspection. This will also inform the timetable of interviews and on-site work of the inspection.

During the inspection

The reporting inspector and one other team member will always meet senior officers and elected members with the nominee at the start of the on-site part of the inspection to share hypotheses and lines of enquiry and clarify arrangements for the inspection. The discussions will centre on the evidence that needs to be reviewed through sampling, testing and validating the evaluations made by the local authority. The more open inspectors are about the initial impressions at this stage, the more likely it is that the local authority will understand and accept inspectors' judgements later in the inspection.

Inspectors will evaluate the provision and make two overall key judgements. These overall judgements will derive from the judgements made on the three key questions. Each key question is broken down into quality indicators which have a number of aspects.

Gathering and reviewing inspection evidence

Inspections start from the local authority's self-evaluation report on its LAESCYP. If the self-evaluation report has not been prepared immediately prior to the inspection, it should be accompanied by an action plan that provides up-to-date information about progress made in addressing issues. Inspectors will sample, test and validate the evaluations made by the LAESCYP.

Inspectors will formulate lines of enquiry based on an analysis of pre-inspection evidence. The team will plan the inspection so that they can cover the reporting requirements and pursue the identified lines of enquiry that are specific to the LAESCYP.

The team will ensure that they have enough time to review the key evidence that is needed to make judgements. The team will need to ensure that it is focused on the

key evidence that can be used to substantiate its judgements. The main forms of evidence are:

- briefings from the WAO IAL, Estyn link inspector for the local authority and regional inspector from CSSIW;
- documentary evidence, including data on learner and local authority performance and progress;
- direct observations of provision, training sessions and other activities (these may be infrequent and only where needed);
- the views of children and young people and stakeholders; and
- discussions with officers, members and other stakeholders.

Details of the main sources of evidence are included in Annex 1: Sources of evidence.

The sample of evidence should be selected in order to cover the key questions, quality indicators and aspects, and to meet the needs of particular lines of enquiry. If you have enough evidence on an issue, you may not need to continue with scheduled reality checks and it may be better to refocus on where you need more or better evidence instead. You will record your findings on a pre-inspection judgement form (PJEF).

The local authority should make information available to the inspection team about the standards achieved by children and young people, particularly the results of any initial screening tests and assessments at key transition points. This will help inspectors to judge children and young people's progress and to come to a view about the standards children and young people achieve compared to starting points. Information should also include outcomes of any surveys with learners or service users. Estyn will also consider data available from the Welsh Assembly Government.

The team will need to consider the views of a range of stakeholders on the LAESCYP and test out the validity of those views during the inspection in order to inform judgements. Inspectors will use the local authority's own feedback from stakeholders as a starting point for this work.

It is important that the reporting inspector holds a daily meeting with an agreed senior officer for LAESCYP to agree new arrangements, discuss matters of concern, clarify inspection issues and obtain further information. In addition, at this meeting, the reporting inspector will discuss emerging findings with the nominee and an agreed senior officer for LAESCYP.

Recording inspection evidence

A judgement form (JEF) must be completed that summarises the evidence from the inspection. This includes observation of learning activities, discussions with children and young people, interviews with staff, interviews with leaders and managers, scrutiny of documentation and performance information. Inspectors should record their judgements in a way that can be used in the inspection report.

Team meetings

The main purpose of team meetings is to arrive at an accurate and thoroughly tested corporate view of outcomes, quality of provision and leadership. The whole inspection team will agree on overall judgements that are based upon sufficient valid and reliable evidence. Meetings will have clear agendas and there will be opportunities for inspectors to:

- test the judgements in the LAESCYP's self-evaluation report;
- discuss emerging issues;
- resolve pre-inspection issues and hypotheses;
- confirm judgements and agree or remove meetings as necessary;
- discuss any gaps in the evidence base; and
- consider main inspection findings and recommendations.

Giving feedback

At the end of every day, the reporting inspector should, as far as practicable, offer to provide feedback on where the team has got to in the inspection process. This is an opportunity to share strengths and possible areas of concern as well as the need for further evidence. The LA officers should be told that this is interim feedback on one aspect of the evidence. Feedback may be amended, on reflection, after scrutiny of further evidence or talking to learners, or as the result of moderation within the team or during moderation at Estyn. Inspectors should not award judgements as a 4-point scale but instead identify strengths and areas for improvement to take to moderation, as a result of specific meetings, focus groups, document scrutiny, interviews, etc.

At the end of the on-site part of the inspection, the reporting inspector and a small number of the team will provide oral feedback to senior officers and members. The feedback should be adapted to suit the audience. The feedback should convey the main judgements and the reasons for them, and should not aim to cover all the detail within the written report. The WAO IAL should be invited the authority to attend the meeting. In addition, DCELLS may wish to attend the feedback meeting with observer status. If this is the case, DCELLS should contact the local authority directly to arrange for the attendance of a DCELLS official.

The feedback meeting provides the opportunity for local authority and key partnership staff, elected members and partners to assimilate and to reflect on the judgements. The feedback should focus on the strengths and areas for improvement and the factors that contribute to them. The reporting inspector should explain to the local authority that issues may be discussed and factual matters may be clarified, but judgements are not negotiable. There should be broad consistency between the evaluations that are fed back and what appears in the written report unless the evaluations are required to change as a result of internal moderation within Estyn after the inspection.

All the judgements that are reported during an inspection are provisional and confidential. This should be made absolutely clear to all present at the start of the feedback session.

When the report has been published, the reporting inspector or the authority's link inspector, whoever is available, may accept an invitation from the Council to present the report to the full Council or to a group of designated members and officers. The Wales Audit Office IAL should be invited any such meeting by the authority. As the text of the report will have been published by this stage, this will not be an opportunity to reopen previous debates, but will afford an opportunity to explain and amplify the report's findings. You should ask whether members of the press are present and clarify that you are presenting the main findings and recommendations of the published report to a wider audience than might have been able to attend the original feedback from the inspection team.

It is very important that you adhere to the content of the published report. Avoid straying into unsubstantiated comments either through being drawn into member's questions or by getting carried away with exemplification. Do not make reference to the performance of other local authorities or make comparisons with other named authorities; this is not the inspectorate's practice in a public arena.

After the inspection

Follow-up activity

During all core inspections, the inspection team will consider whether the local authority needs any follow-up activity.

The arrangements for follow-up inspections are outlined in Annex 7.

The inspection report

The reporting inspector is responsible for producing a final inspection report that is clear to a lay audience and helpful to the local authority and its partners. We will publish reports bilingually where this has been requested, in line with the inspectorate's Welsh Language Scheme. In most cases, the main body of the report will be concise and will focus on key strengths and areas for development and will normally reflect the lines of enquiry that inspectors have followed.

The structure of the inspection report is based on two overall summary judgements, three key questions and the quality indicators and will take the following form:

Context

Summary

- overall judgement on current performance of the LAESCYP
- overall judgement on the local authority's prospects for improvement

Recommendations

Main findings

Key Question 1: How good are outcomes?

- standards
- wellbeing

Key Question 2: How good is provision?

- support for school improvement
- support for additional learning needs
- promoting social inclusion and wellbeing
- access and school places

Key Question 3: How good are leadership and management?

- leadership
- quality improvement
- partnership working
- resource management

Annexes

The two overall judgements, the three key questions and the quality indicators listed above will each be awarded a judgement on a 4-point scale:

Excellent
Good
Adequate
Unsatisfactory

The report will be produced within statutory or agreed sector timescales. The inspection period will be one working week although the number of days taken up by individual inspectors will vary according to the size of the local authority.

The reporting inspector will give the local authority a late draft report to help check the factual accuracy of the content. The local authority and its partners have five working days in which to consider the draft report. The reporting inspector will take account of comments offered and correct factual errors.

Five working days prior to the publication of the final report, the inspectorate will send an embargoed electronic copy to the Director General for DCELLS so that DCELLS can prepare a briefing paper for the Minister.

The inspectorate will send electronic copies of the final report to the chief education officer, the elected member with main responsibility for education and the chief executive of the local authority.

The inspectorate will also send a copy of the report to the Wales Audit Office. Where inspectors from one or more other inspectorates have joined the team for a local authority inspection, Estyn will send a copy of the report to the inspectorate(s) concerned. Both Estyn and the Wales Audit Office may make the report available on the internet after it has been published.

Local authorities must prepare and publish an action plan within 50 days of receipt of the inspection report from the inspectorate. Work Matters note 138/2007 sets out the inspectorate's procedures for responding to action plans produced by local authorities following inspections of local authority education services.

Meeting statutory requirements

Local authority LAESCYP work is governed by a range of statutory requirements. The inspectorate expects a local authority and its partners to evaluate how effectively they meet these requirements through their own normal self-evaluation procedures. They should indicate how well they meet these requirements in their self-evaluation/self-assessment report. Inspectors will use the self-evaluation/self-assessment report and other information to identify any issues in relation to how effectively the local authority meets its statutory requirements. Inspectors will investigate these issues further during the inspection where they are likely to have a significant impact on standards and quality.

Failure to meet statutory requirements that affect quality and standards will be reported in the text and may result in a judgement no higher than adequate for the relevant key question.

Details of the relevant statutory requirements are included in Annex 2.

We inspect education and training but we are not a regulatory body. Where appropriate, inspectors from other audit, inspection and regulatory bodies may consider some aspects of service provision while on inspection. However, all members of an inspection team will act in line with our own and providers' safeguarding procedures in relation to safety or welfare.

The inspectorate inspects and reports on whether or not the arrangements for safeguarding children and/or vulnerable adults are appropriate. All sector inspections will report on Safeguarding under Key Question 2 (2.3.4 safeguarding arrangements).

If an inspector is alerted to an allegation/suspicion in respect of a child, young person or vulnerable adult, that inspector will follow the procedures as set out in Section 4 of the inspectorate's Policy and Procedures for Safeguarding 2009.

Assuring the quality of inspections

The inspectorate is committed to:

- effective selection, training, briefing, support and deployment of inspectors, including peer inspectors;
- effective training, briefing and support for the nominee;
- regular dialogue with the LAESCYP during inspection and the active role of the nominee;
- criteria and recording systems that comply with the inspection framework and guidance;
- careful review and analysis of evidence;
- unambiguous oral feedback;
- consistently clear, accurate and well-presented reports; and
- maintaining appropriate internal moderation and quality improvement activities, including the occasional monitoring of inspections.

The local authority should raise any concerns about an inspection with the reporting inspector during the inspection. Any objections to the findings of inspection should also be discussed with the reporting inspector as they arise during the inspection. The quality assurance of the inspection will always be carried out by the reporting inspector in the first instance and a sample of inspections will be quality assured by the inspectorate.

If complaints about the inspection, inspection findings or the report cannot be resolved at this informal stage, then the local authority should write to the inspectorate's Feedback and Complaints Manager, asking for its complaint to be considered further. A leaflet explaining the inspectorate's feedback and complaints procedure in full is available from the inspectorate's website www.estyn.gov.uk.

Part 2: Writing the report

The guidance that follows shows how to complete the context, summary and recommendations of the report, and sets out the reporting requirements for each key question.

Context

The context section of the report should contain brief information about the LAESCYP. This could include any useful background information such as the number and nature of children and young people, the location of the local authority, issues it faces and any significant changes since the previous inspection. The content of this section needs to be agreed with the local authority.

Where there is disagreement about the content of this section, the reporting inspector will make the final decision about what to include in the report.

Summary

The summary contains the two overall judgements on the local authority's performance and prospects for improvement in relation to LAESCYP and a supporting statement.

The supporting statements for the top two judgements need to explain briefly, in two or three sentences, why the judgements have been made.

Overall judgement on the current performance of the provider

The overall judgement using the four-point scale for current performance of the local authority's **LAESCYP** should be based on the judgements made on the three key questions. The greatest weight should be given to the judgement about Key Question 1.

Normally, the overall judgement should be no higher than the lowest judgement awarded to any key question. The overall judgement can be one level higher than the lowest level awarded to any key question, but the reasons for this exception must be explained clearly and fully in the report. During the process of moderating the inspection judgements, such exceptions will be carefully considered.

Overall judgement on the provider's prospects for improvement

The second overall judgement represents inspectors' confidence in the local authority's ability to drive its own improvement in the future. The judgement will be heavily influenced by the evaluations in Key Question 3 (How good are leadership and management?), as well as evidence of the provider's track record in securing improvements.

In coming to a judgement about the prospects for improvement, inspectors will consider whether leaders and managers have:

- the capacity and capability to make improvements and implement plans;
- a successful track record in managing change;
- clear priorities and challenging targets for improvement;
- coherent and practical plans to meet targets;
- a successful track record in addressing recommendations from previous inspections;
- resources to meet the identified priorities; and
- appropriate systems to review progress, identify areas for improvement and take effective action to remedy them.

The summary must be consistent with the text in the body of the report and the oral feedback to the local authority and its partners.

Judgement descriptions

The following descriptions are intended as guidance to help inspectors to make judgements by considering the relative balance and significance of strengths and areas for improvement. Each judgement made will be based on professional judgement and will be a best fit based on the range of evidence presented.

Areas where significant strengths or areas for improvement would have an effect on the overall judgement on the quality indicator involved are specified in this document as reporting requirements.

Inspectors will need to check which judgement descriptor on the four-point scale is the best fit for each quality indicator and key question.

Excellent – Many strengths, including significant examples of sector-leading practice

Good – Many strengths and no important areas requiring significant improvement

Adequate – Strengths outweigh areas for improvement

Unsatisfactory – Important areas for improvement outweigh strengths

Judging key questions and quality indicators

The judgement for Key Question 1 cannot be above adequate when outcomes show trends over three years at levels lower than expected for a range of key performance indicators, taking account of contextual and deprivation factors.

There is a strong link between outcomes, provision and leadership and management. If leaders and managers are working effectively then this should be reflected in the provision and in the standards that children and young people achieve. Hence, normally, the judgement for Key Question 2 and 3 will not be at a level higher than the judgement for Key Question 1. Where there are differences between the judgements awarded to Key Questions 1, 2 and 3, these should be explained in the text of the report.

Normally, the overall key question judgement should reflect the judgements awarded to quality indicators within the key question and should be no more than one level higher than the lowest level awarded to any quality indicator. However, judgements made by the team will be the best fit based on the range of evidence presented.

If the local authority does not have an appropriate safeguarding policy or procedures in place, or if the implementation of policy and procedures is not effective, the judgement for 2.3 (the quality indicator for promoting social inclusion and wellbeing) should be unsatisfactory.

The judgement on resource management as a quality indicator should not normally be higher on the scale than judgements for Key Question 1 but it may be lower.

Recommendations

The recommendations should give the local authority clear and specific indication of the areas for improvement for LAESCYP that it will need to address in its action plan. Inspectors should write the recommendations in order of priority. The recommendations should arise from the main judgements and should provide a clear and practicable basis on which the local authority and its partners can act. The number of recommendations should be kept to a minimum and help the local authority address the key findings as opposed to being a list of tasks.

Quality indicators

The quality indicators used in inspections are set out below under the three key questions. For each quality indicator, there is a range of aspects. Guidance on how to inspect the quality indicator is set out under each key question.

Inspectors should provide an overall evaluation of all key questions and quality indicators and comment on all aspects. When writing reports, inspectors should take account of Estyn's writing guidance which is available on our website www.estyn.gov.uk.

Exemplification paragraphs for good and unsatisfactory judgements illustrate each quality indicator. These paragraphs should not be used as crude checklists, but as a reference to support the process of coming to a judgement. They should be used in conjunction with the judgement descriptions. Inspectors should weigh up the evidence and determine judgements on the basis of a best fit with the judgement descriptions.

Key Question 1: How good are outcomes?

In coming to an overall judgement for this key question, inspectors will give the greater weight to the judgement about standards.

Inspectors should always consider carefully whether the overall judgement is consistent with available data. When information on the data is not reflected in inspectors' judgements in this quality indicator, the report should explain clearly why this is so.

Inspectors should use a wide range of data, and other evidence, to make judgements on standards and wellbeing. It is important that the local authority is able to provide us with a good range of appropriate and reliable data. If this data, or other evidence, is not available, this may impact on the judgements made. You should also draw upon inspection reports on schools and other local authority providers, as well as reports from partnership inspections. Wherever possible, trends in data over three years will be considered rather than performance only in a single year.

It should be assumed that there will be a close relationship between the standards reached by schools and the authority's performance in national curriculum assessments and external examinations. Where this is not the case, inspectors should investigate and, if necessary, explain clearly the reasons for any apparent contradictions. You should not, for example, report that standards are excellent or good in an authority that has many schools usually well into the third or in the fourth quarter for most indicators or whose performance is consistently among the lowest in its family of authorities, unless the report provides a clear and valid explanation for the apparent contradiction.

1.1 Standards

- 1.1.1 results and trends in performance compared with national averages, similar providers and prior attainment
- 1.1.2 standards of groups of learners

- 1.1.3 not applicable
- 1.1.4 skills
- 1.1.5 Welsh language

Issues in inspecting the quality indicator

In inspecting how good standards are and to report on the quality indicators above, inspectors, where appropriate, may use the following outcomes from service areas and/or aspects of work with partners of the local authority to come to judgements and report. Standards will be judged as outcomes from a wide range of learning opportunities both within schools and beyond, including those for provision for non-formal learning.

1.1.1: results and trends compared with national averages, similar providers and prior attainment

The starting point for analysing the performance of the schools in the local authority should be the relevant Welsh Assembly Government statistical releases and other relevant benchmarking tools and the local authority Core Data sets released by the Welsh Assembly Government. When evaluating outcomes you should say whether the local authority is above, near to or below the All-Wales benchmarks or averages. This should include measures of attainment and achievement and the other key outcomes of children and young people, including those performance indicators identified as national priorities or for the core aims in the Children and Young People's Plan. These outcomes could include, for example, accreditation and awards such as those offered through Award Scheme Development and Accreditation Network (ASDAN), Duke of Edinburgh and John Muir Awards.

You should identify whether data shows that trends are downward, by comparison with national levels and with other similar local authorities.

Inspectors should consider whether pupils move on to courses or employment that are appropriate for their ability, interests and previous performance. In particular, at the end of key stage 4, inspectors should consider the destinations of all pupils and not just that stay on into the sixth form. Inspectors should consider the number of school leavers not in education and training (NEETs). The analysis of destinations should include comparisons with local and national averages. At the end of the sixth form, inspectors should consider whether students move on to appropriate higher or further education courses, or employment. The information should be compared with local authority and national data.

Using the range of analyses

It is important to consider the picture given by the whole range of analyses available over a period of time, usually three years. You should not base conclusions on one year's performance, on one individual indicator or on only one type of analysis. It is important to look at the whole picture.

Comparison to national averages to identify trends in performance over at least three years.

Comparison to national averages should be used to identify whether an authority's

rate of progress is better than the national improvement and to identify relative strengths or areas for development in trends in different indicators.

These comparisons should be made over at least three years since data trends over this period carry more weight than performance in a single year. Reports must contain a comment on trends over the previous three years and whether performance is generally improving, fluctuating or declining. This should be considered and reported on.

The judgement for 1.1 Standards cannot normally be above adequate when an authority has been consistently performing below the averages for similar local authorities in many key performance indicators over three years, taking account of the authority's context, including deprivation factors.

You should give more weight to those analyses that present comparisons with similar authorities. You should compare performance in the local authority's schools with similar schools from the free-school-meal benchmarks, and compare the local authority's performance with that of modelled expectations using free-school-meals.

Inspectors will consider outcomes from school inspections.

1.1.2: standards of groups of learners

Inspectors should judge the outcomes achieved by particular groups of learners in schools and other settings, such as accredited outcomes in youth settings (for example Duke of Edinburgh Award), and in particular the attainment and achievement of children and young people with ALN and those from vulnerable groups (see annex 5 for definition). In addition, inspectors should consider outcomes from pupils entitled to free school meals, and how boys perform in comparison to girls. Where possible, inspectors should compare outcomes with children and young people in similar authorities. Inspectors will consider how many young people are not in education, employment or training (NEETs).

1.1.3: not applicable

1.1.4: skills

You should place great emphasis on skills development, in particular on literacy, and accredited outcomes from young people's work with youth support services.

Inspectors should also judge how well children and young people develop their literacy, communication, numeracy and ICT skills across the range of education and training provision.

You should take account of evidence and findings in relevant school inspection reports.

1.1.5: Welsh language

In inspecting Welsh Language, you should look at progress from one key stage to the next. Inspectors should evaluate continuity between key stages, trends in performance in assessments and examinations including benchmarking against similar providers. Inspectors should consider what is reasonable to expect taking

into account the linguistic background and context of the authority and the area it serves. For example, an area where Welsh is spoken by a significant proportion of the local community should achieve higher standards in Welsh than an area where learners have few opportunities to come into contact with the Welsh language.

Good standards

Generally, performance against headline attainment indicators for key stages over the last three years has been above expected levels when a range of contextual information is taken into account. Instances of attainment significantly below expectations, especially in core subjects and for sizeable groups of learners, are rare and there is a pattern of improvement or maintenance of good standards.

Participation rates and performance levels in sporting, cultural, and youth support services are high. The number of NEETS is low. Children and young people progress successfully to the next stage in their education and from school to further education, training or employment. Participation and attainment in Welsh and Welsh as a second language are good and show an improving trend.

Unsatisfactory standards

Generally, attainment indicators for each key stage over the last three/four years have been well below the expected level when compared with similar local authorities. There is little sign of improvement. Instances of significantly above average attainment, especially in core subjects and for vulnerable groups of children and young people, are rare.

Attainment in Welsh or Welsh as a second language compares favourably with similar authorities at some key stages but there is not good progression through all key stages or an improving trend in performance. The proportion of young people progressing into further education, training or employment is not improving and is low compared to other similar authorities.

1.2 Wellbeing

- 1.2.1 development of healthy and safe attitudes
- 1.2.2 participation and enjoyment in learning
- 1.2.3 community involvement in decision making

Issues in inspecting the quality indicator

When evaluating wellbeing, inspectors should analyse the data that the LAESCYP will have from schools and other partners about children and young people's wellbeing. Inspectors should report on outcomes from the inspection of schools and other relevant sectors and any evaluations from the Children and Young People's Plan (CYPP). Achievement against performance indicators and targets within the CYPP should also be considered. You should also use evidence from the local authority's self-evaluation of wellbeing as well as evaluations from the CYP partnership.

1.2.1: development of healthy and safe attitudes

Inspectors should report on a range of data from the CYPP and evidence from school and other inspection reports to evaluate the extent to which children and young people are healthy and have a good understanding of how they can stay healthy, both through what they eat and the physical activity they undertake. Inspectors should consider a range of information including data from programmes such as those to extend the number taking physical activity and making healthy choices. You should use data from the CYPP and school and other inspection reports to evaluate the extent to which children and young people feel safe in schools, youth support services and other settings.

Inspectors should make sure that any enquiries focus on the impact of LAESCYP on the development of healthy and safe attitudes across a range of settings.

1.2.2: participation and enjoyment in learning

When evaluating children and young people's participation in learning, you should look at the outcomes of school inspection reports. You should also take into consideration the overall school attendance rate, and work closely with inspectors looking at Key Question 2. You should also consider the reach and attendance levels for the local authority youth service.

When evaluating behaviour, you should take into consideration the rates of permanent and fixed-term exclusion.

You should analyse the impact of joint working by the LAESCYP and other partners to ensure the general wellbeing of children and young people while out of education or in the process of reintegration into education.

1.2.3: community involvement and decision making

When evaluating children and young people's contribution to the community and involvement in decision making, you should look at the local authority's reports on the outcomes of school councils and other forums which allow children and young people's voices to be heard. You should look at the local authority's reports on how children and young people have been able to influence policy decisions made by their schools, communities and local authority. You should also consider the contribution of community-focused schools and community learning provision.

Good wellbeing

School inspection reports indicate that learners exhibit good standards of behaviour, and that they are involved well in decisions about their life in the authority's schools or maintained settings. The inspection reports also show that learners participate well in learning activities. There are good outcomes in relation to the targets in the local authority and partnership plans. The youth service has a good reach and young people participate well in youth service activities. The evidence from data is that there is good take-up of programmes of physical activity and participation rates in specific schemes are high. School attendance rates are good and exclusion levels are low.

Unsatisfactory wellbeing

School inspection reports indicate that groups of learners exhibit poor behaviour regularly and this inhibits other pupils' progress. Evidence from school inspection reports is that learners are not involved well in making decisions about their life in the authority's schools and youth settings. Data indicates low take-up of specific programmes of learner activity. School attendance rates are below expected levels and there are high numbers of pupil exclusions from schools.

Key Question 2: How good is provision?

In coming to an overall judgement for this key question, inspectors will give equal weight to the quality indicators.

2.1 Support for school improvement

- 2.1.1 local authority support, monitoring, challenge and intervention
- 2.1.2 the authority's work in raising standards in priority areas, including curriculum support
- 2.1.3 not applicable
- 2.1.4 support for school leadership, management and governance

Issues in inspecting the quality indicator

In considering how the work of the local authority promotes school improvement, inspectors should look at the quality and impact of the broad range of education services for children and young people. You should evaluate how the local authority monitors the impact of this work on schools. You should also consider how the local authority monitors the work in other settings including youth settings and in community learning where the local authority is a provider.

2.1.1: local authority support, monitoring, challenge and intervention

In inspecting local authority support, monitoring, challenge and intervention, you should consider whether Partnership Agreements with schools are effective. Inspectors should use the local authority's reviews of the Partnership Agreement to help reach these judgements.

Inspectors should judge whether the authority has appropriately differentiated procedures for monitoring, challenge and intervention with a focus on under performing schools, low performing schools and schools operating in challenging circumstances.

Inspectors should judge how well schools understand the mechanisms used by the local authority to fulfil its statutory function to challenge intervene and support schools. Inspectors should also judge how well the local authority, with schools, monitors and manages the quality and cost of any brokerage arrangements for school improvement services and/or consortium arrangements for school improvement responsibilities. Inspectors should judge whether the local authority is aware of how effective these processes are.

You should judge the robustness of monitoring visits by officers and/or advisers and the clarity of their written reports, as well as their impact on schools or services.

Inspectors should judge the quality of data that the authority provides to schools and whether there is an appropriate range of performance, benchmarking and comparative data available. You should evaluate whether data is distributed in a timely way to schools and used appropriately to challenge schools to improve.

Inspectors should evaluate how well the authority supports schools in developing effective procedures for self-evaluation. When schools are causing concern, you should evaluate how effective local authority monitoring is in identifying shortcomings at an early stage. Inspectors should look at the authority's allocation of its centrally-retained school improvement resources to see if they are targeted to those schools most in need. This should include considering how well the authority monitors progress closely in under-performing schools and uses the full range of its legal powers when schools do not make sufficient progress.

Inspectors should use the outcomes from school inspections to help judge the impact of the local authority's school improvement work, including the number of schools placed in a category. Inspectors should consider how a local authority uses its powers to intervene and support schools.

2.1.2: the authority's work in raising standards in priority areas, including curriculum support

Inspectors should evaluate the authority's strategy for raising standards in priority areas (for example literacy, numeracy, ICT and KS3) and whether the strategy is clear, coherent and well understood by schools. You should place a particular emphasis on literacy in view of its importance in learners being able to access other areas of the curriculum. You should use the outcomes of school inspections and evidence from the local authority's monitoring of the impact of its strategy to help make judgements about its effectiveness.

You should judge how well the authority promotes wellbeing, such as healthy lifestyles and participation in physical activity (and supports schools in doing so) through proactive work.

Inspectors should evaluate whether the local authority is identifying accurately and prioritising areas in order to raise standards; whether funding for resources follows the priorities; whether partnerships are used for greatest impact; how well curriculum support is used to address CPD needs and support the raising of standards; and how well the authority delivers enhanced curriculum support to meet the needs of the prioritised learners. This should include consideration of the impact of the local authority's work to develop Learning Pathways for 14 to 19-year-olds. This should also include work in youth settings and in community learning provision.

2.1.3 not applicable

2.1.4: support for school leadership, management and governance

Inspectors should evaluate how successfully the authority has identified the overall management development needs of governors and senior and middle managers in schools across the authority. You should consider how successfully this analysis has informed a systematic programme of support and development for senior and middle

managers including mentoring, consultancy, leadership programmes and the dissemination of good practice. In particular, you should consider what impact this support has had on school improvement, including improving better resource management and improved provision and outcomes.

You should evaluate whether the authority has effective policies to manage governor recruitment including from minority groups. These policies should result in low or decreasing rates of governor vacancies. You should consider whether the authority ensures governors are provided with relevant information about the school's performance, including analyses of financial data and of pupils' performance compared to that of similar schools.

Good provision for school improvement

The local authority provides effective and appropriate monitoring, support, challenge and intervention for all schools, including special schools and pupil referral units. These arrangements are clear and agreed and understood by schools. Data and first-hand evidence are used well to target a range of support for schools which results in improved curriculum and better outcomes for children and young people. Very few schools are identified by the inspectorate as causing concern and those that are make quick progress to improve with support from the local authority. Overall pupil performance is good and improving. The local authority regularly and robustly identifies the development needs of governors, senior and middle managers. A good range and quality of training and support is available and take-up is high.

Unsatisfactory provision for school improvement

The local authority monitors schools' performance and regularly discusses this with schools. However, officers do not provide enough challenge and targeted support where there is underperformance. Schools are not clear about the local authority's analysis of their effectiveness or what category they are placed in and the partnership agreement is not consistently applied. Although a range of curriculum initiatives and training may be in place, these are not co-ordinated or targeted. Their impact is limited and good practice is not widely sought out and shared. A range of governor support and training is available but is not widely taken up.

2.2 Support for additional learning needs and educational inclusion

- 2.2.1 work to meet its statutory obligations in respect of children and young people with additional learning needs (ALN)
- 2.2.2 work in raising standards for children and young people with ALN
- 2.2.3 provision for children and young people with ALN, including provision that is commissioned and/or provided by or with other agencies
- 2.2.4 work with parents and carers of children and young people with ALN

Issues in inspecting the quality indicator

Inspectors should judge the impact of the authority's provision on educational outcomes for all children and young people with additional learning needs (ALN) aged 5 to 16 years, and where appropriate on children under five and young people over 16. This involves the range of needs including the needs of learners who are

gifted and talented.

The term ALN applies to children and young people whose learning needs are additional to the majority of their peers as defined in annex 5.

2.2.1: work to meet statutory obligations in respect of children and young people with additional learning needs (ALN)

Inspectors looking at 2.2 and 2.3 should work closely together to avoid duplication and repetition

Inspectors should evaluate how well the authority fulfils the requirements of the SEN and Disability Act 2001, including how the authority provides all children and young people with statements of SEN with the additional provision to which their statement entitles them.

You should judge how well the authority fulfils the requirements of the Children Act 2004 and section 175 of the Education Act 2002. In particular, you should evaluate whether the authority ensures that:

- safeguarding policies and procedures effectively promote the safety and wellbeing of children and young people with ALN; and
- it promotes the educational achievement of looked after children who have ALN.

You should judge how good the local authority is at early identification, assessment and intervention, and that pupils with ALN have access to provision in line with their needs.

2.2.2: work in raising standards for children and young people with ALN

Inspectors should evaluate how well the authority provides effective training for staff in early years settings and in schools to enable them to meet the needs of children and young people with ALN and how it develops the capacity of all educational settings to meet pupils' additional learning needs. You should evaluate how outreach services, including any that are provided by special schools, have a positive impact on outcomes for children and young people with ALN.

You should evaluate how effectively ALN services work with school improvement and other services to use data appropriately to identify the performance and needs of children and young people with ALN. In addition, you should consider how well this information is used to set meaningful targets for improvement, monitor educational progress and target interventions appropriately.

Inspectors should judge how the authority monitors and evaluates the impact of its policies and provision on the achievements of children and young people with ALN, and takes timely action to address any under-performance.

2.2.3: provision for children and young people with ALN, including provision that is commissioned and /or provided by or with other agencies

Inspectors should evaluate how effective the work of the authority is in:

- helping children and young people with ALN to make good educational progress in relation to their individual learning targets;

- preventing the exclusion of all pupils; and
- achieving high standards of attendance by all pupils.

You should evaluate how children with ALN are identified and if their needs are assessed at a sufficiently early stage for their needs to be met. You should judge whether there are clear criteria for allocating and ceasing to provide additional support for pupils with ALN and whether protocols are consistently applied across agencies for assessing the individual needs of children and young people, and for deciding on provision. You should also judge whether children and young people have access to an appropriate range of support to meet their needs. The local authority's quality assurance and auditing processes will provide evidence of how consistently the agreed policies and criteria are applied.

Inspectors should judge how well the educational and training provision for children and young people with ALN meets their curriculum, staffing, equipment and transport needs, and is effectively co-ordinated. This should include evaluating how the progress of individual children and young people with ALN is regularly reviewed and communicated between agencies, and targets revised accordingly.

Inspectors should evaluate whether:

- pupils with difficulties in physical or mental health who are unable to attend school receive as much education as possible, and maintain good links with their schools;
- children and young people with ALN are prepared and supported when they make transitions between different phases of education and different settings;
- children and young people with ALN receive impartial information, advice and guidance on educational training and employment opportunities post-16;
- pupils with ALN, particularly those with difficult behaviour or who are reluctant to attend school, receive targeted support to improve their behaviour and attendance; and
- children who have ALN receive timely and effective support.

You should evaluate how well individual children and young people are consulted and listened to when key decisions are made about:

- their own future;
- local provision; and
- the planning and management of new services.

2.2.4: work with parents and carers of children and young people with ALN

Inspectors should evaluate the impact of any direct support for parents and carers of pupils with ALN on outcomes for children and young people. Inspectors should use evidence from the authority's consultation with parents.

You should evaluate how well:

- co-ordinated advice and support for parents and carers of children and young people with ALN are, including the SEN Parent Partnership and Mediation services;
- the authority provides clear information that enables parents and carers of

children and young people with ALN to access the services that their children need;

- services give clear information to parents/carers about their child's progress and achievements;
- services support parents/carers and help them contribute to assessment of their child's needs; and
- parents and carers of children and young people with ALN are helped to obtain assessments of their own needs where appropriate.

Good provision for supporting ALN

There are clear and widely understood protocols and decision-making processes to assess and decide on support for pupils with additional learning needs. Nearly all pupils with additional learning needs have access to an appropriate range of support and make good progress. Assessments are carried out at an early stage.

There are effective and co-ordinated advice and support for parents and carers of children and young people which have a positive impact on outcomes. There are good continuation of services and effective transition support to help children and young people move between different stages of learning.

Unsatisfactory provision for supporting ALN

The procedures to assess and decide on levels of support for children and young people with additional learning needs are not widely understood or are applied inconsistently. Many children and young people with additional learning needs access the support they need but their needs are often not assessed early enough. Statutory reviews are not always effectively planned, managed or co-ordinated.

Parents and carers are not always kept well enough informed about their child's progress. In particular, the support for children, parents and carers through transition periods is not routinely good.

2.3 Promoting social inclusion and wellbeing

- 2.3.1 work to promote social inclusion and the wellbeing of all children and young people, including behaviour, anti-bullying, preventing exclusion and education otherwise than at school (EOTAS);
- 2.3.2 promoting attendance and keeping children and young people in education, employment and training;
- 2.3.3 youth support services and personal support; and
- 2.3.4 safeguarding arrangements.

Issues in inspecting the quality indicator

2.3.1: work to promote social inclusion and the wellbeing of all children and young people

Inspectors should judge how well the authority co-ordinates and provides a range of universal and targeted services to promote social inclusion and the wellbeing of all

children and young people. You should evaluate the impact of these services and whether they help to ensure that all children and young people, including vulnerable groups (defined in annex 5):

- receive their equal entitlement to education;
- enjoy learning and achieve high standards, including in formal and informal qualification courses;
- attend school regularly; and
- participate fully in education.

You should judge how well services work with school improvement and use data appropriately to identify the performance and needs of specific groups of vulnerable children. You should consider whether this information is used to set meaningful targets for improvement, monitor educational progress and target interventions appropriately, and how well issues are addressed.

You should evaluate the authority's work to meet its statutory duties in respect of:

- looked-after children (LAC) and corporate parenting;
- excluded pupils;
- promoting race equality and combating racism;
- preventing and tackling bullying; and
- child protection and wellbeing.

You should evaluate whether the education services, social services, the youth service and the youth offending team have agreed and effective procedures for working together and mutually sharing information. You should consider how well the authority is involved in multi-agency work to meet the needs of children and young people. You should judge how well the local authority collects, monitors and evaluates the outcomes of this work.

You should evaluate how individual children, young people and communities are consulted and listened to when decisions are made about their own future; local provision; and the planning and management of new services.

2.3.2: promoting attendance and keeping children and young people in education, employment and training

Inspectors should judge whether or not the authority has clear policies, strategies and interventions to promote attendance and reduce unauthorised absence for all children and young people. Also, you should judge how effectively the authority liaises and co-ordinates between relevant authority services and whether there are good working relationships with schools and other agencies such as the local youth offending team, the police and courts. You should consider whether there is consistent and appropriate use of legal powers and whether all statutory and legal responsibilities are fully met.

You should judge how well the authority monitors the use of exclusion in schools including the rates and length of fixed-term exclusions, the rate of permanent exclusions and the number of exclusions overturned by independent appeal panels.

Also, you should judge how effective is the authority's action is to reduce exclusion rates and whether there are effective arrangements in place for young people to make the transition back into school.

You should evaluate the authority's procedures to identify pupils not in school or at risk of being out of education, employment or training and their impact. You should consider whether there are clear and effective strategies to reduce the numbers of young people who are not in education, employment or training. This could include judging how promptly the authority provides full-time education of a high standard for excluded pupils and young offenders.

Inspectors should judge how readily available and effective guidance, support and training for behaviour management is for schools.

You should evaluate how effective the authority's procedures are to monitor the quality of education of children and young people educated outside school, including children educated at home by their parents. This could include an evaluation of whether the authority provides helpful guidance for parents educating their children at home when requested to do so.

You should judge how well the local authority services for children and young people fulfil their responsibilities to contribute to the delivery of the youth offending team. You should look at the range of targeted programmes to prevent children and young people from offending. You should also look at how information is shared appropriately about the educational performance of young people who offend and those at risk of offending and how this facilitates appropriate assessment and joint planning of individual learning plans within appropriate timescales. You should evaluate how closely the local authority monitors the performance of children and young people who offend and intervenes appropriately. This could include an evaluation of whether relevant officers attend planning and review meetings, including those in the secure estate.

2.3.3: youth support services and personal support

Inspectors should judge the quality of individual youth support services, including its own youth service. You should consider the links to the CYP partnership.

You should evaluate the quality of access for children and young people to programmes which offer accreditation or recognition for learning and participation such as the Duke of Edinburgh's Award, Agored Cymru, Youth Achievement Awards and Millennium Volunteers.

You should also evaluate the range of opportunities for young people to access personal support, advice and guidance and school based counselling in response to their individual needs.

2.3.4: safeguarding arrangements

The inspectorate inspects and reports on whether or not the arrangements for safeguarding children and/or vulnerable adults are appropriate.

The legislative background to the above guidance is to be found in:

- Safeguarding Children: Working Together under the Children Act 2004;
- Safeguarding Vulnerable Groups Act 2006: Controlled Activities Wales;
- In Safe Hands: implementing adult protection procedures in Wales, 2000;
- All Wales Child Protection Procedures 2008;
- National Assembly for Wales Circular 34/02 Child Protection: preventing unsuitable people from working with children and young people in the education service;
- Safeguarding Children in Education: WAG circular 05/08; and
- Independent School Standards (Wales) Regulations 2003.

You should ascertain whether or not providers have appropriate policies and procedures in place in respect of safeguarding. This should include a policy on undertaking CRB checks on school governors.

A policy should set out the following:

- the named senior member of staff's responsibilities for dealing with child protection and safeguarding issues and providing advice/support to other staff;
- clear procedures that reflect the All Wales Child Protection Procedures 2008; and
- arrangements for training. If a provider has appropriate policy and procedures the report will state: 'The provider has appropriate policy and procedures for safeguarding.'

If a provider does not have an appropriate policy and procedures, the report will state: 'The provider has no appropriate policy for safeguarding. Procedures for dealing with safeguarding issues are not fully developed'.

You will need to ascertain whether or not the provider has in place effective recruitment, disciplinary and reporting arrangements to ensure the suitability of staff and volunteers.

If the provider does not have an appropriate safeguarding policy and procedures in place, the judgement 2.3 (promoting social inclusion and wellbeing) should be no better than unsatisfactory.

Estyn is producing supplementary guidance on safeguarding and will update this guidance to reflect any changes to relevant legislation and/or regulation.

Good provision for promoting social inclusion and wellbeing

School attendance rates for the local authority are above national benchmarks and improving. Permanent exclusions are rare and the time lost through fixed-term exclusions is reducing. Excluded pupils are swiftly provided with alternative high quality full-time education.

Clearly targeted support for groups of vulnerable pupils has resulted in significant improvement, for instance in performance, attendance, attitudes, behaviour, confidence, achievement or relationships.

Different services work well together across the local authority to provide seamless

and timely services and support for schools, pupils and parents. Youth support services and personal support are effective in ensuring children and young people's wellbeing.

There is good provision of services around for example, PSE, sports, the arts and healthy eating.

The local authority fully meets safeguarding regulations.

Unsatisfactory provision for promoting social inclusion and wellbeing

Care and support systems have some shortcomings, which mean that particular groups of pupils do not thrive in their learning, development or wellbeing. Children and young people do not have good enough access to a range of support services and there may be delays in providing support or poor communication between services and with children and young people or their parents.

School attendance rates are low overall or they vary too much and there are high levels of unauthorised absences. The number of permanent exclusions is higher than in many other local authorities and a few excluded pupils have to wait long periods to access alternative full-time education.

The local authority does not have an appropriate safeguarding policy and procedures in place. There is little or unproductive involvement of key agencies to reduce the risk of harm to children and young people.

2.4 Access and school places

This section looks at access to services and provision from early years and at all key stages

- 2.4.1 the provision of an appropriate range and number of school places
- 2.4.2 admissions to schools
- 2.4.3 co-ordination of early years and play to ensure sufficiency
- 2.4.4 co-ordination of youth support services to ensure access to entitlements

Issues in inspecting the quality indicator

2.4.1: the provision of an appropriate range and number of school places

Inspectors should judge whether there is enough capacity in both primary and secondary sectors, including Welsh-medium and special education, and whether any school is significantly overfilled or has significant surplus capacity without good reason. Also, you should judge whether the authority has up-to-date knowledge of the capacity of schools including information about overfull schools and numbers of surplus places.

You should judge how well developed and accurate are the systems for forecasting and monitoring the requirements for places across all phases. This could take into account the impact of collaborative arrangements and transformation planning for learners aged 14-19.

You should judge the local authority's asset management planning and the education

capital spending programme. In doing so, you should evaluate whether the authority has accurate, up-to-date information about the condition, sufficiency and suitability of all school buildings. These judgements should be based on whether there is good use of information about local needs and liaison between authority departments, such as housing, planning and social services to link into wider regeneration strategies. You should scrutinise relevant school inspection reports to identify whether facilities are suitable for delivering aspects of the curriculum.

You should judge whether the priorities for investment in school and other education buildings are transparent, whether they are based on an evaluation of their current condition and suitability and have been agreed with the schools involved.

You should evaluate how well the authority plans ahead and evaluates all options to ensure appropriate capital resources are available to deliver its plans. You should consider if funds for repairs and maintenance in school budgets are clearly identified; whether the authority ensures that schools undertake their responsibilities in relation to their premises. You should judge the management of the building programme, including whether emergency repairs are promptly organised. You should consider the authority's plans and its track record of taking decisions in relation to the second overall judgement regarding its capacity to improve.

2.4.2: admissions to schools

Inspectors should judge how local admissions authorities consult each other and co-ordinate their arrangements effectively. You should consider whether the Admissions Forum is effective and whether the information (which should conform to the authority's Welsh Language Policy and may also be in community languages) provided to parents on school admissions is transparent, adequate, clear and understandable and satisfies the Admissions Code of Practice.

You should evaluate whether children coming to live in the authority during the school year, including looked-after children, and children returning from custody who are no longer on a school roll, are accommodated without delay in schools that meet their needs. Also, you should judge whether there are effective arrangements for the re-integration of children who have been excluded from other schools.

Inspectors should evaluate to what extent parents' preferences are met. You should judge whether appeals are dealt with quickly and equitably to enable all pupils to be inducted into their new schools during the summer term before taking up their places in September. Arrangements should comply fully with legislation and guidance related to equal opportunities.

2.4.3: co-ordination of early years and play to ensure sufficiency

Inspectors should judge the authority's audit of provision of "nursery education"⁵ in maintained and non-maintained settings to establish whether the provision is sufficient in their area. You should evaluate whether the authority regularly reviews the sufficiency of nursery education in its area, and the appropriate level of provision for various groups.

You should look at the quality of the plan for the delivery of places in maintained and

⁵ Nursery education means full-time or part-time education suitable for children who have not attained compulsory school age (whether provided at school or elsewhere).

non-maintained settings for the early years and whether it is supported by a clear rationale for the registration of settings.

You should judge how well the authority, in conjunction with its partners, provides support and training for staff working with the early years in both maintained and non-maintained settings. Inspectors should use the local authority's evaluation of its training and support as evidence of this.

You should evaluate the robustness of the authority's quality assurance systems to monitor and evaluate the quality of work with the early years in both maintained and non-maintained settings and judge whether the Children's Information Service provides high quality and effective advice to parents and carers.

Inspectors should judge how effectively the local authority works with other partners to co-ordinate and ensure sufficiency of play provision across the area.

2.4.4: co-ordination of youth support service to ensure access to entitlements

Inspectors should evaluate whether the local authority has worked effectively with partners to ensure an appropriate range of youth support services. Youth support services are those which encourage, enable or assist young persons (directly or indirectly):

- to participate effectively in education and training;
- to take advantage of opportunities for employment; or
- to participate effectively and responsibly in the life of their communities.

You should judge how well the authority works with schools and others to provide a range of youth support services, and the appropriateness of the level of provision. These should provide children and young people with a range of opportunities in line with Extending Entitlement, Learning Pathways 14-19, the Youth Work Curriculum for Wales, the Youth Service Strategy for Wales and local needs. The local authority's audit of youth support services will help inspectors reach judgement about the appropriateness of the range.

You should consider whether the local authority is meeting its statutory responsibilities in relation to those youth services provided, procured or facilitated by a local authority.

Good provision for access and school places

Overall there is enough capacity in all kinds of schools and very few schools are significantly overfilled or with significant surplus capacity. Priorities for investment in the asset management and capital programme are clear, funded and agreed and based upon up-to-date information. The quality of school buildings and other settings is generally good. Admissions arrangements for schools are clear to schools and parents and children moving into the authority are accommodated without delay in schools that meet their needs. A high percentage of parental preferences are met.

Overall, there is an appropriate range of early years, play and youth support services provision which meets the needs of children, young people and their families. The authority regularly audits this provision and provides appropriate support to secure ongoing improvements in quality.

Unsatisfactory provision for access and school places

Although the authority makes some progress in ensuring there is enough capacity in all kinds of schools, a majority of schools are significantly overfilled or have significant surplus capacity. Priorities for investment in the asset management and capital programme are not agreed in consultation with schools and other settings and financial planning does not support these priorities. Significant numbers of schools and settings have serious defects and/or relevant school inspection reports and/or local authority audits indicate that schools lack suitable facilities for delivering aspects of the curriculum. Admissions arrangements for schools are not regularly reviewed and poor understanding or communication means that children moving into the authority often face delays before being accommodated in schools that meet their needs.

The local authority and its partners do not have a good understanding of whether there is an appropriate range of early years, play and youth support services provision which meets the needs of children, young people and their families. Audits of provision are not done regularly and this information of the quality and range of services is not used to plan support and secure improvements.

Key Question 3: How good are leadership and management?

In coming to an overall judgement for this key question, inspectors will give equal weighting to the four quality indicators.

Inspectors will consider carefully the impact of leadership and management and will consider judgements made under Key Question 1 in reaching judgements for Key Question 3.

3.1 Leadership

- 3.1.1 the impact of leadership
- 3.1.2 strategic direction and meeting national and local priorities
- 3.1.3 elected members and other supervisory boards

Issues in inspecting the quality indicator

3.1.1: the impact of leadership

In inspecting leadership, inspectors should take into account the impact of this leadership on the attainment, achievement and wellbeing of children and young people. There is a strong link between outcomes, provision and leadership and management. If leaders and managers are working effectively then this should be reflected in the provision and in the standards that children and young people

achieve. Hence, normally, the judgement for Key Question 3 will not be at a level higher than the judgement for Key Question 1.

You should look at the effectiveness of the leadership of elected members and officers. In doing this, you should consider whether this leadership is effective and purposeful in securing:

- provision that meets local needs, including Welsh language needs as identified through the Children and Young People's Plan;
- provision that is clearly learner-focused and maximises potential;
- children and young people's inclusion and wellbeing; and
- effective and efficient service delivery that impacts on the standards and quality of education and training for children and young people.

Inspectors should judge whether leaders and managers make appropriate decisions relating to overall school improvement and overall services to children and young people.

Inspectors should judge whether the leadership has taken difficult decisions when necessary, following a rigorous and open process of examination and consultation that is consistent with strategic objectives.

You should judge how clearly and transparently the authority consults, communicates its vision, intentions and expected outcomes to schools and other relevant sectors, through focus groups, interviews and inspection reports. You should judge whether leaders and managers create and support a shared understanding of clearly identified needs and priorities for learners.

Also, you should look at the quality of the relationship between LAESCYP, schools and other partners and its impact on outcomes for learners, using impact assessment reports from the local authority and its partners.

3.1.2: strategic direction and meeting national and local priorities

Inspectors should judge the clarity of leaders' vision for the role of LAESCYP, through the authority's documentation, the WAO's annual Improvement Assessment and in the authority's monitoring reports on the work of the Local Service Board, the community strategy, the Children and Young People's Plan, corporate plans and the strategic planning of LAESCYP.

Inspectors should consider how well LAESCYP key strategy documents set out the authority's strategic vision, aims and priorities and how they comply with the requirements of relevant Assembly Government guidance and respond appropriately to national and local priorities. This should include looking at the key educational priorities as identified by the authority and the extent to which they have been accepted by all partners and the local communities. You should evaluate whether these priorities are consistently presented through clear links between strategic and service plans from the Community Strategy, through the Children and Young People's Plan and into other plans such as the Youth Justice Plan or local service plans.

You should evaluate how well different directorates and services across the authority understand the priority given to education in corporate plans and policies and their respective contributions to achieving that priority.

Inspectors should look at how clearly plans are informed by audit, data analysis and evaluations. For example, inspectors should judge whether leaders have planned and resourced provision that meets the Welsh language requirements of children and young people.

You should judge whether strategic plans are coherent and supported by appropriate risk assessments and effective operational plans which include:

- specific objectives;
- measurable and achievable targets including milestones and costs;
- responsibilities allocated to teams or individuals; and
- sources of funding.

You should evaluate whether corporate and other strategic plans are consistent with each other, so that they are clear, well sequenced, affordable and achievable. You should look for the 'golden thread' of education and training running through the various layers of plans, policy agreements and other initiatives.

Inspectors should consider whether stakeholders, including schools, partners, elected members and officers, are aware of and fully committed to achieving the targets for the services.

3.1.3: elected members and other supervisory boards

Inspectors should judge the effectiveness of scrutiny by elected members and other supervisory boards in challenging underperformance and in informing the continuous improvement of service delivery and policy development. In this, inspectors should consider the effectiveness of the Local Service Board (LSB) in identifying and unblocking barriers to improvement. Inspectors should use evidence from the LSB's monitoring of its impact on service delivery.

Good leadership

All officers and elected members share a common vision, values and purpose. Corporate management, committee structures and business systems support high standards of business delivery across the whole of the authority's work. Leaders communicate high expectations for securing improvement and challenge schools positively to good effect. Policies and initiatives are implemented consistently. Officers and elected members use relevant management information about performance to address issues of underperformance and to set objectives and targets that are strategic priorities. Progress against the authority's priorities is monitored and the outcomes for schools are generally good or improving strongly. Elected members show determination in challenging and supporting services and taking difficult decisions to bring about necessary improvements.

Unsatisfactory leadership

Leaders and managers do not communicate well and do not provide clear direction

for schools and the authority's officers. Their vision does not focus enough on improving learning and wellbeing outcomes for learners and, as a result, they have been largely unsuccessful in making and sustaining improvements. Lines of accountability are blurred. Policies and initiatives are not implemented consistently. Leaders and elected members do not have enough relevant information about the performance of the authority's schools, and/or fail to use it to inform the authority's direction, identify under-performance or respond to national and local priorities. Elected members have too little impact on the direction and work of the authority and its schools and do not challenge the authority's officers and its schools enough to bring about improvement. The authority does not meet all its statutory duties.

3.2 Improving quality

- 3.2.1 self-evaluation, including listening to learners and others
- 3.2.2 planning improvement
- 3.2.3 involvement in professional learning communities

Issues in inspecting the quality indicator

3.2.1: self-evaluation, including listening to learners and others

Inspectors should judge the appropriateness of the authority's arrangements for self-evaluation and the quality of the subsequent analysis in identifying strengths and areas for further improvement. Inspectors should consider how well embedded the process of self-evaluation is in the work of the local authority.

You should evaluate whether leaders and managers have established self evaluation arrangements that are comprehensive, systematic and based on first-hand evidence. We should judge whether service providers across the range of LAESCYP understand and are fully involved in the self-evaluation arrangements.

You should evaluate whether service users, partners and other stakeholders have been fully involved and consulted, and whether current performance has been assessed objectively against appropriate comparators.

Inspectors should judge the impact of the views of children and young people, staff and other interested parties and if appropriate account is taken of linguistic and other diversity in the community.

You should judge how well decisions affecting LAESCYP are informed and influenced by consultation with these stakeholders. This could include judging how well informed these stakeholders are about the outcomes and reasons for decisions.

3.2.2: planning improvement

Inspectors should judge the effectiveness of performance management arrangements and their impact on staff, services, partners, workforce development and staffing. Inspectors should use evidence from the local authority's monitoring of the impact of its performance management arrangements.

You should consider how the performance management system allows elected members and senior managers to make effective use of performance indicators to monitor progress against milestones regularly and take appropriate remedial action. Inspectors should judge the impact that planning, priorities and actions to bring about improvement have on outcomes. Inspectors should weigh up the evidence from the local authority's monitoring of the impact of its performance management arrangements.

Inspectors should consider how well the authority has responded to recommendations from the last inspection report and whether the authority's actions have led to improvements in standards and quality.

You should consider the pace of progress and the sustainability of any improvements, as well as the impact of the response on outcomes, standards and quality.

You should judge how well the local authority is using its statutory powers to ensure improvement in schools which are persistently underperforming.

3.2.3: involvement in professional learning communities

Inspectors should judge how well LAESCYP undertake regular reviews that offer a rigorous challenge to the effectiveness of professional learning communities, through comparison with others, competitiveness tests and appropriate use of consultation. You should evaluate the impact that monitoring and review in PLCs has on modifying targets and strategies and improving outcomes.

You should consider how effectively LAESCYP shares good practice and learns from others and contributes to professional learning communities. In particular, we should evaluate how well the local authority learns from best practice elsewhere. Inspectors should use evidence from the local authority's own monitoring reports.

Good levels of improving quality

Leaders, managers and elected members have an accurate picture and understanding of the authority's strengths and weaknesses. They routinely make good use of a range of rigorous monitoring activities. Performance data is consistently used to monitor progress and plan for improvement. There is a sustained focus on achieving progress against the authority's priorities. The authority regularly seeks the views of schools, parents or carers, the broader community and the authority's partners. A well-established professional learning community within schools from across the authority enables schools to develop and share their professional knowledge. There are effective networks of professional practice with other authorities and their partners. The authority has maintained at least good standards or improved standards and provision since the last inspection.

Unsatisfactory levels of improving quality

Self-evaluation processes lack rigour. The authority does not identify areas for improvement fully or accurately and as a result, officers do not focus on the most

important areas for development. Self-evaluation of performance is not sufficiently wide-ranging and does not draw well-enough on performance data and other evidence from all key partners. The self-evaluation process does not take enough account of schools and partners' views. The authority does not do enough to promote best practice among its own officers or with the learning community of its schools. Improvements since the last inspection are minimal and, consequently, schools have not made enough progress.

3.3 Partnership working

3.3.1 strategic partnerships

3.3.2 joint planning, resourcing and quality assurance

Issues in inspecting the quality indicator

3.3.1: strategic partnerships

Inspectors should judge the clarity and appropriateness of the strategic objectives set for partnerships and whether partners clearly understand their respective roles and responsibilities. Inspectors should judge how effective the local authority is in working in partnership.

You should judge how effective partnerships are at all levels, for example with schools; youth support services; the business community; health services; the police; the voluntary sector; and providers of further education and work-based learning. You should judge the impact of key strategic partnerships on learners, including the Local Service Board, Children and Young People's Partnership and the 14-19 Network. In addition, inspectors should consider the contribution made towards learning by other strategic partnerships such as the Health, Social Care and Wellbeing, Community Safety or Community Learning Partnerships. Inspectors should use evidence from the local authority's monitoring of the impact of its partnerships and the WAO Improvement Assessment. Inspectors should look at any community learning plans that may have been produced.

3.3.2: joint planning, resourcing and quality assurance

Inspectors should evaluate the effectiveness of joint planning, resourcing and quality assurance across the range of partnership working. You should evaluate how effectively planning links the major services provided for children and young people by LAESCYP and other key partners. You should look at the links to the CYP partnership.

You should consider whether LAESCYP have a clear understanding of the relative costs and benefits of the various partnerships to which it contributes and of the quality assurance and performance management arrangements to identify strengths, areas to develop and efficiency. You should use evidence from the local authority's monitoring of the impact of its partnerships, including the impact on its own work as an authority.

You should judge the effectiveness of collaboration with others to co-ordinate and deliver the range of learning experiences. For example, you should evaluate the

effectiveness of collaboration in relation to provision of 14-19 education and training; youth support services for 11 to 25-year-olds and early years and play provision.

You should also judge the LAESCYP's contribution to ensuring that local partnerships work effectively and result in shared priorities for education. Also, you should judge how well partnerships are jointly commissioning services and how successfully the LAESCYP bids for additional funding, as well as how well it co-ordinates bids from individual members in order to further the aims of the partnership to avoid duplication.

Where LAESCYP has a lead role in partnerships, you should evaluate how effectively they are led and managed. Inspectors should use evidence from the local authority's monitoring of the impact of its partnerships.

Inspectors should consider the collaborative working going on across a number of local authorities to secure improvements.

Good partnership working

Partnership activities make a strong contribution to widening the range of choices for learners and this has benefits for their standards and wellbeing. The authority takes a leading role in developing joint working practices and engenders trust and good communication between partners. The authority's officers focus well on joint planning and resourcing as well as building capacity for continuous improvement. The authority has strong links with the community, good liaison and communication with schools, parents/carers and works effectively with other agencies enabling officers to deliver joined-up programmes that improve outcomes and wellbeing for learners.

Unsatisfactory partnership working

Some joint planning takes place but partnerships are tentative and have too little impact in practice. The authority does not communicate effectively with all agencies and partners. The proportion of learners who actually benefit from partnership working is small. The authority has some links with the community but these make limited contribution to developing positive learner attitudes to education and training. Parents/carers and partner agencies receive some information about outcomes and the progress of the authority's education work but they are not consulted about future developments in the authority.

3.4 Resource management

- 3.4.1 management of resources
- 3.4.2 value for money

Issues in inspecting the quality indicator

3.4.1: management of resources

Inspectors should evaluate how clearly the allocation of resources is linked to priorities. You should check whether improvement strategies are accompanied by sound financial planning and workforce development which makes proposed

developments feasible.

Inspectors should judge how proactively the LAESCYP is seeking and using external funding to address its priorities and maximising the use of funding. You should ask whether partnership working is addressing to do with duplicating provision or addressing non-viable provision.

You should judge how well the LAESCYP compares its costs and outcomes with those of other authorities and can demonstrate that children and young people achieve good outcomes in relation to costs of the services that it provides.

Where LAESCYP commissions support for children and young people from external agencies, you should judge the quality of outcomes for learners against the achievement of value for money.

You should evaluate how well the LAESCYP's funding policies encourage early intervention to meet the needs of vulnerable learners including those with ALN.

Inspectors should evaluate how well the LAESCYP regularly reviews its services in order to secure continuous improvement and value for money through due regard to economy, effectiveness and efficiency. You should consider whether leaders and managers evaluate the sufficiency and suitability of buildings for learning. You should also consider whether the level of challenge to schools and providers is reviewed.

In all of the above, inspectors should use evidence from the local authority's monitoring reports and any reports from the authority's auditors on its management of resources.

3.4.2: value for money

When inspecting value for money, you should judge the effectiveness of the local authority in achieving high quality outcomes for children and young people but you will also need to take into account how well the authority manages its resources. Judgements on value for money should not be higher on the scale than judgements for Key Question 1 but they may be lower. If outcomes are 'good' therefore, value for money cannot be 'excellent'; it may be 'good' but it might be adequate or even unsatisfactory if the management of resources is only adequate or unsatisfactory. You should evaluate:

- the extent to which the local authority successfully balances the effectiveness of its education provision against costs, including staffing costs;
- the effectiveness with which the authority deploys its own resources; and
- the extent to which it makes good use of the funding it receives.

You should judge the effectiveness of the provision principally by the standards achieved and the quality of the education that the authority provides and by the efficiency with which services are delivered.

Good resource management

Staffing, accommodation and financial resources are managed and deployed effectively to support learning and improvement. The authority reviews the outcomes of its financial plans to make sure that money is spent wisely and has a positive impact on standards. The authority's spending decisions relate well to strategic priorities for improvement and benefits for schools and their learners. Partnership activity provides good value for money because it contributes to improved outcomes for learners in aspects which the authority and its schools alone could not provide. Overall, standards and the quality of provision are good.

Unsatisfactory resource management

The allocation of financial resources is not linked directly enough to strategic priorities for action. Leaders, managers and elected members do not keep costs under regular review. There are some areas for improvement in the management of existing facilities. Plans to improve resources or facilities do not deliver value for money. Aspects of standards or provision are unsatisfactory. Partnership activities do not deliver value for money and the authority and its partners duplicate provision that is already available elsewhere.

Annex 1: Sources of evidence

The main sources of evidence relevant to key questions and quality indicators

These sources of evidence are a guide for inspectors. The exact evidence base will depend on the lines of enquiry followed for each inspection.

	Key Question 1		Key Question 2				Key Question 3			
	1.1	1.2	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4
Observation:										
Where appropriate, observation of direct work with children and young people by the local authority's LAESCYP, this is likely to include provision not captured through other inspections such as youth support services; play and direct work with pupils (e.g. behaviour support, support for EAL etc.) community learning.	✓	✓	✓	✓	✓					
Documents:										
The self-evaluation report	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Assessment data; examination performance data (including performance of LA national averages); Fischer Family Trust (FFT) value added data; FSM expected benchmarks; FSM benchmarking against similar schools; percentage of NEETs and percentage continuing into full-time education, outcomes in accredited courses such as Agored Cymru.	✓	✓	✓							
Performance the range of national performance indicators and those local performance indicators identified in the CYPP and Improvement Plan	✓	✓	✓	✓	✓	✓				

Evidence of pupils' and cohorts' abilities at intake as indicated by baseline assessments, initial screening tests, assessments of previous attainment and other appropriate measurements	✓	✓								
Data or qualitative information on outcomes from interventions and support for individual pupils e.g. therapeutic services, YOT interventions; learning coach work	✓	✓		✓	✓					
Information about the targets for improvement set for the local authority, schools, cohorts and, where appropriate, individual pupils	✓		✓					✓		
Data on performance of different groups of pupils, e.g. boys/girls; LAC; BME pupils; young offenders; excluded pupils, children and young people with ALN; young carers, FSM pupils, more able and talented	✓	✓	✓	✓	✓	✓				
Data on take up and outcomes from services and activities including youth support services, Out of School Hours Learning (OSHL), play, learning coach support; careers, advice and guidance activity also access to 25 hours education for statutory school age pupils; youth offending and reoffending rates	✓	✓			✓	✓				
Data on attendance and exclusions		✓			✓					
School and other settings' inspection outcomes	✓	✓	✓	✓	✓	✓		✓		
Documents showing the application of statutory processes such as statementing and those processes to enable pupils with additional learning needs to access appropriate placements and provision				✓						
Strategic planning such as the Community Plan, Corporate Plan, Improvement Plan, Children and Young People's Plan, asset management plans, community learning plan, and annual reviews of these where appropriate							✓	✓	✓	✓

[illegible]

[illegible]

[illegible]

Annex 2: Legal requirements and regulations affecting local authorities

The documents listed below are a combination of regulations, measures and circulars and are provided as a reference for inspectors. The list is not exhaustive and it is not intended to be a checklist for inspectors to review a local authority. They are provided only as a resource for an inspection team should the need arise. Inspectors need to be aware that regulations and measures are statutory documents.

	Key Question 1		Key Question 2				Key Question 3			
	1.1	1.2	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4
Access: School Admissions Education (Infant Class Sizes) Wales, Regulations 2009 (Amendment) Disability Discrimination Act 1995 (as amended by the Special Needs and Disability Act 2001) DDA, Part IV. DDA, Part III Planning to Increase Access to Schools for Disabled Pupils –NAFW Circular 15/2004 Planning to Increase Access to Schools for Disabled Pupils: NAFW Circular 15/2004	✓	✓		✓		✓	✓	✓	✓	✓
Anti-bullying: School Standards Framework Act 1998 section 61	✓	✓			✓		✓		✓	
Attendance: The Education (Pupil Registration) Regulations 1997 The Education (School Performance and Unauthorised Absence Targets) (Wales) Regulations 2006 Exclusion from Schools and Pupil Referral Units 01/2004 incorporates amendments from Circular 1(A) 2004 Reprinted February 2008	✓	✓	✓	✓	✓	✓	✓		✓	
Curriculum: School Government (Terms of Reference) (Wales) Regulations 2000 The Learning and Skills Act 2002 The National Curriculum Assessment Arrangements (Miscellaneous Amendments) (Wales) Regulations 2005 The School Curriculum in Wales (Miscellaneous Amendments) Order 2008 The Education (National Curriculum) (Attainments Targets and Programmes of Study) (Wales) Amendment Order 2008 The Education (National Curriculum) (Modern Foreign Languages) (Wales)	✓	✓	✓	✓	✓		✓		✓	

	Key Question 1		Key Question 2				Key Question 3			
	1.1	1.2	2.1	2.2	2.3	2.4	3.1	3.2	3.3	3.4
Order 2008 National Exemplar Framework for Religious Education for 3 to 19 year olds in Wales 2008; Collective Worship (Schools Standards Framework, 1998, section 70), circular 10/2004, Religious Worship and Collective Worship The Disapplication of the National Curriculum for Wales at KS1 (Wales) Regulations 2008 The Education (National Curriculum) (Foundation Stage) (Order) 2008 Ensuring Consistency in Teacher Assessment: Guidance for KS2 and KS3 ISBN 9780 7504 4478 1 Learning Pathways 14-19 Guidance II Circular 17/2006 Collaborative Arrangements Between FE Institutions and Schools 007/2009 February 2009 Transforming Education and Training Providers in Wales: Delivering Skills that Work for Wales ISBN 978 0 7504 4787 4 Personal and Social Education (PSE) and Work Related Education (WRE) in the Basic Curriculum (Circular13/2003)										
Disability Discrimination Act 1995 (as amended by the Special Needs and Disability Act 2001) DDA, Part IV. DDA, Part III	✓	✓	✓	✓	✓	✓	✓		✓	
Disability Equality Scheme: WAG Guidance on Promoting Disability Equality in schools. Dec. 2007. Par 2.8 – 2.13 of introduction to WAG Circular Inclusion & Pupil Support 2006	✓	✓	✓	✓	✓	✓	✓		✓	
Education for Sustainable Development and Global Citizenship: A Strategy for Action 055/2008 April 2008 A Common Understanding for Schools 065/2008 July 2008	✓	✓	✓		✓		✓	✓		
Financial procedures: The Financing of Maintained Schools Regulations 1999 The Education (LEA Financial Schemes) (Wales) Regulations 2004; The School Budget Shares (Prescribed Purposes and Consequential Amendments) (Wales) Regulations 2008			✓				✓			✓
Fire Safety Policy and Procedures: (Health and Safety at Work Act) (Fire Safety) Order 2005)		✓				✓	✓			✓
More able and talented: Meeting the Challenge. Quality Standards in Education for More Able and	✓	✓	✓	✓	✓		✓		✓	

[illegible]

[illegible]

Annex 3: Stakeholder surveys

Local authorities' education services for children and young people have a wide range of stakeholders. These include:

- children and young people (up to the age of 25);
- parents/guardians;
- school staff and governors;
- colleges, training providers, careers companies and universities;
- health partners;
- the police;
- voluntary organisations e.g. childcare providers, uniformed young people's groups, Urdd and Young Farmers Clubs;
- community organisations;
- community learning partnerships; and
- employers.

Local authorities will use a range of mechanisms to gain feedback from these stakeholders on their experiences of LAESCYP. Inspectors will sample this evidence to validate the local authority's own judgements about stakeholder satisfaction. This will include:

- consultation with children and young people e.g. Pupil Attitudes to Self and School (PASS);
- Citizen's Survey for Wales;
- local satisfaction surveys including user surveys (e.g. youth service), citizen's panels, parental surveys, surveys of community learners;
- compliments and complaints analysis; and
- partner feedback e.g. through Nuffield Review.

Inspectors will consider what evidence this work, alongside discussions with stakeholders during inspection, provides to answer the following questions:

- overall satisfaction with the range and quality of education services for children and young people;
- perceived benefits gained by service users, in particular in relation to wellbeing;
- overall satisfaction with the information they receive about the range of education services for children and young people; and
- overall satisfaction with how their views are taken into account when planning services.

Annex 4: Data on outcomes

Key Question 1: How good are outcomes?

This guidance refers to end of key stage 1 National Curriculum assessments. The inspectorate will provide further guidance on the assessment of Foundation Phase Outcomes before the summer term 2012.

1.1: standards

The main focus should be on achievement rather than attainment.

Using the range of analyses

It is important to consider the picture given by the whole range of analyses available over a period of time, usually three years. You should not base conclusions on one year's performance, on one individual indicator or on only one type of analysis.

1.1.1: results and trends in performance compared with national averages, similar providers and prior attainment

a: Comparison to national averages to identify trends in performance over at least three years.

Comparison to national averages should be used to identify whether an authority's rate of progress is better than the national improvement and to identify relative strengths or areas for development in trends in different indicators.

These comparisons should be made over at least three years since data trends over this period carry more weight than performance in a single year. Reports must contain a comment on trends over the previous three years and whether performance is generally improving, fluctuating or declining. This should be considered and reported on.

Rank orders can be useful to indicate trends in improvement and identify whether an authority has made greater or less progress than others. However these must be used with care and must be viewed in the context of the authority. Judgements should not be based on rank orders alone.

In key stages 1, 2 and 3 inspectors should report on performance on the CSI. Performance on the separate subjects could be considered if one is adversely affecting the CSI since this could suggest a line of enquiry.

In key stage 4 inspectors must refer to 'external examinations' rather than GCSE since this recognises the wider range of qualifications. The indicators to be considered are the level 2 threshold, the level 2 threshold including English or Welsh first language and mathematics, the level 1 threshold, the CSI, the average wider points score and the percentage leaving full-time education without a recognised qualification.

For schools with a sixth form the indicators inspectors should consider the level 3 threshold and the average wider points score.

Inspectors should consider and comment on the progression and destinations of learners at 16 to all types of provision, not only those who remain in school. You should consider the number of school leavers who are not engaged in education, employment and training (NEETs). The information should be compared with national averages.

Inspectors should ask the local authority for any analysis they have of the achievement of children and young people in a range of other qualifications. These outcomes could include for example accreditation and awards such as those offered through the ASDAN, Agored Cymru, Duke of Edinburgh and John Muir Awards. Where possible these should be compared to similar authorities and national trends. Inspectors should also assess progress on the performance indicators identified for the core aims of the Children and Young People's plan.

b: Comparison with authorities and schools that face similar challenges

Inspectors should give more weight to those analyses that present comparisons with similar authorities, those that compare the authority's schools with similar schools from the FSM benchmarks and those that compare the authority's performance with that of modelled expectations using FSM.

Inspectors should compare performance in the authority with the 'expected benchmarks' for performance modelled on free-school-meal entitlement. These are published each year by WAG in the bulletin 'Academic Achievement and Entitlement to Free School Meals'. A statistical model calculated from the performance of all schools in Wales is used to estimate expected values, or 'benchmark comparisons' for each local authority. The three measures used are the key stage 3 CSI and, at key stage 4, the level 2 threshold including English or Welsh first language and mathematics and the average wider points score.

If an authority has consistently failed to reach all or most of these expected values over the last 3 years this could be an important area for improvement.

c: Comparison to prior attainment of the cohort

Inspectors should also consider analyses that demonstrate the progress that pupils make between key stages in the authority's schools.

In key stages 3 and 4 inspectors should consider the local authority value-added data from Fischer Family Trust (FFT) to judge whether pupils have made better than expected progress from key stage 2 and key stage 3. Inspectors should ask the local authority for any available analysis of the progress made by pupils from baseline to the end of key stage 1 and from key stage 1 to key stage 2.

However it is important that any value-added data is interpreted in the light of performance on other analyses. If there are positive value-added figures for an authority but the performance of the authority's schools does not compare well to

similar schools in their family or on the FSM benchmark quarters then this discrepancy may be caused by significant under-attainment at a previous key stage. This should be taken into account when evaluating performance.

FFT also provides estimates of performance at authority level for key stage 3 and key stage 4 for the current and following year. Inspectors should use these to evaluate whether targets for performance are both realistic and sufficiently challenging.

1.1.2: performance of different groups of pupils

Inspectors should consider the attainment of particular groups of pupils including the performance of boys and girls, pupils entitled to FSM and those with additional learning needs (ALN). Inspectors should only comment on any gender differences if the gap in attainment is significantly different to national trends. The performance of boys and girls should also be separately compared to national trends because a smaller than average gap in attainment may be masking relatively low performance of girls.

Inspectors should ask the local authority for any available analysis of the progress made by different groups of learners, such as pupils with special educational needs, looked-after children, those with English as an additional language, any learners from minority ethnic groups and gypsy and traveller children. The performance of most of these groups of pupils can be compared to national trends using the current version of the Statistical Bulletin 'Academic Achievement by Pupil Characteristics'.

Small schools

Specific issues may arise where an authority has a number of small schools. A small year group can cause fluctuations year on year since each pupil counts for a significant proportion of the cohort. This is just as likely to improve performance as to depress it and is not a reason for under-attainment. However, small primary schools could change FSM benchmark quarters more often than other schools and inspectors should allow for this in writing any commentary. If an authority has a significant number of small schools this should average out across all schools. But to have a higher proportion of schools than expected in the bottom quarter year on year is an important shortcoming, just as it is in other authorities.

1.2: Well-being

1.2.1: Attendance and exclusions

In all key stages inspectors should consider and comment on attendance rates, including comparisons with similar authorities. Inspectors should also comment on exclusion rates where there are significant strengths or areas for improvement. In judging exclusions rates the average number of days lost should be considered as well as the number of exclusions, particularly for exclusions of 6 days or more.

Annex 5: Learners with additional learning needs

Learner and other stakeholder views are sources of evidence for all key questions. Inspectors must ensure that evaluation of the 10 quality indicators includes the achievements, attitudes and wellbeing of all learners, taking particular account of outcomes for learners with additional learning needs (ALN).

The term ALN applies to learners of all ages, adults and children, whose learning needs are additional to the majority of their peers. Learners with ALN include those who:

- are children and young people with special educational needs (SEN);
- are disabled;
- have medical needs;
- have emotional, social and behavioural difficulties and/or mental health needs;
- are more able and talented;
- are learning English as an additional language; and
- have basic skills needs.

Learners are more likely to have ALN when they also belong to vulnerable groups including:

- minority ethnic groups;
- refugees/asylum seekers;
- migrant workers;
- looked-after children (LAC);
- young parents and pregnant young women;
- young offenders;
- adults, children and families in difficult circumstances;
- learners at risk of homophobic bullying;
- young carers;
- pupils educated otherwise than at school; and
- gypsies and travellers.

Annex 6: Common Inspection Framework as applied in LAESCYP inspections

Estyn 2010: Inspection framework for local authority education services for children and young people

K Q	Quality Indicator	Aspect
1 O U T C O M E S	1.1 Standards	1.1.1 results compared with national averages, similar providers and prior attainment 1.1.2 standards of groups of learners 1.1.3 not applicable 1.1.4 skills 1.1.5 Welsh language
	1.2 Wellbeing	1.2.1 development of healthy and safe attitudes 1.2.2 participation and enjoyment in learning 1.2.3 community involvement and decision making
2 P R O V I S I O N	2.1 Support for school improvement	2.1.1 local authority support, monitoring, challenge and intervention 2.1.2 the authority's work in raising standards in priority areas, including curriculum support 2.1.3 not applicable 2.1.4 support for school leadership, management and governance
	2.2 Support for additional learning needs	2.2.1 work to meet its statutory obligations in respect of children and young people with additional learning needs (ALN) 2.2.2 work in raising standards for children and young people with ALN 2.2.3 provision for children and young people with ALN, including provision that is commissioned and /or provided by or with other agencies 2.2.4 work with parents and carers of children and young people with ALN
	2.3 Promoting social inclusion and wellbeing	2.3.1 work to promote social inclusion and wellbeing of all children and young people 2.3.2 promoting attendance and keeping children and young people in education, employment and training 2.3.3 youth support services and personal support 2.3.4 safeguarding arrangements
	2.4 Access and school places	2.4.1 the provision of an appropriate range and number of school places 2.4.2 admissions to schools 2.4.3 co-ordination of early years and play to ensure sufficiency 2.4.4 co-ordination of youth support services to ensure access to entitlements

3 L E A D E R S H I P	3.1 Leadership	3.1.1 the impact of leadership 3.1.2 strategic direction and meeting national and local priorities 3.1.3 elected members and other supervisory boards
	3.2 Quality improvement	3.2.1 self-evaluation, including listening to learners and others 3.2.2 planning improvement 3.2.3 involvement in professional learning communities
	3.3 Partnership working	3.3.1 strategic partnerships 3.3.2 joint planning, resourcing and quality assurance
	3.4 Resource management	3.4.1 management of resources 3.4.2 value for money

Annex 7: Arrangements for follow-up inspections

Introduction

During all core inspections, the inspection team will consider whether the local authority needs any follow-up activity.

There are five types of follow-up activity:

- **Excellent practice case study**
- **Link inspector monitoring**
- **Estyn monitoring visit**
- **Significant improvement**
- **Special Measures**

Any follow-up inspection work will be planned in consideration of other inspection and regulatory activity within an authority. All follow-up inspections will be fed into the Local Authority Regulatory Calendar to avoid duplication and take advantage of any opportunities to work more closely with WAO and CSSIW.

The first follow-up activity involves action by the local authority to produce an excellent practice case study for dissemination by Estyn. The second involves a report by the local authority link inspector. The last three involve visits from a team of Estyn inspectors. Apart from the good practice case study, the follow-up activity has increasing levels of intervention in proportion to the performance of the authority and the nature of shortcomings identified in the core inspection.

The last two follow-up activities are formal categories that apply to local authorities causing concern as defined in legislation and any associated circulars. The Minister for Children, Education and Lifelong Learning and appropriate officials of the Welsh Assembly Government will be informed when local authorities are placed in these categories and kept informed, following monitoring inspections by Estyn, of subsequent progress.

1: Excellent practice case study

If a local authority gains an excellent judgement for at least one of the two overall judgements then the inspection team will have identified one or possibly more examples of sector-leading practice at the authority that warrant wider dissemination. This possibility should be discussed during team meetings, when sector-leading practice will have been a key consideration in reaching any excellent judgement.

In such cases the reporting inspector will invite the authority held up as sector-leading practice, to prepare a written case study of no more than 600 words, accompanied by any appropriate* illustrative material, describing the sector-leading practice. It should be made clear to the authority that the inspectorate reserves the right to edit the content and presentational style. The case study should describe the context and background of the best practice, the exact nature of the strategy or activity and what the impact has been on outcomes. The case study must be one that can be held up as sector-leading practice to the scrutiny of other authorities.

The case study should be sent to Estyn within four weeks of the end of the on-site part of the inspection. The case study should be accompanied by a letter or email showing that it has been approved for use by the inspectorate and signed off by the most senior Education officer in the authority.

The authority may, at a later stage also be invited to showcase their sector-leading practice at one of Estyn's best practice conference. The example might be disseminated through various media, including the inspectorate's website, newsletters, best practice publications for the sector, in the Annual Reports of HMCI and at best practice events. Case studies will normally have a publication life of three years, after which they will be removed from the Estyn website, to ensure that they remain topical and that they remain at the forefront of excellent practice.

2: Local authority link inspector monitoring

The least intensive follow-up activity is required when the authority is identified as a generally good authority, but it may have a small number of specific areas for improvement that require monitoring to ensure improvement.

In such cases, the two overall judgements might be good, but a small number of key questions or quality indicators may be judged to be adequate, indicating some areas for improvement. This would include instances where there is a failure to meet statutory requirements that affects quality or standards.

If the authority is judged to require local authority monitoring, the reporting inspector should tell the most senior Education officer at the end of the inspection that the team has reached this judgement and use the Form for authorities requiring follow-up activity to write to HMCI and confirm the judgement.

Subject to moderation, the inspectorate will write a letter to the authority, copied to the Assembly, identifying the relevant areas for improvement. It is expected that the local authority link inspector will monitor progress against the areas for improvement identified in the letter and keep the Assembly informed. If the link inspector judges that insufficient progress has been made then the authority may be subject to an Estyn monitoring visit.

3: Estyn monitoring visit

Normally, this level of activity will be required when at least one of the overall judgements for an authority in a core inspection report is adequate, but the authority is not causing concern to the extent of requiring placement in the legally defined categories of requiring intervention or special measures.

To receive this level of follow-up activity, key questions or quality indicators would be judged to be at least adequate. It would be possible that at least some key questions and quality indicators have been judged as good. However, the authority would have some important areas for improvement that require monitoring.

If the authority is judged to require an Estyn monitoring visit, the reporting inspector should tell the most senior Education officer at the end of the inspection that the team has reached this judgement and use the Form for authorities requiring follow-up activity to write to HMCI and confirm the judgement.

Subject to moderation, the inspectorate will write a letter to the local authority, identifying the areas that require improvement and explaining that a small team of Estyn inspectors will visit the school to judge progress around a year later. Wales Audit Office and/or CSSIW or HIW will be invited to send an officer to join the monitoring team as appropriate and dependent on the issues of concern. If the team judges that insufficient progress has been made then the authority may be judged to require intervention and be placed in Special Measures as a result of the follow-up inspection.

Guidance for inspectors about authorities causing concern

On every inspection, you should consider if the authority is in need of intervention by considering:

- if the authority is failing to secure its learners are receiving an acceptable standard of education; and
- if the persons responsible for leading, managing or governing the authority are not demonstrating the capacity to secure the necessary improvement in the authority.

Inspectors must consider if the authority has the capacity to improve before coming to a judgement about whether it requires intervention and special measures. If you conclude that the authority does not require special measures, you should then consider whether the school is in need of significant improvement. You must consider:

- if the authority is performing significantly less well than it might in all circumstances reasonably be expected to perform.

You and your team must report as you find, and be able to substantiate your judgements on the basis of sound evidence. Coming to a judgement that an authority is in need of intervention and special measures or needs significant improvement is not an easy task, but it must **not** be avoided. If the evidence points to the conclusion that the authority requires special measures or is in need of significant improvement, you must make that judgement.

4: Significant improvement

Authorities in need of **significant improvement** are likely to have fewer important areas for improvement than authorities in need of special measures. If you have seriously considered, but rejected, the judgement that the authority is in need of special measures, it is highly likely that it will come into the category of authorities requiring significant improvement.

You may find it helpful to consider the **profile**, which draws together the corporate judgements of the team.

While the authority in this category may be just about securing an acceptable standard of provision of education, it is important that you and your team consider if there is room for **significant improvement**. The guiding principle must be whether the authority is performing significantly less well than it might in all circumstances be expected to perform.

You must give particular consideration to identifying the authority as needing significant improvement if both overall judgements are judged adequate, particularly if one or more key question or quality indicator are judged unsatisfactory or all are judged adequate.

You should be aware that some authorities in this category may have adequate as the overall judgements for all or most key questions, yet still be in need of significant improvement.

At all times, you should remember that the main emphasis in LAESCYP inspections is on the outcomes for learners. The issues identified above should be discussed as a matter of importance in team meetings. The starting point of these discussions would be that these circumstances signal important areas for improvement in the standards learners achieve, the quality of education provided by the authority's schools and maintained settings and/or leadership and efficiency. Your discussions should take account of any mitigating factors to ensure the validity and reliability of judgements before coming to a decision that an authority is in need of significant improvement.

In all circumstances, it is vital that you judge the work of the authority in the context in which it is currently operating. Inspectors **should not** be unduly influenced by:

- recently prepared plans for improvement that have yet to be implemented; and
- the recent appointment of staff, such as a new senior Education officer.

This is because, in both cases, the effect or impact of improvements will not have taken place and you must judge outcomes rather than intentions.

If the authority is judged to be in need of significant improvement, you should take the following steps:

- telephone and inform an Inspection Co-ordinator at Estyn (telephone: 02920 446 446) before the authority is told of the judgement;
- tell the most senior Education officer at the end of the inspection that the team has reached the judgement that the authority is in need of significant improvement;
- use the Form for authorities requiring follow-up activity to write to HMCI and confirm the judgement already given by telephone that the authority is in need of significant improvement; and send the draft report and the draft summary to HMCI within **three** weeks of the end of the inspection.
- HMCI or HMI acting on their behalf will scrutinise the report to see if s/he agrees with the judgement. Normally, HMCI will not undertake a visit to corroborate the judgement that the authority is in need of significant improvement. However, you should ensure that all the evidence collected during the process of the inspection is available for scrutiny by HMCI. HMCI has the power to call for any information they require and it is probable that HMCI will require some information additional to that contained in the report.

HMCI has a duty to notify the Minister for Children, Education and Lifelong Learning that the local authority is in need of significant improvement.

Once the report has been published, the following procedures will be implemented:

- the authority is placed on a list of authorities in need of significant improvement;
- about 12 months after the publication of the report, Estyn will undertake an inspection visit to the authority and make one of the following decisions:
 - 1 if enough progress has been made, the authority can be removed from the list of authorities in need of significant improvement; or
 - 2 one further visit is necessary as the authority is making adequate progress; or
 - 3 if the authority has not made enough progress and does not give any indication that it has the capacity to do so, then consideration will be given to placing the authority in special measures.

5. Special measures

Authorities in need of **special measures** are likely to have many important areas for improvement in their work. Some authorities may have a few important areas for improvement to a very marked degree or many areas for improvement to a lesser degree. In most instances, it will be the cumulative weight and effect of a combination of these areas for improvement which, when taken together, will prompt the judgement that an authority is not providing an acceptable standard of education. While one feature alone is unlikely to result in a judgement that an authority requires special measures, where you find low standards and poor provision and support to schools and other settings, risk to learners or the likelihood of a breakdown of discipline, the authority will normally require special measures.

You must also consider carefully if the persons responsible for leading, managing or governing the authority are **not** demonstrating the capacity to secure the necessary improvement in the authority. In judging whether senior managers have the capacity to bring about improvements, you will need to give attention to how well these persons know and understand the strengths and weaknesses of the authority. You should also establish if senior managers show the ability to tackle the weaknesses through the sense of purpose and direction they provide. Discussions with senior managers should provide evidence of how they are tackling these issues and if they are giving attention to the right things. Senior managers should be able to demonstrate that they know what quality of work they expect of learners and those they manage and be able to communicate these expectations to colleagues. You should also take account of how well informed elected members are about issues that affect the performance of the authority. You should evaluate how well they use this information to take effective and appropriate decisions. You should consider whether the scrutiny committee meet their duties.

You may find it helpful to consider the grade awarded to each key question within the **profile**, which draws together the corporate judgements of the team.

You must give particular consideration to identifying the authority as needing special measures when any overall judgement or key question is judged unsatisfactory.

At all times, you should remember that the main emphasis in LAESCYP inspections is on outcomes. The issues identified above should be discussed as a matter of importance in team meetings. The starting point of these discussions would be that these circumstances signal important areas for improvement in the standards learners achieve the quality of provision for children and young people and/or leadership and efficiency. Your discussions should take account of any mitigating factors to ensure the validity and reliability of judgements before coming to a decision that an authority does or does not require special measures.

You may also find it helpful to use the questions below to help you judge whether an authority requires special measures. It would not be necessary for each question to be answered as 'yes' to result in an authority requiring special measures.

Outcomes

Do learners underachieve in many or all key stages and accredited or non-accredited courses?	yes/no
Do the majority or any particular groups of pupils underachieve consistently in the Performance categories?	yes/no
Are the external examinations or other assessment or accredited results poor in relation to national results?	yes/no
Is the attainment of learners not as good as in other similar authorities?	yes/no
Do any particular groups of learners underachieve in external examinations or other assessments or accredited results?	yes/no
Are there high levels of truancy across the authority?	yes/no
Do substantial proportions of pupils or a particular group of pupils attend poorly?	yes/no
Is the level of exclusions high?	yes/no
Do pupils lack motivation and display negative attitudes to their work?	yes/no

Provision

Does the authority provide adequate support for school improvement?	yes/no
Does the authority know its schools and maintained settings well?	yes/no
Does the authority have a system to identify which establishments need the most support?	yes/no
Does the authority provide an appropriate level of challenge schools and maintained settings about their performance?	yes/no
Does the authority make appropriate arrangements for additional learning needs and inclusion?	yes/no
Does the authority promote social inclusion and well-being well enough?	yes/no
Does the authority have suitable knowledge, data and information relating to school places?	yes/no
Does the authority take suitable steps to remove surplus places and deal with over-subscribed?	yes/no

Leadership

Are the senior management team ineffective?	yes/no
Is there a significant loss of confidence in the authority by the staff, governors and community?	yes/no
Is a substantial proportion of the Education services staff demoralised and disenchanted?	yes/no
Do elected members fail to fulfil their statutory obligations?	yes/no
Are the relationships between elected members and the officers impeding progress?	yes/no
Is the authority's work declining rapidly in one or a number of important areas?	yes/no
Are senior managers and the elected members and its scrutiny committee failing to check any decline in the authority's work?	yes/no
Do the persons responsible for leading, managing or governing the authority lack the capacity to secure the necessary improvement in the school?	yes/no
Do the authority's budgetary processes lead to inefficient spending?	yes/no
Is poor management of resources and accommodation seriously impeding progress?	yes/no
Does the authority provide poor value for money?	yes/no

You and your team must be clear about why you judge that a particular authority is in need of special measures or requires significant improvement. The team should be able to justify their judgements when the deficiencies are considered in aggregate.

Procedures to be followed if the authority is judged to require special measures

You should report your judgements using the prescribed wording and you must follow the specific procedures set out below.

If the authority is judged to require special measures, you should take the following steps:

- telephone and inform an Inspection Co-ordinator at Estyn (tel. 029 20 446446) before the authority is told of the judgement; no later than the end of the inspection in the authority:
 - 1 inform the most senior Education officer orally that in the opinion of the inspection team there are serious deficiencies in the authority's performance and capacity, and list those deficiencies;
 - 2 explain that it is likely that the authority will be judged to require special measures and that the team now needs to review the evidence; and
 - 3 remind the senior managers of the need to ensure confidentiality about the team's possible findings; and
- at the oral report to senior management, state that the team has judged that the authority does not provide an acceptable standard of provision of education, and explain carefully the reasons for this judgement, then the following form of words could be used:

'I am of the opinion that special measures are required in relation to this authority because it is failing to provide an acceptable standard of education and senior leaders lack the capacity to secure the necessary improvements. In accordance with the legislation I shall send a draft report to HMCI and will await his/her judgement whether s/he agrees or not that this authority requires special measures.'

You should be prepared to justify the judgement, and to take note of any factual matters which the senior management wishes to put forward. You should make clear to senior management that:

- this judgement is your opinion and that of the team;
- in accordance with the legislation, you will inform HMCI and send him/her a draft report;
- HMCI must state whether or not they agree with the opinion;
- only if HMCI agrees with the opinion will the authority be subject to special measures;
- explain that the submission of at least one draft report may well delay the issue of the report, but that the maximum delay is three months from the time when it was due;
- handle the oral report to the elected members in exactly the same way as the report to the senior management;
- use Form for authorities requiring follow-up activity to write to HMCI and confirm the judgement already given by telephone that the authority requires special measures; and
- send the draft report and the draft summary to HMCI within three weeks of the end of the inspection.

Reports and summaries for authorities requiring special measures

You must make clear in the draft report and summary that, in your opinion, the authority is not ensuring the provision of an acceptable standard of education and senior leaders lack the capacity for secure the necessary improvement, (that is, it requires special measures). You must also make clear the deficiencies which led to that judgement.

The evidence base for the inspection should fully substantiate the judgement.

You should ensure that all the evidence collected during the process of the inspection is available for scrutiny. HMCI has the power to call for any information s/he requires, and it is probable that HMCI will require some information additional to that contained in the report, which includes the evidence base for the inspection.

If HMCI **agrees** with the judgement that the authority is failing to secure an acceptable provision and standard of education to its learners and senior leaders lack the capacity to make the necessary improvements, you should use the following form of words in the report:

'In accordance with the legislation, I am of the opinion, and HMCI agrees, that special measures are required in relation to this authority'.

HMCI has a duty, under the Education Act 2002 sections 60–64, to notify the Minister for Children, Education and Lifelong Learning that the authority requires special measures.

If HMCI **does not agree** with your opinion, the reasons will be explained and you will be given the opportunity to discuss HMCI's decision and amend the report and summary by removing the opinion that the authority requires special measures.

Intervention measures, including referral

The Minister for Children, Education, Lifelong Learning and Skills has intervention powers under Sections 60-64 of the Education Act 2002 to secure the proper performance on an LA's education functions, where the National Assembly for Wales is satisfied that an LA is failing to perform its statutory functions.

Intervention is extremely rare and is only likely to follow repeated failure to induce the authority to improve its services. Authorities where the intervention from the Minister occurs are likely to have been recognised already as being at high risk from regional intelligence and from the Auditor General's Performance Assessment and Annual Improvement Report, as required under the Local Government Measure (Wales) 2009.

FORM FOR AUTHORITIES REQUIRING FOLLOW-UP ACTIVITY

HMCI
Estyn
Anchor Court
Keen Road
Cardiff
CF24 5JW

Local authority
Inspection number
Date of inspection/...../.....
Date when report is due/...../.....

Name of Reporting Inspector.....

I am of the opinion that the authority requires:

- ☐ Local authority link inspector monitoring
- ☐ Estyn monitoring visit
- ☐ Significant improvement
- ☐ Special measures

(Please tick as appropriate)

The reasons for this opinion are:

1
2
3
4
etc.

I will send you drafts of the report and the summary by/...../.....

I confirm that I have reported back in these terms to the senior management of the authority and to the elected members.

Yours sincerely,

Reporting Inspector

Annex 8: Glossary

Agored Cymru	Formerly Open College Network (OCN) Wales - a qualification and credit body
AI	Additional Inspectors
ALN	Additional learning needs
ASDAN	Award Scheme Development and Accreditation Network
BME	Black and minority ethnic
CAMHS	Child and Adolescent Mental Health Services
CSSIW	Care and Social Services Inspectorate for Wales
CYPP	Children and Young People's Plan
DCELLS	Department for Children, Education, Lifelong Learning and Skills
EOTAS	Education otherwise than at school
ETE	Education, Training and Employment
FFT	Fischer Family Trust
FSM	Free School Meals
HIW	Health Inspectorate Wales
HMCI	Her Majesty's Chief Inspector of Education and Training in Wales
HMI	Her Majesty's Inspector of Education and Training
IAL	Improvement Assessment Lead (Wales Audit Office role)
ICT	Information and communication technologies
JEF	Judgement form - completed by inspectors
INSET	In-service training
KS 3	Key stage 3
LA	Local authority
LEA	Local education authority
LAC	Looked-after children
LAESCYP	Local authority education services for children and young people
LSCB	Local Safeguarding Children's Board
OSHL	Out of School Hours Learning
PI	Peer Inspector
NEETs	Not in education, employment or training
SALT	Speech and Language Therapy
SEF	School Effectiveness Framework
SEN	Special educational needs
WAG	Welsh Assembly Government
WAO	Wales Audit Office
WLGA	Welsh Local Government Association
WPI	Wales Programme for Improvement
YOT	Youth Offending Team
YSS	Youth support services