

# Responses to Ofsted's consultation on the new inspection framework for fostering services

An evaluation report

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Between 7 June and 31 August 2011, Ofsted consulted on its proposed framework for the inspection of independent fostering agencies and local authority fostering services.

This report details the outcome of the consultation and our next steps.

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# Contents

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<b>Introduction</b>	<b>4</b>
<b>Background to the consultation</b>	<b>4</b>
<b>The consultation</b>	<b>4</b>
<b>Key themes from the consultation</b>	<b>5</b>
Notice of inspection	5
Inspecting outstanding services less often	7
Triggering an inspection	8
Equality and diversity judgement	8
Inspecting local authority fostering and adoption services together	9
Annual collection of data	10
Additional written comments from the consultation	10
<b>The way forward and timetable for further work</b>	<b>12</b>
<b>Annex A. Online consultation results</b>	<b>13</b>
<b>Annex B. Online consultation results for children and young people</b>	<b>22</b>

## Introduction

1. This report outlines the response to Ofsted's consultation on a new framework for the inspection of local authority fostering services and independent fostering agencies, which are referred to as 'fostering services'. It states how the consultation responses have informed the way we will inspect fostering services from 1 April 2012.
2. The new inspections will focus on the views and experiences of children and young people who are fostered or have been fostered, and on the outcomes they are supported to achieve. One young person requested that we:

'[just] make sure that they are doing their job properly, and that they help the children to be the best that they can be'.

## Background to the consultation

3. Fostering services are inspected every three years. Inspectors focus on how well the service meets the national minimum standards and the Fostering Services (England) Regulations 2011.<sup>1</sup>
4. As well as the new regulations, the Department for Education (DfE) introduced new national minimum standards for use from April 2011. As a result, we decided to consult on and introduce a new framework for the inspection of fostering services.

## The consultation

5. We consulted with the public, children and young people, parents of children and young people in foster care, foster carers, fostering services and interested parties about our new inspection framework.
6. Our primary consultation method was an online survey open to the public from 7 June to 31 August 2011. It asked specific questions and also gave people the opportunity to comment more generally on how fostering services are inspected.
7. We produced two questionnaires – one for adults and one for children and young people – as well as a symbol version for children and young people who use additional communication methods. However, none of the symbol versions were returned.
8. We received over 340 responses to our consultation questions from individuals and groups. Of these, over 170 responses came from children and young people. Respondents to the adult version included providers of fostering services, foster

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<sup>1</sup> The Fostering Services (England) Regulations;  
<http://www.legislation.gov.uk/uksi/2011/581/contents/made>.

carers, and representatives from local authorities and interested parties, such as the British Association for Adoption and Fostering and The Fostering Network. Unfortunately, we did not receive any responses from the parents and relatives of children and young people who are fostered.

9. We supported our online surveys with face-to-face meetings with representatives from key organisations, including two Children in Care councils, groups of foster carers, the British Association for Adoption and Fostering, National Association of Fostering Providers and The Fostering Network. We also asked the children and young people who are members of the Children's Right's Director's Be Heard Panel a text question about fostering.
10. The results of the online consultation are available in Annex A and the results from the children and young person's version in Annex B.
11. We would like to thank everyone who contributed to our consultation. Your comments and views have been very helpful in developing our inspection framework.

## **Key themes from the consultation**

12. Overall, the respondents generally supported our proposed inspection framework and welcomed its strong focus on the experiences and outcomes for children and young people in foster care.
13. They strongly agreed with the proposed inspection judgement areas:
14. Outcomes for children and young people
15. Quality of service provision
16. Safeguarding children and young people
17. Leadership and management
18. Overall effectiveness.
19. Respondents stressed the importance of ensuring that children and young people's views are central to our inspection activity, and that inspections focus on children and young people's safety in foster care.
20. The key themes from the consultation are set out below.

## **Notice of inspection**

21. Of the online respondents, 53% agreed or strongly agreed that fostering services should be given 10 days' notice of inspection. A further 28% disagreed or strongly disagreed; they were divided between giving more than 10 days notice and giving no notice.

22. Those who thought we should give no notice commented that this would reduce the time fostering services spend preparing for inspection, and ensure that staff continue to focus their attention on children's, young people's and foster carers' needs.
23. Respondents who thought that more than 10 days' notice was necessary said they were concerned that 10 days would not give fostering services enough time to prepare for inspection and produce the required data. They also felt that there would not be time to gather a range of people's views about the quality of the fostering service.
24. Respondents who thought 10 days was about the right length of notice period said this would allow sufficient time to prepare for inspection. An employee of a fostering service who responded online though it would let inspectors:
- 'see how a service is actually working rather than how it can be presented if there is sufficient time to make things look better than they are'.
25. Overall, regardless of how they answered, respondents considered that any reduction in the notice given would mean that our pre-inspection materials should:
26. be clear, easy to use and contain information that inspectors need for inspection
27. ensure that children, young people and others involved with the fostering service are able to give their views before and during the inspection (for example, we should consider using online questionnaires and involving a wide range of people such as Children in Care Councils, local fostering associations and Independent Reviewing Officers)
28. ensure that pre-inspection questionnaires are accessible to all children and young people.
29. Children and young people were divided about whether 10 days was the right notice period. Of the online respondents, 35% said they thought that this was the right amount of time and 35% said that fostering services should have no notice at all. During the face-to-face meetings, children and young people were adamant that no notice should be given before an inspection and said they would be happy to be contacted by an inspector with no notice and asked for their views.
30. Children and young people who answered that 10 days' notice was right said that this gave the fostering service:
- 'notice but not so much that they will be able to change things because they are being inspected'

and that it meant:

'nothing can be faked'.

31. Children and young people who thought we should give no notice said they were worried that fostering services would waste time and effort preparing for the visit. They felt that no notice would:

'prevent a false image being presented'.

They also said:

'If you tell them 10 days before that gives them 10 days to fix problems'.

32. Given the differing views on the notice period, we tested both 10 days notice and no notice during our pilot inspections in December 2011. We found that no notice made it extremely difficult for our inspectors to gain sufficient evidence as it did not allow enough time for appointments to be set up with key staff or for forums to be arranged with foster carers, social workers and children and young people.
33. We have therefore decided to implement a 10 day notice period for our fostering inspections. From our experience in the pilot inspections, we believe that this will allow adequate time for appropriate meetings to be set up without a service diverting its resources from supporting foster carers and children and young people.

## **Inspecting outstanding services less often**

34. Of the online respondents, 55% agreed or strongly agreed that we should inspect outstanding fostering services less often than those judged as good, satisfactory or inadequate, as this would allow us to focus on poorer services. However, it was noted that we should support this approach with a system for identifying those services that deteriorate, and use very robust criteria to judge services as outstanding.
35. Thirty-five per cent of online respondents disagreed, or strongly disagreed, that we should inspect outstanding fostering services less often than other fostering services. They thought fewer inspections for this group might lead to outstanding services becoming complacent, and were concerned that if the quality of the service deteriorated, it could leave children and young people's needs unmet for a long time. As one person said:

'six years is a long time in the life of someone growing up in care'.

36. A number of adults who answered the online survey or took part in face-to-face meetings suggested we could use a 'lighter touch model' rather than reduce the frequency of inspection for outstanding fostering services.
37. It was also suggested that, when a local authority's fostering and adoption functions are judged outstanding, we could combine their adoption agency and fostering service inspections into a local authority children's safeguarding

inspection. This would recognise outstanding practice but still check that the fostering service remains outstanding.

38. Children and young people were also divided about whether we should inspect outstanding fostering services less often. Forty-eight per cent thought that we should not. There were many comments that it was fair that all fostering services should experience the same number of inspections, although those who were 'poor' should be monitored more often. Many young people expressed that:

'as soon as you inspect them less they will start to think that they do not need to put on as much effort anymore'.

39. Thirty-six per cent of the children and young people thought we should inspect outstanding fostering services less often so that inspectors could focus on the poorer providers, as:

'if they're good you can trust them and rely on them'

'[there] is no need to inspect them as often'.

## Triggering an inspection

40. We asked what should trigger an early inspection of an outstanding fostering service if we decided to inspect outstanding services less often. Everyone agreed that we should consider:

41. complaints and concerns

42. a change of ownership or management

43. regulatory notifications and reports

44. the stability of placements and placement moves.

45. Respondents generally felt that the proportion of a local authority's looked after children and young people placed in foster care was not relevant to this decision.

46. Respondents also mentioned a number of other factors that they considered important when deciding if an outstanding fostering service should be re-inspected. Taking account of the views of children, young people and others involved with the fostering service was considered most important.

47. We have decided to inspect every fostering service using the new inspection framework before giving further consideration to both a shorter, more focussed inspection, and a less frequent inspection of outstanding services.

## Equality and diversity judgement

48. Eighty-one per cent of online respondents agreed or strongly agreed that inspectors should report on how a fostering service promotes equality of



opportunity, and tackles discrimination, in each section of the report. They did not think we should retain a separate, specific judgement for equality and diversity.

49. Respondents who disagreed or strongly disagreed were concerned that this would result in a lack of focus on equality and diversity.

50. Children and young people were not asked this question in their consultation survey. However, when we asked what else they thought inspectors should judge, some children and young people highlighted how important it is for inspectors to think about children and young people's individual needs. One young person said:

'[inspectors] must take each child's needs into consideration before making judgement, each child is unique'.

51. With consideration to these views, we have decided to thread equality and diversity throughout the five judgement areas in our *Evaluation schedule and grade descriptors*. We tested this approach during our pilot inspections and found that it worked effectively.

## **Inspecting local authority fostering and adoption services together**

52. Thirty-nine per cent of respondents agreed or strongly agreed that we should inspect local authority adoption and fostering services at the same time. They thought it would help to reduce demands on local authorities, promote joint working and:

'tell the story of the child through the care system' (Fostering Network)

53. Twenty per cent disagreed, or strongly disagreed. They thought separate inspections allowed inspectors to focus on the particular characteristics of fostering and adoption. They were concerned that inspecting fostering and adoption services at the same time would put greater stress on small local authorities who might find it difficult to deal with the amount of information and number of interviews. They also felt that the different management structures in local authorities might reduce the expected benefits of these simultaneous inspections.

54. A further 30% neither agreed nor disagreed.

55. We carried out two pilot inspections where we inspected fostering and adoption services together in order to test the impact on inspection and on the services involved. Overall, we found little benefit in this approach.

56. We have considered these results in conjunction with the outcomes of our recent consultation on the inspection of local authority children's services. We have agreed in principle with the Department for Education that it is preferable to

develop an integrated single inspection of local authority services for looked after children, which will include fostering and adoption services. We hope to be able to introduce these new inspections from April 2013, subject to the necessary regulatory changes.

57. Given these developments, we have decided that it is not suitable to conduct fostering and adoption inspections of local authorities at the same time under this fostering services framework.

## **Annual collection of data**

58. There was no general consensus from the online respondents that annual collection of data about fostering services was beneficial and should continue. Thirty-six per cent thought we should continue to collect this data, 23% neither agreed nor disagreed, and 28% either agreed or strongly agreed that we should stop collecting data annually. Respondents from the face-to-face meetings were generally in favour of continuing to collect data annually.
59. Respondents who said we should retain the annual data collection believe it provides reliable, up to date national data about trends in fostering, which informs practice developments.
60. Those who thought data should not be collected annually felt that it takes fostering services' focus away from children, young people and foster carers, that it is time consuming and would be better completed only prior to an inspection so it is current. Others thought that if the data collection was linked to an inspection where 10 days' notice had been given, it would leave services very little time to collate it.
61. There was strong agreement that if annual data collection continues, it should be coordinated with statistics collected by the Department for Education and also aligned with other data and information requirements, such as reports required by regulation 35 of The Fostering Services (England) Regulations 2011 and made under national minimum standard 25. It was also stated that we should make more use of the data, both in inspection and by publishing regional and national data.
62. Therefore, we will continue to collect data annually and have piloted a new Quality Assurance and Data form. This new form combines qualitative and quantitative questions; we propose that local authorities and independent fostering agencies use it to complete their management reports, and for independent agencies to use it for their regulation 35 reports.

## **Additional written comments from the consultation**

63. Many respondents – children and young people as well as adults – provided other valuable comments about our new inspection framework. We have used many of

these to develop our Evaluation schedule and grade descriptors for fostering services inspections.

64. We asked children and young people how important it is for inspectors to ask the views of children and young people who are fostered.

65. Sixty-two per cent said it is really important and 26% said it was quite important. They said:

‘most of us know what we need and how we would like to be looked after and cared for’

‘the children are the people who matter. Adults think they know what is best for the child. Children need to be able to give their views.’

They said inspectors need to know if children and young people thought they were safe, happy and healthy, so that they:

‘can do something if something is wrong’.

66. Adult respondents highlighted the importance of inspectors, not services, choosing who they speak to, and that this should be fair, open and transparent.

67. They also emphasised the importance of:

68. engaging people by allowing them to comment anonymously

69. ensuring that disabled children and young people can participate in inspection

70. inspection reports showing how people’s views have been used.

71. We have revised our pre-inspection questionnaires for fostering services, taking into account the points made in the consultation. We tested these during the pilot inspections, including the use of on-line questionnaires and questionnaires in symbol formats for children with communication difficulties. The feedback from these was positive. We will therefore introduce on-line questionnaires and questionnaires in symbol formats for our fostering service inspections from April 2012.

## **Financial stability**

72. Adult respondents raised a few concerns about the financial stability of independent fostering agencies, and its potential impact on the stability of placements and the quality of care and support provided. We have taken these views into account and have included criteria under the ‘Leadership and management’ judgement in the evaluation schedule:

73. ‘The fostering service is adequately resourced to meet the needs of the children and young people, avoid any disruptions to placements, and promote placement stability.’

## **How we conduct inspections under the new framework**

74. We have acted on some of the suggestions made on the process of inspection, for example using pre-inspection questionnaires to involve as many people as possible and to be accessible to all. Some of the adult respondents also emphasised the importance of using both qualitative and quantitative data, which we will use throughout the inspection to assess the fostering service's impact on outcomes for children and young people.

## **The way forward and timetable for further work**

75. Our new inspection framework prioritises the experience of children and young people in fostering services. Inspectors will focus on outcomes for children and young people, and will consider how foster carers are assessed, approved, supported and monitored to promote positive outcomes.

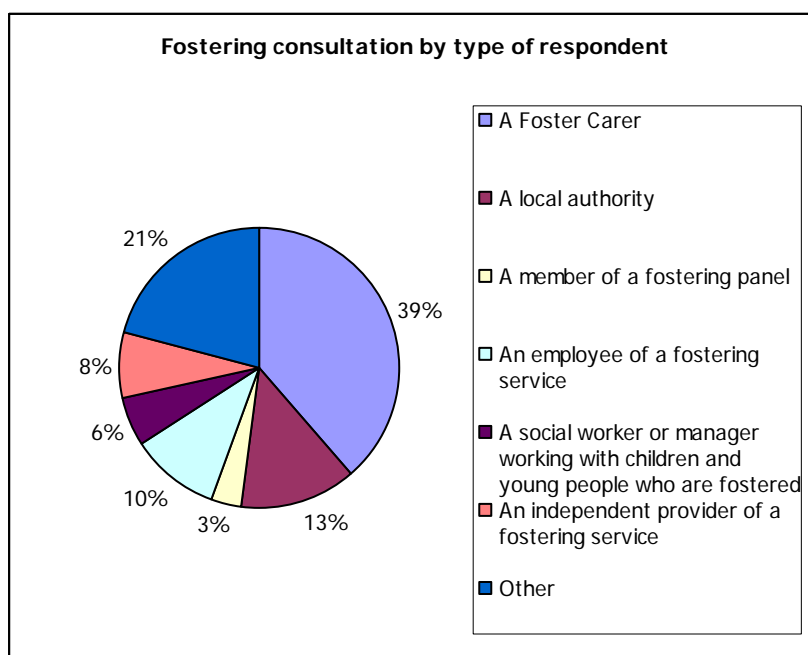
76. We tested this new framework in pilot inspections during December 2011 and the results have helped to inform our decisions about the new inspection framework.

77. The final framework document will be on our website in March 2012, when we will also conduct a series of launch events to brief fostering services on the new framework.

78. We are extremely grateful to all respondents who took part in our consultation and appreciate their valuable and insightful views and observations.

79. As some of our young respondents said, we hope that this consultation results in inspections that help us to do our 'job properly' and to check that providers help 'children and young people to be the best they can'.

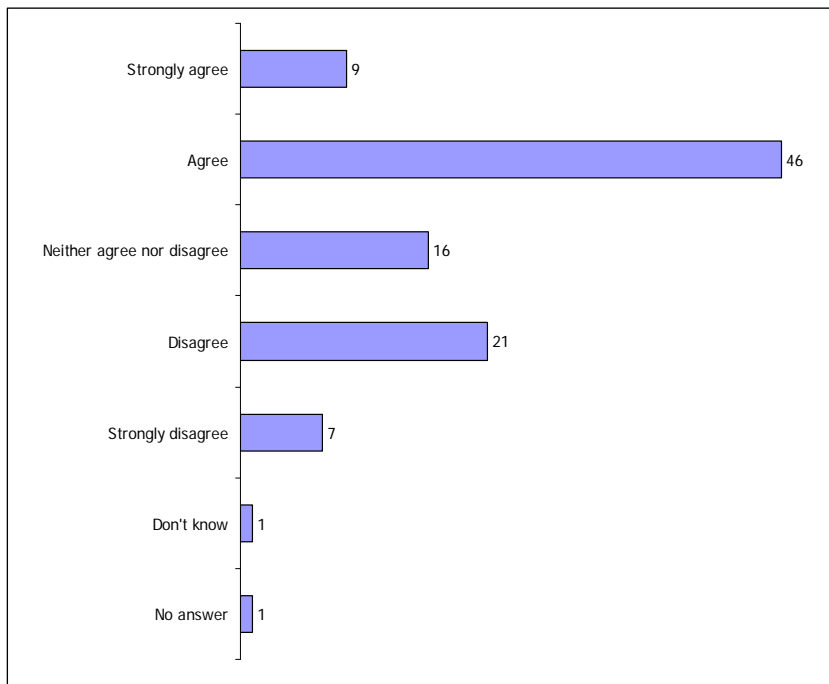
## Annex A. Online consultation results



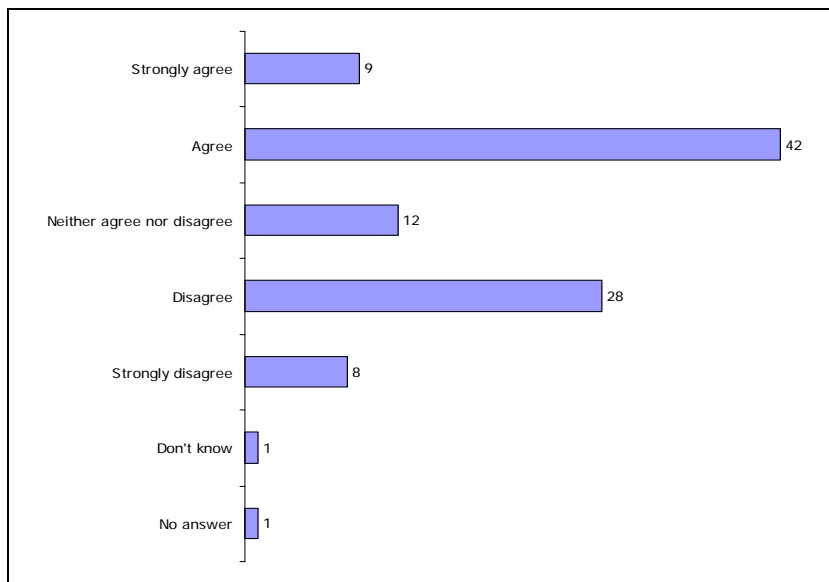
'Other' primarily includes respondents from user representative groups, children's charitable organisations, young people, and representative members of fostering organisations.

The following are individual percentages for a total of 173 respondents for each question. Figures are rounded and may not add to exactly 100.

Q1. To what extent do you agree or disagree that the normal notice period of inspection for a fostering service should be 10 working days?

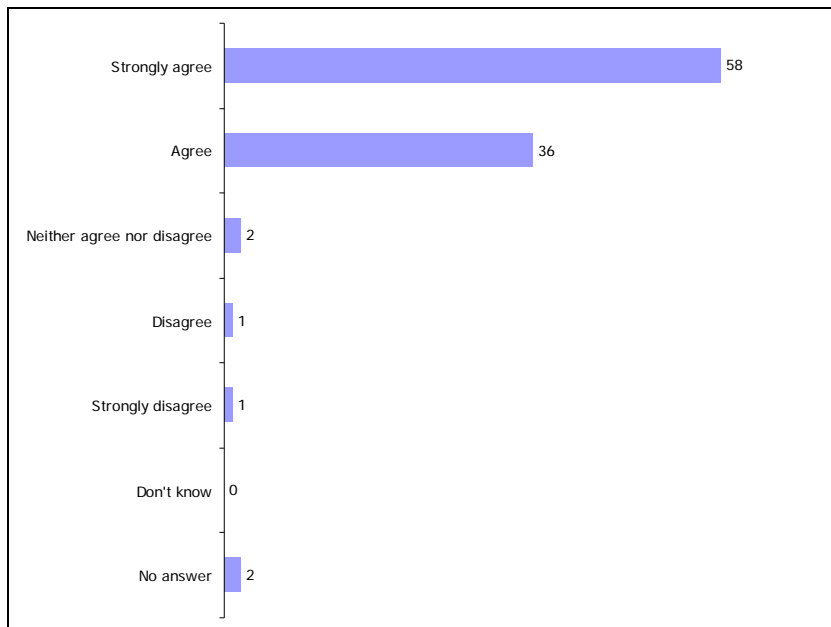


Q2. To what extent do you agree or disagree that Ofsted should inspect fostering services judged to be outstanding less frequently than other fostering services?

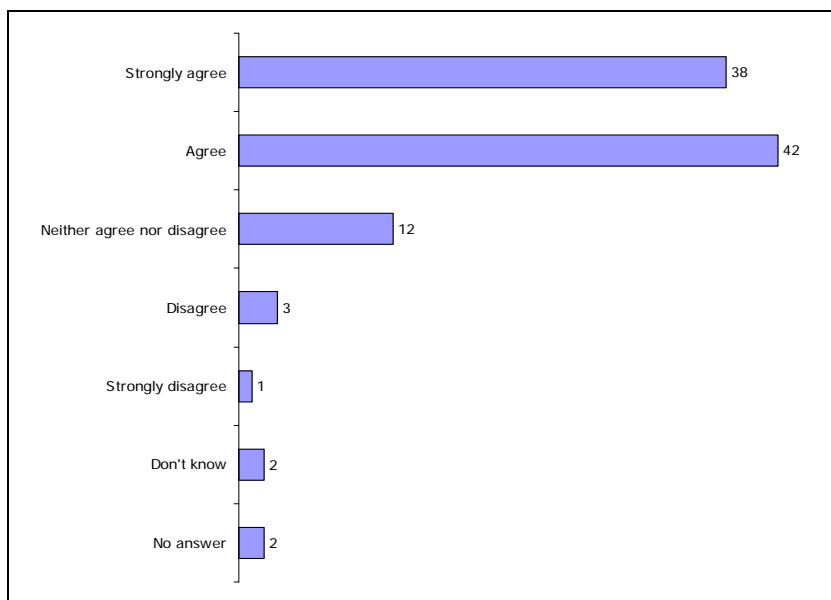


Q3. To what extent do you agree or disagree that when determining whether an earlier inspection should be carried out, Ofsted should consider...

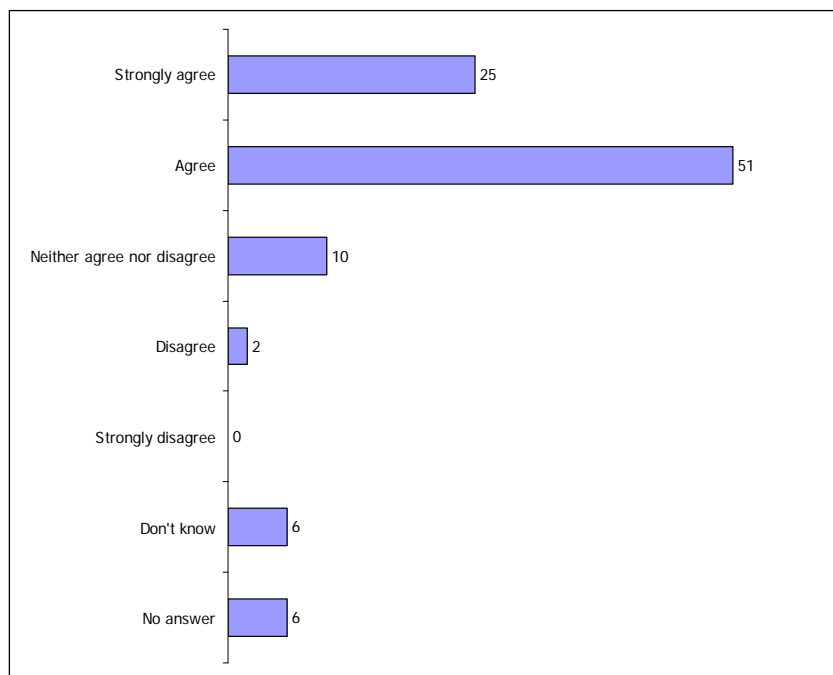
...complaints and concerns?



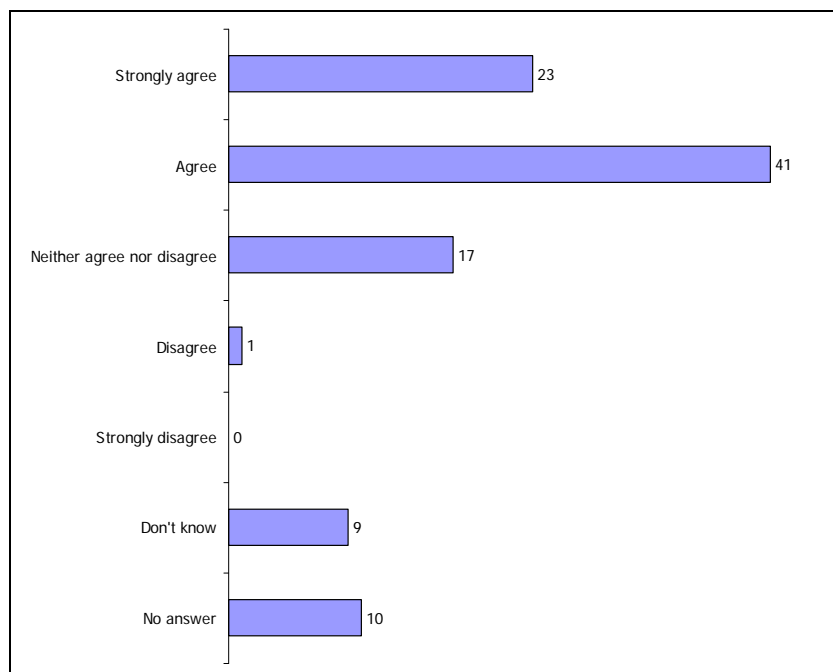
...a change in ownership or management?



...notifications?

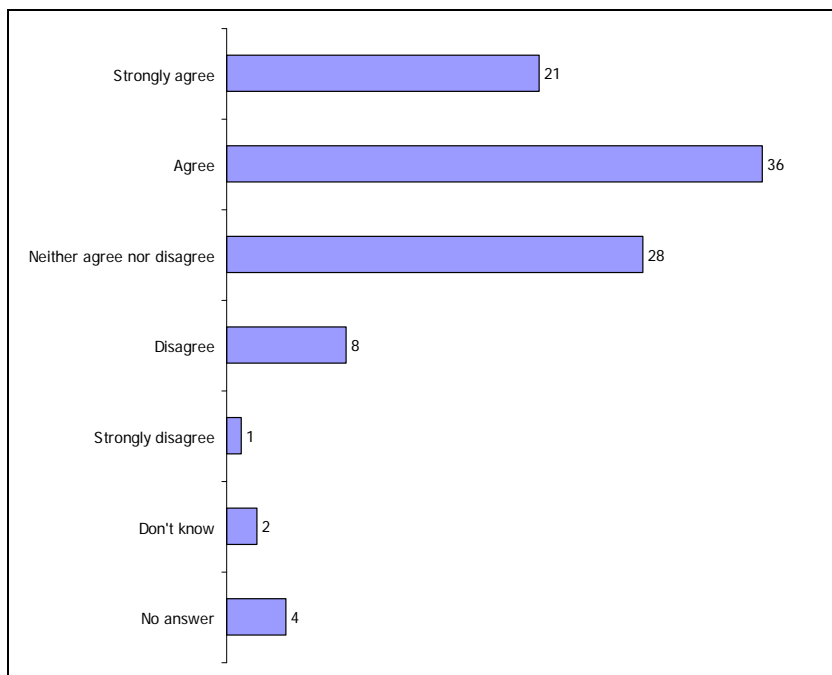


...Regulation 35 reports?

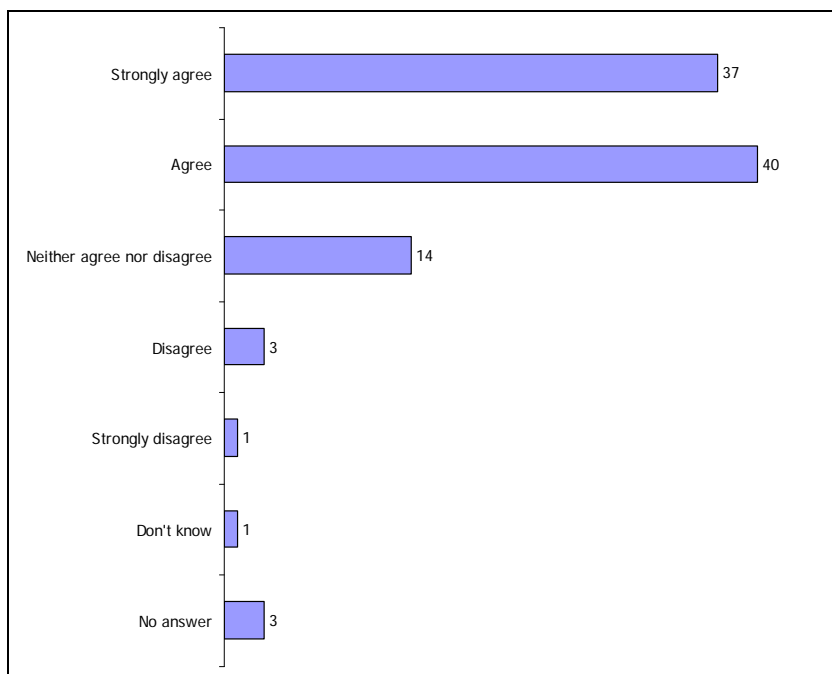




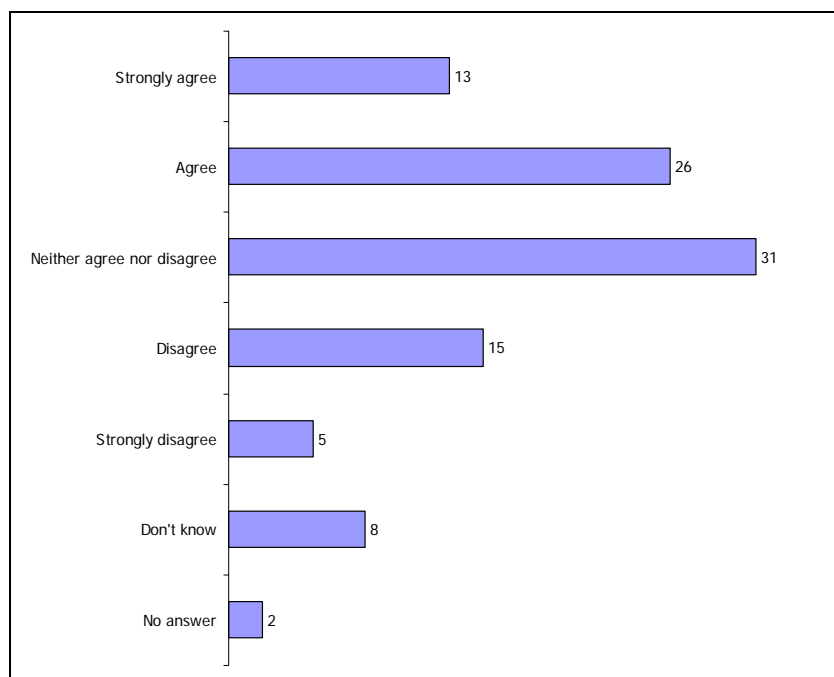
...the proportion of a local authority's looked after children placed in foster care?



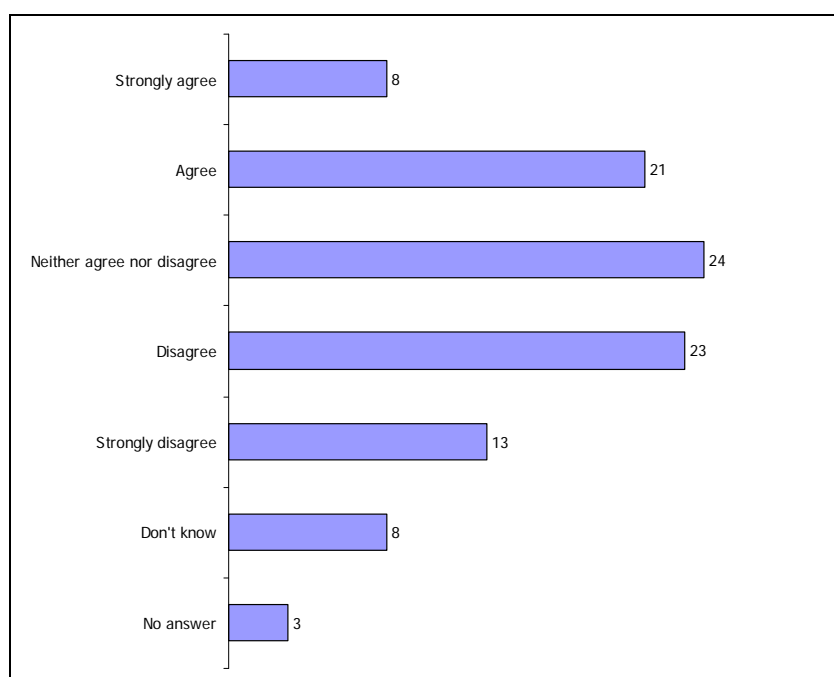
...the stability of placements and placement moves?



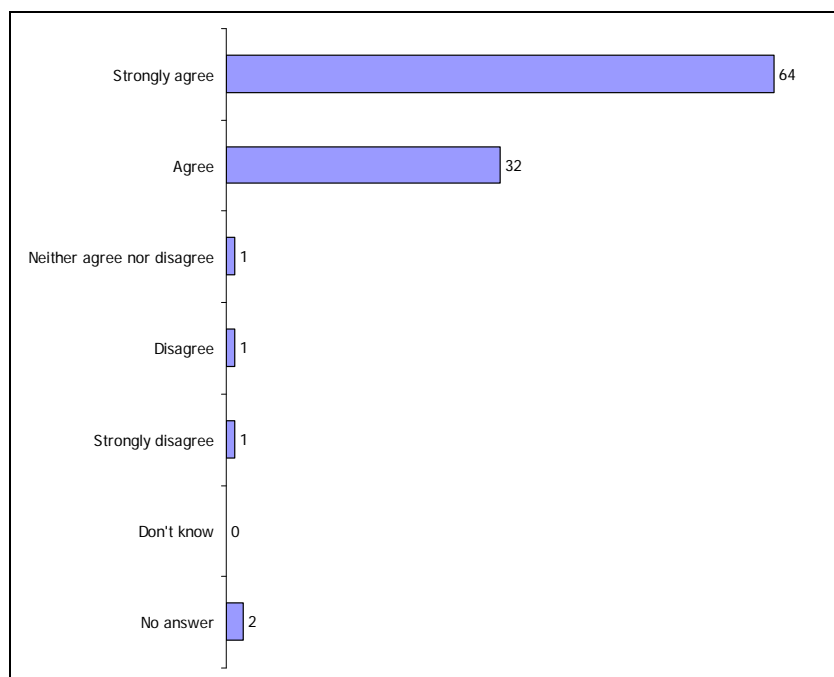
Q4. To what extent do you agree or disagree that Ofsted should inspect local authority fostering services at the same time as their adoption agency functions?



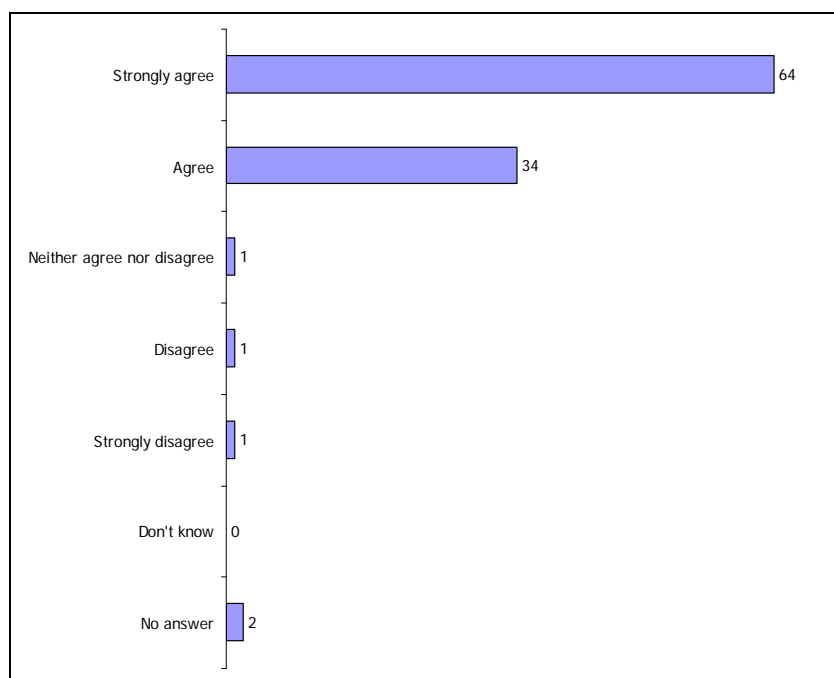
Q5. To what extent do you agree or disagree that Ofsted should cease to collect the annual fostering dataset, and collect this data only as part of the individual service inspection?



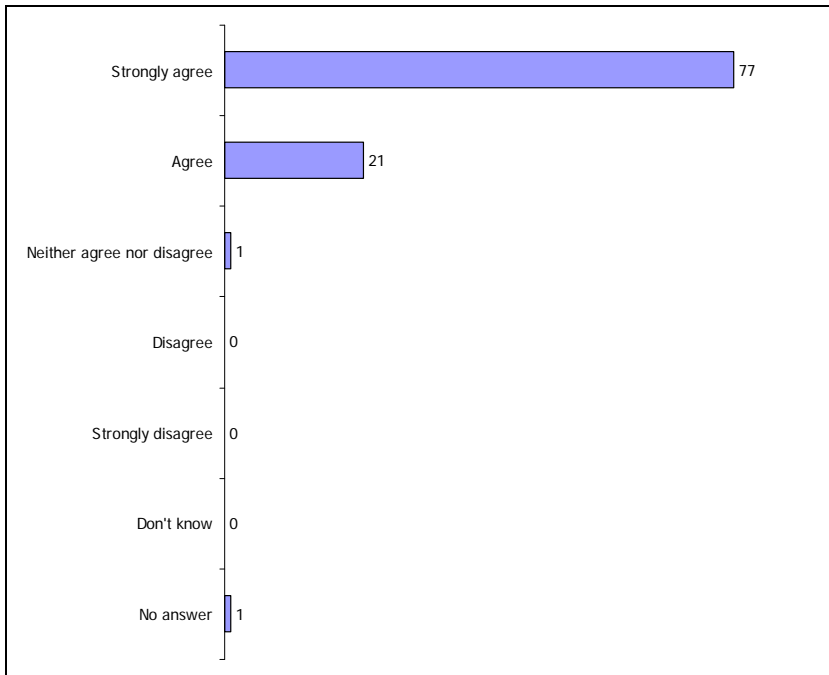
Q6. To what extent do you agree or disagree that Overall effectiveness is an appropriate judgement to make when inspecting a fostering service?



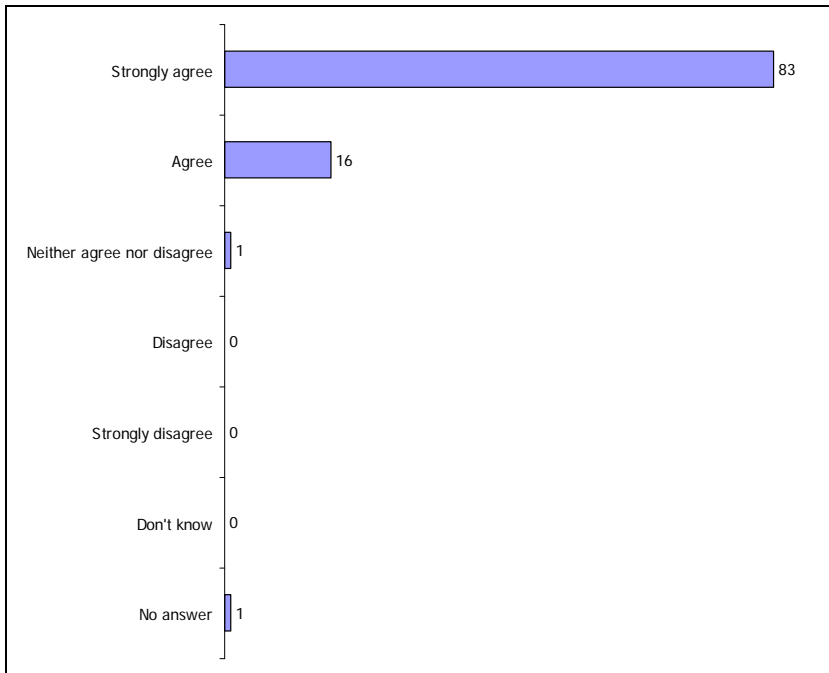
To what extent do you agree or disagree that Quality of service provision is an appropriate judgement to make when inspecting a fostering service?



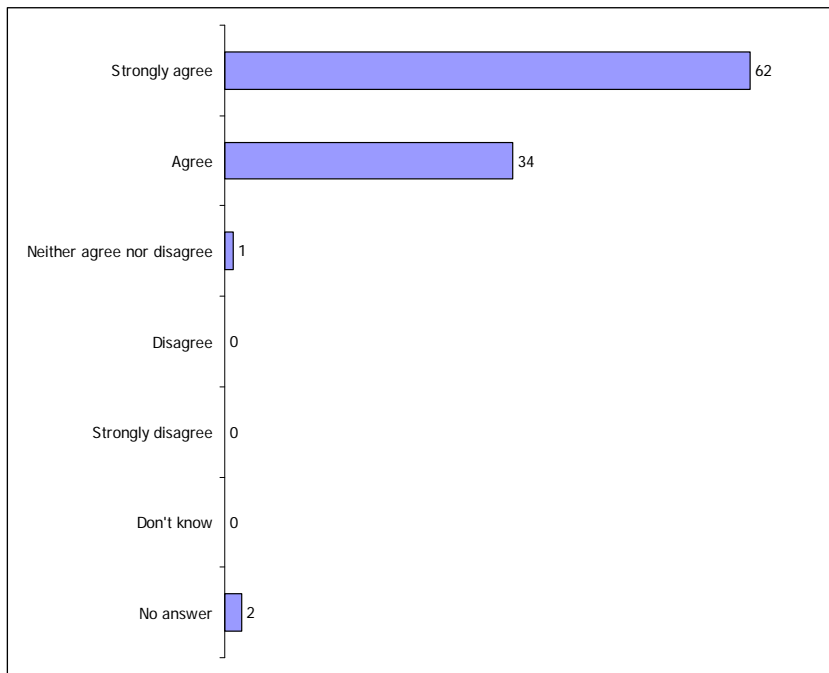
To what extent do you agree or disagree that Outcomes for children is an appropriate judgement to make when inspecting a fostering service?



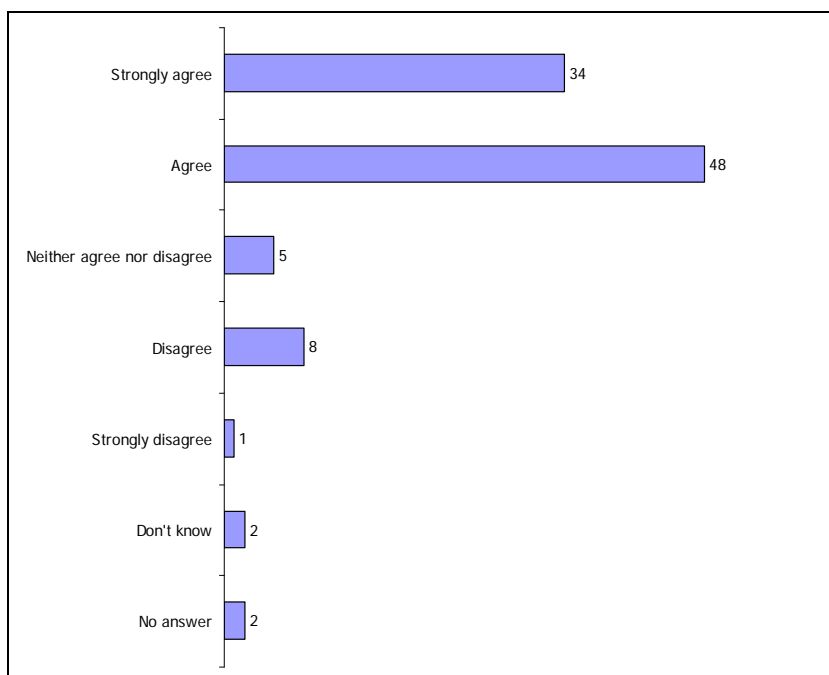
To what extent do you agree or disagree that The safety of children is an appropriate judgement to make when inspecting a fostering service?



To what extent do you agree or disagree that Leadership and management is an appropriate judgement to make when inspecting a fostering service?



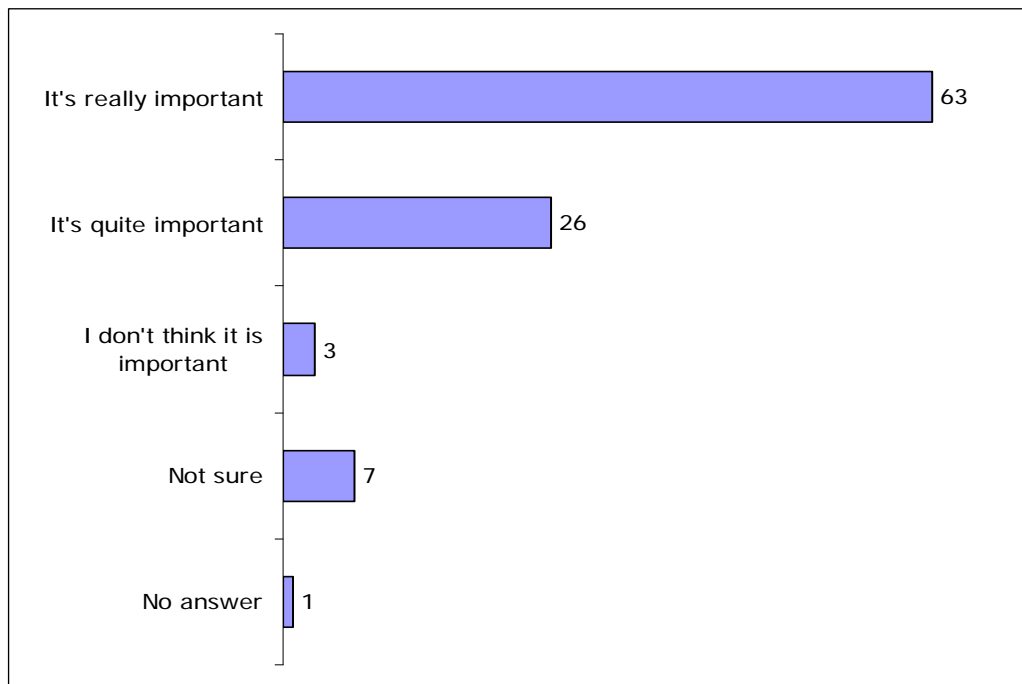
Q7. To what extent do you agree or disagree that the promotion of equality and diversity should be addressed throughout the inspection framework rather than considered as a separate judgement?



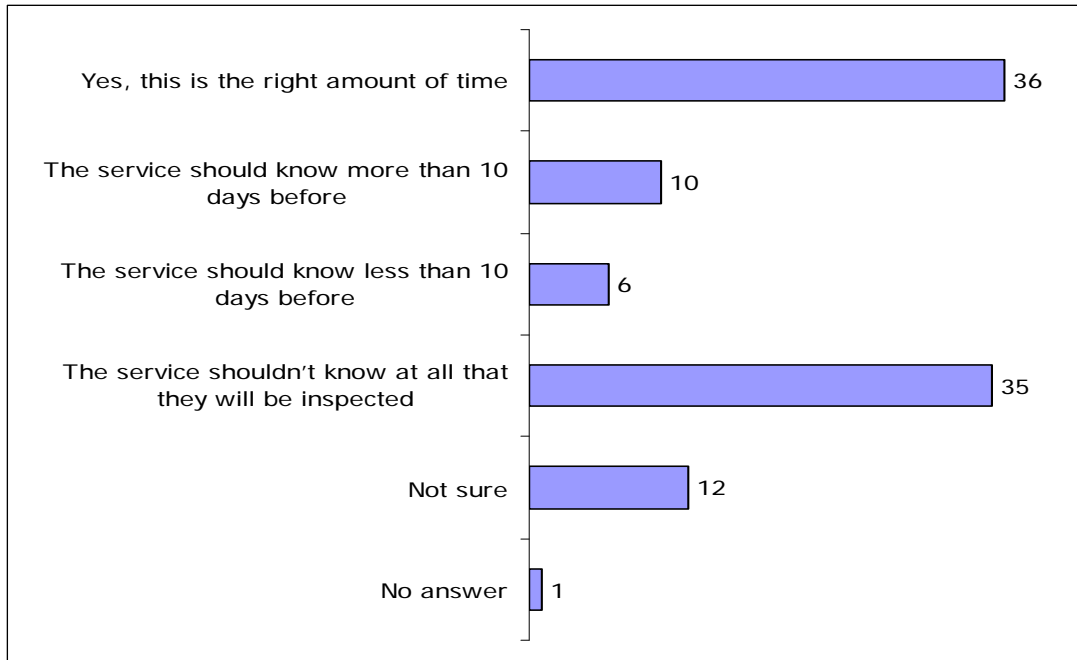
## Annex B. Online consultation results for children and young people

The following are individual percentages for a total of 171 children and young people who responded to each question. Figures are rounded and may not add to exactly 100.

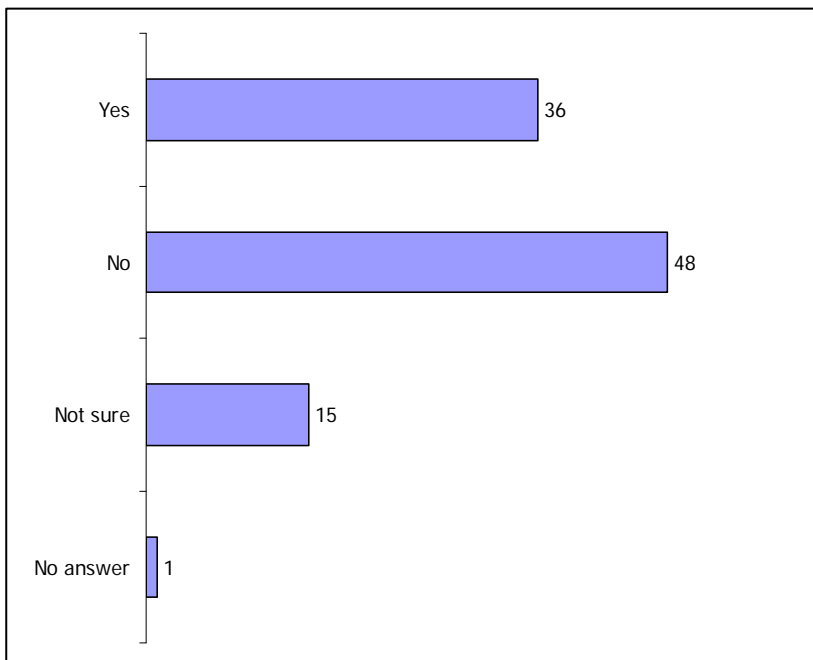
Q1. How important is it for inspectors to ask for the views of children and young people who are fostered?



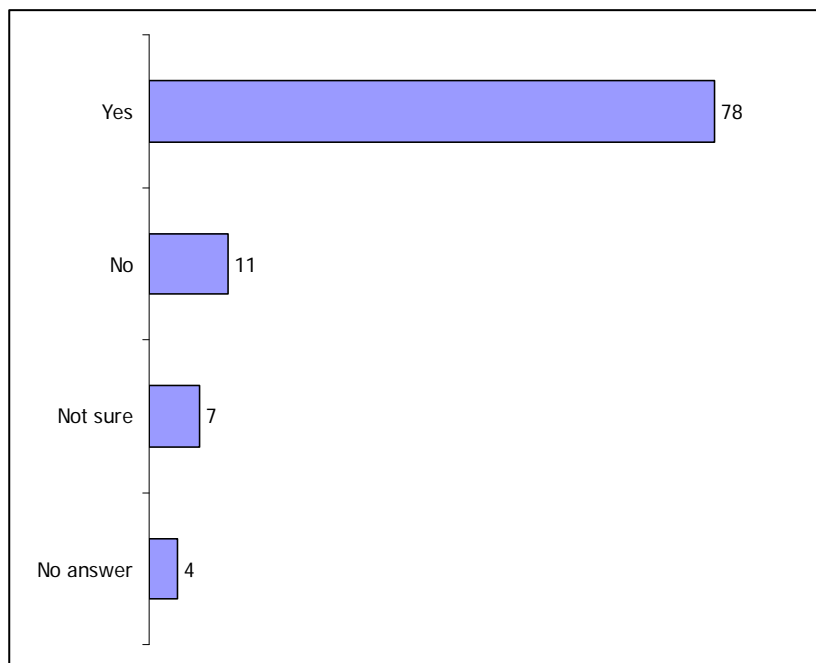
Q2. We want to tell fostering services that we will be inspecting them 10 days before the inspection. Is this the right amount of time?



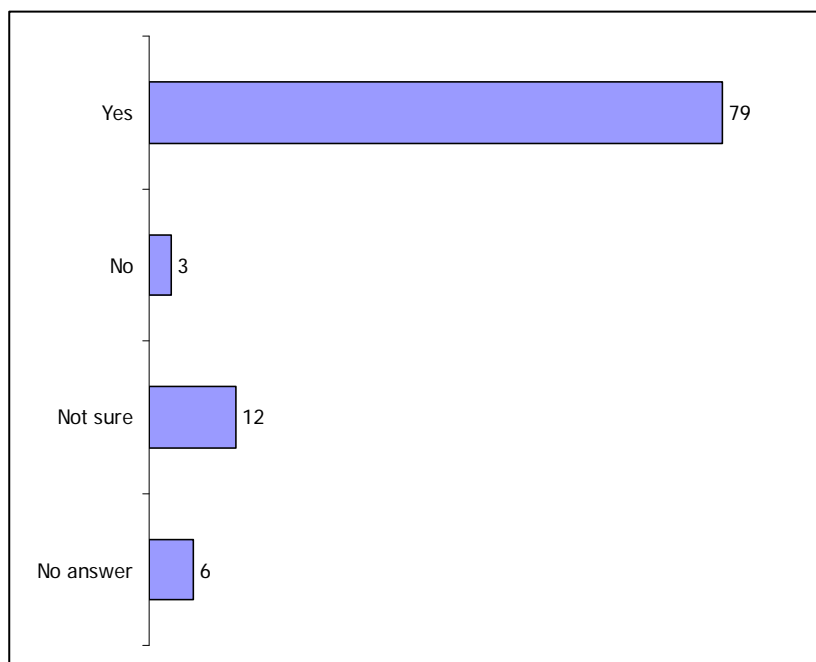
Q3. Do you agree that fostering services which are very good should be inspected less often than the ones that aren't so good?



Q4. Should inspectors judge fostering services on...  
 ...how well children progress?

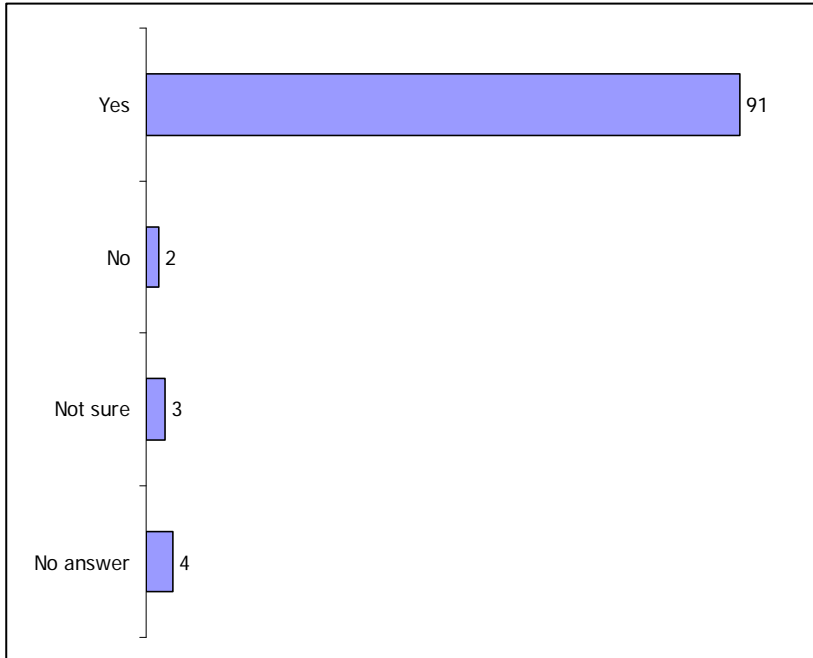


...how good their service is?





...how safe children are?



...how well the service is managed?

