

**ENDING THE ANNUAL OFSTED CHILDREN'S SERVICES ASSESSMENT
SOLACE CONSULTATION RESPONSE**

MARCH 2012

1. Do you agree with the proposal to repeal s138 of the Education of Inspections Act 2006?

Yes. SOLACE welcomes the Government's proposals to repeal section 138 of the Education and Inspections Act 2006; the requirement on Her Majesty's Chief Inspector of Education, Children's Services and Skills to annually review and rate the performance of each local authority's children's services.

Whilst SOLACE recognises that the annual performance assessment has served a useful purpose in the past, we believe that the performance management of children's services can be achieved more effectively through a sector-led improvement approach, rather than a top down management approach. This is in keeping with the Government's commitment to localism and councils' accountability to their communities rather than to Whitehall.

2. Do you think the proposals will remove or reduce burdens?

Yes. Ending the annual assessment will reduce burdens on councils associated with preparation for the assessment and verification or challenge of the determination.

The sector's approach to self-improvement will allow for greater responsiveness and flexibility to manage performance effectively. Councils will, however, need to continue to invest significantly in self-assessment, improvement planning and implementation. It is, therefore, SOLACE's view that savings resulting from the repeal of the annual assessment should be reinvested in local government's self-regulatory work.

SOLACE believes that the Government could do more to reduce the burdens on local government. All too often councils are subject to multiple, centrally-driven, children-related inspection or other monitoring regimes where there appears to be little coordination between the various strands. The cost to councils of managing these disparate demands is disproportionate to the value added and outcomes achieved for the public.

3. Do you have views regarding the expected benefits of the proposals as identified in Chapter 3 of the consultation document?

As indicated in answer to question 2, we recognise that repeal of the annual assessment will result in cost savings and greater efficiencies and, crucially, allow for the re-direction of effort to sector-led improvement approaches. We are clear that the benefits to citizens will be delivered through a fully operational and effective sector-led improvement system and urge the Government to direct resources to front line inspection to ensure that self regulation is a success.

4. Is there any empirical evidence that you are aware of that supports the need for these reforms, please provide details here:

There is evidence that councils are eager to move away from an approach which reinforces compliance and towards one centred on learning and improvement. This is reflected in *The Evaluation of the Early Adopter Sector-led Improvement Programme Pilots* which identifies a number of benefits of a new self-regulatory approach, including the opportunity to share best practice and for reciprocal learning between colleagues. A welcome difference to the Ofsted inspection was 'the supportive, but challenging and action-focused, ethos of the programme'¹. In other related policy areas, such as school improvement, the National College for Schools Leadership, the Department for Education and academic bodies have evidenced variously the value-added from peer-to-peer improvement approaches.

5. Are there any non-legislative means that would satisfactorily remedy the difficulty which the proposals intend to address?

No.

6. Are the proposals put forward in this consultation document proportionate to the policy objective?

Yes.

7. Do the proposals put forward in this consultation document taken as a whole strike a fair balance between the public interest and any person adversely affected by it?

Yes. The sector-led improvement approach will increase transparency and the local democratic accountability of Councils and is likely to provide greater responsiveness to improvement at local level.

8. Do the proposals put forward in the consultation document remove any necessary protection?

No. Services and settings will continue to be inspected by Ofsted, providing independent scrutiny and challenge.

9. Do the proposals put forward in the consultation prevent any person from continuing to exercise any right or freedom which he/she might reasonably expect to continue to exercise? If so, please provide details.

No.

10. Do you consider the provisions of the proposal to be constitutionally significant?

No.

11. Do you agree that the proposed Parliamentary resolution procedure (as outlined in paragraphs 3.6-3.8 of this consultation document) should apply to the scrutiny of this proposal?

Yes. SOLACE agrees with the Department for Education that the negative resolution procedure should apply to this LRO as it is a relatively minor and uncontentious change.

¹ <http://www.nfer.ac.uk/nfer/publications/SLIP01/SLIP01.pdf>



NOTES:

SOLACE is the representative body for senior strategic managers working in the public sector in the UK. We are committed to promoting public sector excellence. We provide our members with opportunities for personal and professional development, and seek to influence debate around the future of public services to ensure that policy and legislation are informed by the experience and expertise of our members. Whilst the vast majority of SOLACE members work in local government we also have members in senior positions in health authorities, police and fire authorities and central government.

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