

Children's home inspection framework

A report on the responses to consultation

This is a report on the outcomes of the consultation about the arrangements for the inspection of children's homes.

If you would like a version of this document in a different format, such as large print or Braille, please telephone 0300 123 1231 or email enquiries@ofsted.gov.uk.

Published: March 2014

Reference no: 140060



Corporate member of
Plain English Campaign
Committed to clearer communication

361

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.ofsted.gov.uk/resources/140060.

Interested in our work? You can subscribe to our website for news, information and updates at www.ofsted.gov.uk/user.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

No. 140060

© Crown copyright 2014



Contents

Introduction	4
Changes to inspection	4
The proposals in the consultation	6
Overview of responses	8
General feedback	8
Proposal (I): That the evaluation criteria clearly describe the characteristics of each grade in each judgement area	11
Proposal (II) (i) Registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no higher than 'requires improvement' and is likely to lead to a judgement of 'inadequate'	12
Proposal (II) (ii) We will not register managers who at the point of registration do not hold the required professional qualification	12
Proposal (III): That a judgement of 'inadequate' in the key judgement will always limit the 'overall experiences and progress' judgement to 'inadequate'.	13
Proposal (IV): Making judgements at the interim inspection	14
Annex A. Children and young people's consultation	16
Annex B. Respondents to the consultation	26
Annex C. Number and percentage of agreement to the proposals	27

Introduction

Changes to inspection

1. Ofsted recently consulted on four key proposals about the inspection of children's homes. This consultation opened on 13 December 2013 and closed on 18 February 2014. We received 126 written responses and met with four provider groups. We worked throughout with a group of representatives from the sector. In addition, we held an event for all those homes that had volunteered to be part of the pilot process. We piloted the new inspection framework in four children's homes. We also value the thought-provoking contributions from children and young people through an online questionnaire, discussion groups and the detailed response from the Who Cares Trust? We are very appreciative of all the support and input we have had in developing these proposals.
2. We have reflected on the responses and views we have received and have given careful consideration to all the issues raised. The government timetable for reform proposes that all regulatory changes will be in place for April 2015. We have decided that we will introduce the changes to the full inspection framework in April 2015 alongside the government's new quality standards and the new regulations for children's homes. We think this will enable Ofsted, with government officials, providers and sector experts, to align inspection and regulation effectively. It will also enable the inspection criteria to inform, and be informed by, the developing quality standards and regulatory ambition for children and young people. Additionally, we are of the view that the introduction of two framework changes in quick succession is both inefficient, given the clear timetable to regulatory reform, and potentially will have made less difference to the lives of children and young people because of the energy being used in and by the system to accommodate too much change over a short period. We are, of course, committed to continually improving the lives of children and young people. We will therefore introduce some changes that we think will promote consistency in our inspections, provide better information to commissioners and continue to improve the effectiveness of inspection and regulation.
3. From **1 April 2014**, we will:
 - update the inspection methodology to place a stronger emphasis on providers demonstrating to Ofsted the difference they are making to the lives of children and young people
 - revise the approach to interim inspections so that these have a wider focus than the progress since the last inspection and lead to a new set of inspection judgements that relate more clearly to the outcomes and progress of children and young people

- update our inspection reports to reflect the recent changes to the registration regulations that enable Ofsted to publish the names and addresses of registered providers and responsible individuals and the date and nature of any enforcement activity¹
 - introduce service-specific guidance to make it clearer how inspection frameworks should be interpreted across the breadth of residential care provision
 - publish reports where we have visited providers to monitor specific matters so that there is more information available publicly about the progress that homes are making where we have had or continue to have cause for concern
 - introduce a 'services of concern' model so that there will be increased oversight of homes. Inspection judgements and other information available to Ofsted, such as complaints and notifications, indicate that there may be cause for concern. This will influence the timing of inspections and the approach to enforcement activity.
4. From **1 April 2015**, the inspection framework will include the following:
- a judgement grade of 'requires improvement' that replaces the current judgement of 'adequate'
 - the following judgement structure:
the overall experiences and progress of children and young people living in the home taking into account:
 - how well children and young people are helped and protected (key judgement)
 - the impact and effectiveness of leaders and managers (graded judgement)
 - working in partnership with others to improve the outcomes for children and young people (graded judgement)
 - evaluation criteria for 'outstanding', 'requires improvement' and 'inadequate' that are derived from 'good' as the minimum benchmark. These criteria will be fully informed by the recent consultation. We set out in more detail below the changes we intend to make

¹ From April 2014, Ofsted is able to share this information following a change in government regulations.

- a judgement of inadequate for the key judgement is likely to lead to an overall judgement of inadequate; an inadequate judgement for one of the graded judgements is likely to lead to an overall judgement of no higher than 'requires improvement'.
5. We will continue to work closely with the Department for Education (DfE) as they develop the new quality standards and regulations. As we do so, we will consider what further consultation we will need to undertake before introducing the new inspection framework in April 2015.

The proposals in the consultation

6. We sought your views on four specific proposals.
7. **The first proposal** concerned the evaluation criteria for the judgement of 'outstanding,' 'good', 'requires improvement' and 'inadequate' in each of the judgement areas. These included the overall judgement, the key judgement[s] and two graded judgements. We asked:
- if the characteristics of 'good', as they were set out, describe the help, care and protection that children and young people should experience and the progress they should make
 - if the characteristics of 'good', as they were set out, describe the impact and effectiveness of leaders and managers and the quality of partnership working to improve outcomes that should be in place
 - if the 'outstanding' criteria captured well the effectiveness of those homes that are making an exceptional and enduring difference to the lives of children and young people
 - if the 'requires improvement' and 'inadequate' criteria clearly drew the distinction between those homes that are not yet good and those homes that are failing to help, care for and protect children and young people and/or have inadequate leaders and managers.
8. **The second proposal** was that registered managers and care staff should meet the qualification requirements as set out in the current national minimum standards.² Where either managers³ or care staff⁴ fail to achieve the required

² We will revise the framework in light of any future legislative changes.

³ Registered managers who do not have the management qualification as set out in the national minimum standards must enrol on a management-training course within six months and obtain a relevant management qualification within three years of their appointment.

qualifications within the prescribed timeframe we proposed that this would directly affect the leadership and management judgement. Failure would limit the judgement to either 'requires improvement' or 'inadequate'. Factors influencing the judgement would include the length of time that staff and/or managers had remained without the qualification, the reasons for the failure to meet the national minimum standards and the impact on the quality of care and professional practice. The impact on children and young people would be the most significant factor influencing the inspectors' assessment. In addition, we proposed that we would only register managers who held the professional qualification as outlined in the national minimum standards.

9. **The third proposal** was that a judgement of 'inadequate' for 'how well children and young people are helped and protected' would always limit the overall 'experiences and progress' judgement to 'inadequate.' A judgement of 'inadequate' for leadership and management or 'working in partnership with others' would be likely to lead to an overall judgement of 'inadequate' and certainly no better than 'requires improvement'.
10. **The fourth proposal** was that interim inspections would have a much stronger focus on the progress and experiences of children and young people and the success of the home in maintaining high standards of care and protection, learning from experience and improving practice. We proposed that the most important driver of the judgement on these inspections is the progress that children and young people are making and the quality of safety, care and protection that they experience.

⁴ All new staff who do not meet the qualification requirements on appointment must be working towards the required qualification in the national minimum standards within six months of confirmation of employment.

Overview of responses

General feedback

11. The majority of respondents supported our proposals and provided helpful and insightful comments that will help shape the detail of the inspection framework. There was some concern about the turbulence in the sector and the rate of pace of change with new regulations from government and further regulatory reform in the pipeline. We have taken this into account in our plans for implementation.
12. There are mixed views about the introduction of 'requires improvement'. While some respondents thought this was helpful, others were less convinced. Of particular concern to many respondents was the commissioning practice of local authorities and a view that, with the introduction of 'requires improvement', the view of commissioners would be that this is not good enough and therefore the provider should not be used by the local authority. We do not agree that the change from 'adequate' to 'requires improvement' will affect commissioning practice where, previously, 'adequate' provision has been used. We believe we need to continue to report without fear or favour and that it is right that we should set the benchmark of 'good' for all children and young people. We know that many professionals working with children living in children's homes and local authorities share this aspiration. We continue to make the connections with our inspections of local authorities. Where we see children and young people being moved from where they live when this is not in their best interests, we will challenge this practice in the local authority inspection.

'Requires improvement is a much better descriptor than 'adequate' which does not set the challenge to improve.'

13. A number of providers have asked us whether we will return more quickly to those homes that are judged as 'requires improvement'. We will continue to return within six to eight weeks to those providers we have judged inadequate, because in these circumstances we have assessed that children and young people may be at risk of harm and/or are not having their welfare safeguarded. We think this is right. We must prioritise our resources where there is greatest risk to children and young people. We were surprised that a number of respondents consider it preferable to be assessed as potentially leaving children and young people at risk (inadequate) so they could have an early re-inspection. We think that this response undermines the credibility of the sector and the vast majority of providers who are striving for excellence in what they do and are committed to improving the life chances of children and young people. We also believe that this would most certainly not be in the best interests of children and young people. For those homes that are judged 'requires improvement', we would hope that they would be committed to making the changes and working with commissioners to demonstrate how they are providing the best service for the children and young people living at the

home. We are making changes to our interim inspections and these will provide better information to commissioners to help them understand the effectiveness of the home. We set this out in more detail below.

14. Some responses indicated that we had not articulated clearly enough what we mean by 'best fit'. This is not about a 'one size fits all' model of residential care or about an Ofsted view that all homes should be of a certain size or any attempt to limit the diversity of provision. Instead, it is quite the opposite. We recognise that to expect that a children's home neatly matches all the grading criteria we set out is overly simplistic and naïve. We know that in some homes, some criteria will have less relevance than others and that even when all the criteria are relevant, there will always be a degree of professional judgement in weighing and balancing evidence against evaluation criteria. 'Best fit' is about ensuring that inspection is not a checklist, but, instead, is a professional evaluation of the effectiveness and impact of the home on the experiences and progress of children and young people. The benchmark of 'good' guides those being inspected and those inspecting as to what we are looking for.
15. A good example of 'best fit' is the criterion that sets out that all children and young people should access 25 hours of registered educational provision per week. We think this is absolutely the benchmark we should expect. This is the minimum that children and young people are entitled to and we believe this underpins their progress to successful adulthood. However, we know that for some children and young people this is a high aspiration and there will be a number of difficult and challenging steps that may need to be taken as children and young people work towards engaging with education. So, in itself, this is not a limiting factor. Inspectors will want to see the plans and progress for children and young people based on their individual circumstances, their emotional well-being and their abilities. They will want to see the home working with the young person, listening to their views and supporting their progress, however incremental that may be. However, they will want to see high aspirations for children and young people. The criterion in this case sets out what is expected but does not limit judgements where there is proper account about the progress children are making and quality of care and support that is available to them.
16. Some respondents proposed that the new framework will result in harsher judgements for providers working with children and young people whose needs are very complex. This framework is not intended to penalise providers for working with the most complex children and young people whose behaviour can be high-risk either to themselves and/or others. What we want to see is that homes are equipped with trained and qualified staff who can meet the needs of the children and young people they are working with; that they understand their practice, review their approaches and continue to find the best ways to make a difference to children and young people's lives. We want homes to be able to demonstrate to us how they are working with children, how they measure progress and how they determine impact.

17. Some respondents expressed concern that practice previously described as 'adequate' was now within the descriptor of 'good.' This is the case for some criteria. In the current framework, to be judged 'good' you must meet the descriptor of 'adequate', as well as the additional criteria for 'good'. This explains why, in a framework where we only describe 'good', we must also set out some of the basic practice we expect to see in place that underpins the experiences of children and young people. This is not about lowering the bar.
18. Some respondents raised questions about what certain words mean and how they would be interpreted by inspectors. Others thought the proposed framework to be over-prescriptive. Where we can, we will provide greater clarity, but we do not anticipate defining all the evaluative descriptors in the framework. We will rely on the professional judgement of our inspectors to interpret the criteria against the evidence on each inspection.
19. Many respondents raised questions for us to consider further. Therefore, even though we will not introduce the full inspection framework until April 2015, we plan to address some of the issues raised through interim guidance from April 2014.
 - In April 2014, we will introduce service-specific guidance that clearly articulates the principles that inspectors apply when making their judgements in services that provide short breaks, secure children's homes, therapeutic communities, residential special schools that are registered as children's homes and children's homes that provide emergency accommodation and/or short-term placements and/or assessments.
 - Children and young people have shared some clear messages with us about the things they think inspectors should take into account when inspecting the places that they live. We will use this feedback to inform our training and we will publish an annex to the handbook that clearly sets out what children and young people have told us is important to them (see Annex A to this document).
 - We will update our inspection handbook to be clear that inspectors will place a much stronger emphasis on leaders and managers being able to demonstrate the impact that they are having on children and young people's lives - showing how they know they are making a difference and how they are measuring progress for individual children and young people.
20. We think it is right that we make changes as we continue to improve the rigour and consistency of inspections. We will set out all the changes to the inspection methodology in the revised inspection handbook.

Proposal (I): That the evaluation criteria clearly describe the characteristics of each grade in each judgement area

21. While there was broad agreement with the criteria, detailed feedback from children and young people and other respondents will inform many changes to the detail of the grade descriptors, providing greater clarity about how inspectors will make their judgements from April 2015. We will ensure that any further consultation provides an opportunity for additional comment. We recognise that many respondents were more concerned with the implementation of the framework than the detail of the words in the document. We know it is important that inspectors understand progress and experiences in the context of individual children. We recognise that many of the young people living in children's homes have extremely complex needs and that for many they have been at risk from their behaviour for some considerable period before coming to live at the home. We know this is a challenge for homes and we agree with those respondents who raised this issue with us.

'Whilst in agreement that the characteristics of good as they are set out provide an excellent baseline for inspection, it is also very important to acknowledge and measure the quality of the support and help given to children and young people who may not initially respond positively to the interventions and support of staff. For some children and young people progress may be incredibly slow but the placement may be exactly the right placement for them.'

22. We think this is right and that is why we intend to update our inspection methodology from April 2014 to make it clear that providers must demonstrate to us how they know they are making a difference in children and young people's lives; what they are specifically offering to children to help with their difficulties; how they know that the quality of their experience is positive; and how they know that children and young people are making progress.
23. There were mixed views about the descriptors for 'good' and 'outstanding', with some respondents stating that the criteria currently used to describe outstanding should be part of good and others thinking that outstanding was unobtainable.
24. The new 'working in partnership with others' judgement was welcomed, but there was some concern that homes would be held to account for the failings of others. We do expect that homes advocate well for children and young people and challenge others to provide the best care and support.
25. When we launch the inspection framework in April 2015, we will:
- include clearer definitions of outstanding that draw a greater distinction between good and outstanding; where respondents have indicated there is a lack of clarity, we will reflect on how we can improve

- change the words in some places to reflect more closely what children and young people are telling us; for example, we will make it clear that the complaints process should be fair and child-friendly and that children and young people know how to raise 'problems' as well as complaints
- include more references to *listening* to what children and young people are saying
- add a grade criteria about the quality and effectiveness of therapeutic intervention in the home
- include stronger references to the requirements of statutory guidance in relation to children who go missing
- include youth offending teams as a partner agency
- ensure that the framework explicitly recognises that, for some children and young people, progress in one dimension may result in regression in another; we will expect that providers can clearly articulate what is happening for children and young people, explain these issues well and be responding appropriately
- include more detail about how well children and young people are welcomed into the home and how leaving the home is managed - either planned or unplanned endings.

Proposal (II) (i) Registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no higher than 'requires improvement' and is likely to lead to a judgement of 'inadequate'

Proposal (II) (ii) We will not register managers who at the point of registration do not hold the required professional qualification

26. Our proposals in relation to qualifications have largely been superseded by the new regulations that came into force on 27 January 2014.⁵ The DfE is also leading a wider review of qualifications for registered managers and care staff. While many respondents were in favour of a more robust approach to qualification requirements, others made a number of comments about the availability, cost and quality of training and the implications for agency/relief

⁵ The Children's Homes and Looked after Children (Miscellaneous Amendments) (England) Regulations 2013; www.legislation.gov.uk/uksi/2013/3239/made.

staff. We will share the detailed (anonymised) comments with the DfE to inform their work on professional qualification.

27. We think that it is important to have a well-qualified workforce that can understand and respond to the complex needs of vulnerable children and young people and provide strong leadership to staff teams. Ofsted will only register managers that have the skills and experience outlined in regulation. Applicants to be a registered managers must have:
- within the last five years worked for at least two years in a position relevant to the residential care of children; and
 - worked for at least one year in a role requiring the supervision and management of staff working in a care role.

Proposal (III): That a judgement of ‘inadequate’ in the key judgement will always limit the ‘overall experiences and progress’ judgement to ‘inadequate’.

28. **A judgement of ‘inadequate’ in any of the graded judgements is likely to limit the ‘overall experiences and progress’ judgement to ‘inadequate’ but to no higher than ‘requires improvement’.** This proposal was less popular with some respondents concerned about a mechanistic approach to inspection. However, 58% of respondents did agree, saying that that this was exactly the right thing to do and that it increased the transparency of judgement.

‘The key judgement is the most critical areas [sic] concerning help and protection for children and young people and by definition will decide what the judgement will be for ‘overall progress and experiences’

29. One young person told us:

‘If children aren’t safe then nothing else matters’.

30. Consistency of application by inspectors was a key issue, with some respondents concerned that inadequacy would be based on process and procedure, whereas others recognised that the criteria were clearly related to the impact on children and young people.
31. We think it is right that where there are failures that leave children and young people being harmed, or at risk of harm or their welfare not being safeguarded, we should say that the home is inadequate overall. We are clear that in making a judgement of inadequate for this key judgement in the proposed framework, inspectors must be able to articulate clearly the impact of any failings on the protection, safety and promotion of welfare of children and young people.

32. In relation to an inadequate judgement in one of the graded judgements being likely to lead to an overall judgement of 'requires improvement', respondents again differed in their views. A key theme was that inspectors should take an holistic, not a 'blanket', approach. We agree that inspectors must use their professional judgement and consider all the evidence, which is why we say 'is likely to limit', so that their judgement can be applied in circumstances where that is required. We will ensure that our inspectors are clear on this issue before implementation. However, we remain convinced that the safety and welfare of children and young people must be a central responsibility of leaders as is the requirement to work in partnership with placing local authorities and health/education providers – a cornerstone of the partnership judgement.

Proposal (IV): Making judgements at the interim inspection

33. We proposed that interim inspections would focus on four key areas to promote consistency and to be transparent about our expectations:
- Tracking the progress of children and young people since the last inspection and the difference the home is making - Where young people have left the home since the last inspection, inspectors must focus on the reasons the young person has left the home (well-planned and facilitated move or placement breakdown) and the home's contribution to the plans for their future. Where young people are newly resident in the home or the service is a short break service, the inspector must assess the quality of the planning and transition work, the knowledge and understanding of the needs of the young person, the arrangements to work directly with children and young people to help them, and the ability of the home to meet those needs effectively.
 - The effectiveness of leaders and managers in monitoring the care of the children and young people, their ability to identify where improvement can and should happen and, where they prioritise areas for development, the effectiveness and impact of their improvements.
 - An overview of the experiences of children and young people since the last inspection including significant incidents, notifications, complaints and incidents of restraint - inspectors must assess whether children and young people are protected, how well the home has responded and how well the home has used opportunities for learning to improve the experiences for children and young people.
 - The home's response to the requirements and recommendations made at the last inspection.
34. There was strong agreement to focus on these four key areas (78%), with respondents thinking they were 'well chosen.' Children and young people felt that, as described, there was insufficient attention paid to their child's voice. We agree and will ensure that we make this clear.

35. We recognise that the interpretation of 'progress' needs to be different for disabled children, and particularly for short breaks services. We will make this clear in our service specific guidance.
36. Some respondents requested that interim inspections were replaced with a second full inspection. Ofsted is not resourced to make this happen, so the interim inspection needs to be a more focused inspection. It has been suggested that the interim inspection should also take account of the effectiveness of partnership working. We agree that this is important and we will include this in the final framework for interim inspections.
37. The second part of this proposal related to the judgement structure. In the consultation, we proposed that this should be 'inadequate progress/declined', 'limited progress' and 'good progress'. These judgements were not popular. Key objections were that this is a negative approach, that it misses the importance of the relationship between the full inspection judgement and the interim inspection judgement and that the focus on progress does not acknowledge a good or outstanding home that is continuing to support children and young people well. The periods between inspections mean that it is difficult to evidence progress for some homes.
38. We have considered these concerns and we agree that the interim inspection judgement must relate to the judgement from the full inspection. We think that it is both fairer and more accurate to provide a commentary on whether effectiveness has improved, been sustained or declined since the full inspection. We will also change the report format so that the most recent inspection judgements are immediately clear to the reader.
39. We will implement these changes in April 2014. This will provide greater consistency in inspection and a better commentary on what is happening in homes for the children and young people living there, the adults working there, the public, government and placing local authorities.

Annex A. Children and young people's consultation

How to inspect children's homes

Young people's views

We would like to thank all the children and young people who have helped us to understand better what is important to them and the staff who supported them in sharing their views. We would particularly like to thank the children and young people from the Children in Care Councils in Kirklees, Doncaster, Northumberland and Gateshead, and the young people living in Kylloe House.

Introduction

As well as the online survey, which secured 140 responses, we gathered the views of 28 young people who attended discussion groups, including one in a secure children's home, and two 'Children in Care Council' events. Three young people sent in views directly through their Children's Rights Officer. The report also includes the views of 36 disabled children secured using a symbol survey, which asked some of the same questions. A total of 207 children have given their views.

This annex sets out what children have said, including direct quotations that illustrate and summarise their views and concerns.

Of the children who responded to the online survey, 61% were boys and 39% were girls. Of those who completed the widget version, 77% were boys and 23% were girls. The ages ranged from nine years to 18 years and the middle age was 15 years.

Twenty five girls and six boys attended the groups and events.

Idea 1

Inspectors will talk to relevant people to find out how well children are being cared for in a children's home and how they are getting on. Is this a good idea?

Ninety per cent of the survey responses said that this was a good idea. The children also chose whom the inspector should talk to from a pre-defined list. The category receiving the highest number of votes was the **young people** who live in the home, supported by 95% of the young people who voted.

Who should inspectors talk to	No of YP(123)	%
Young people who live there	117	95
Staff in the home	111	90
The manager of the home	99	80
Social worker	86	70
Family (if this is ok)	74	60
IRO (independent reviewing officer)	55	45
Teacher	49	40
Looked after children nurse	26	21
Local policeman	25	20
School nurse	15	12

We shared this list with the 17 young people who attended a regional Children in Care Council meeting and asked them why they thought some of the professionals on the list had scored lower than others, for example IROs, teachers, looked after children nurses, local policemen and school nurses. Most agreed with the way young people had voted through the survey, saying that inspectors should not speak to those professionals because:

- 'They could make things worse than they are.'
- 'Young people prefer inspectors to talk to them so that their words aren't changed.'
- 'These professionals don't know what goes on daily.'
- 'It's information about you and some of the information should be kept confidential.'

Two young people thought inspectors should speak to people like IROs and the police because 'they're professionals and they understand statistical data, especially the police'.

We asked the young people in the discussion group whether it is a good idea for inspectors to talk to relevant people to find out how well children are being cared for and how they are getting on. They unanimously said yes. When we asked 'who should the inspector talk to', they were also unanimous in their response '**the young people**'. One young person made an additional point. Not only did they think an inspector should always speak to young people, but they also thought that it was important that the inspector spoke to them first.

'So staff don't brain wash young people before inspectors get to them', others agreed.

The opportunity for young people to speak to an inspector individually and as a group was thought to be equally important, as different issues could emerge.

The young people in the group held at the secure children's home spoke of their experience in a secure children's home and compared this with time spent living in an 'open' children's home. One comparison they raised was that during a recent inspection of the secure unit, the inspector had never spoken to them, unlike inspections they had experienced in open units where inspectors had always talked to them. One young person was not surprised at this and said 'inspectors won't believe us anyway because we're only ever being naughty'.

The young people spoke about how being in secure accommodation had stripped them of many of their basic human rights, such as having a say. When asked how inspectors could make them feel listened to the response was 'talk to us'.

Thirty six young people completed the widget version of this survey. Thirty five responded to the question 'who should inspectors talk to?' They told us it was more important for inspectors to talk to staff, including the manager, than to talk to the children themselves.

Who should the inspector talk to	No of YP (35)	%
Children's home manager	27	77
Staff	26	74
Children	24	69
Family	22	63
Teachers	22	63
Social workers	22	63
Nurses	17	49
Police officers	13	37

A higher proportion of these children felt the inspector should talk to nurses (48%). Those who completed the online survey were asked to be more specific and 21%

said inspectors should speak with looked after children nurses and only 12% said they should talk to a school nurse, a significant difference.

Idea 2

Inspectors will say what children's homes are like and how well they are doing for children by checking the following:

- what the home is like for children
- how well the children are doing
- how well children are being helped and protected
- how good the people running the home are at their job
- how well the staff work with other professionals to help children do well.

Of the responses to the survey, **92%** said yes, this was a good idea.

We went on to ask whether the list covered everything inspectors should check on during an inspection. They responded with **70%** - **yes** it did, **15%** - **didn't know** and **15%** - **no** it didn't.

The young people then suggested a list of additional things the inspector should look at:

- 'Any relevant times of disappearance.'
- 'They should ask for Children's Rights to be respected.'
- 'How well the home itself is being run and whether it meets regulations.'
- 'They should ask the children how they get on with the staff and manager.'
- 'What the home does with the young people.'
- 'What improvements the children would like and how they get along with the other children placed there.'
- 'How the young people that live in that kids home feel about being there.'
- 'How family contact is supported (where possible).'
- 'How individual needs are met how independence is encouraged and supported.'
- 'If the children have everything they need.'
- 'Because they should ask all YPs if they want a chat.'
- 'That staff aren't having a relationships with lads.'

- 'How happy the children are.'
- 'Do we like living here.'

The above is a list of direct quotes from young people.

The young people completing the widget survey said it was a good idea for inspectors to check:

- if the home was good or bad – 97% agreed
- how well children progress – 91% agreed
- if children are safe – 91% agreed
- if staff help children – 94% agreed.

Six children said there was nothing else the inspector should check, but others suggested inspectors should look at:

- staff working at the school
- displays at school
- the trophy's and certificates
- classrooms
- living groups
- students' progress
- diets
- kitchen progress
- cleaning progress.

Important things

In December 2013, the Children's Rights Director conducted an online survey asking children living in children's homes to give their views on a number of important issues. One question asked, 'what makes a children's home a good children's home?' Over 600 children gave their views and, from their responses, we listed factors that scored most highly.

For this survey we asked the children taking part to score this top list of things again by awarding a score of 1-5 (1 being lowest and 5 being highest) to each factor. We divided the score each factor received by the number of young people who had registered a vote. This is how they scored:

Important things	Total scored	No of YP scoring	Average score
Staff help children to keep their contacts with their family	633	137	4.62
Staff help children to have and do hobbies they enjoy	613	136	4.51
Staff are 'caring and kind'	609	138	4.41
Staff keep children safe in the streets around the home	588	134	4.39
Children have regular medical checks	587	134	4.38
Staff help children with school and college work	581	133	4.37
Staff make children aware of dangers to their safety	588	135	4.36
The home provides a healthy diet	590	136	4.34
Children are happy in the home	592	137	4.32
Staff do activities with children as well as spending time talking with them	584	137	4.26
The home helps children take part in exercise	575	135	4.26
Staff have a sense of humour	587	138	4.25
Rewards and punishments are based on incentives and consequences	565	133	4.25
The security of the building is good	581	137	4.24
Staff supervise children properly	573	136	4.21
Staff help children not to want to run away	567	135	4.20
Staff help children who come back after running away	554	132	4.20
The home has good activities for children	562	134	4.19
The home feels homely	558	137	4.07
Managers are 'firm but fair'	546	136	4.01
The home is in a quiet and safe area	542	137	3.96
The home is big	513	138	3.72
The home has good outdoor facilities	486	138	3.52

There are 147 points between the highest and lowest scoring factors. Only three factors scored over 600 points. They were:

- **Staff** help children with contact
- **Staff** help children have hobbies they enjoy
- **Staff** are caring and kind.

The three lowest scoring factors were:

- The **home** is in a quiet and safe area
- The **home** is big
- The **home** has good outdoor facilities.

Children completing the widget survey also scored **staff** factors **higher** than **home** factors, for example staff being kind and caring, doing activities with them, keeping them safe, helping with schoolwork, and rewarding good behaviour scored higher than good outdoor and indoor activities or whether the home is big.

Children's relationships with staff

In the last Children's Rights Director survey (December 2013) children told us that having a good relationship with staff is very important to them. In the discussion groups and regional meeting we asked young people what inspectors should look for when checking what the relationship between staff and children was like.

They said that asking children directly should always happen 'young people with experience should know what the staff are like', but observing how children and staff interact is also very important and will give lots of information. Inspectors should look at:

- young people's body language around staff – do they appear relaxed around staff, do they make eye contact with staff (although the young people did acknowledge that some people weren't all that good at being able to read body language)
- how they communicate with each other, both ways staff to children and children to staff – do staff speak in a professional manner and tone; how do they approach young people?
- do they show respect for each other (staff and young people)
- check the activities log and see who is taking young people out – do all young people take part?

- how young people get their 'moanz and groanz' out – how do staff handle this
- are the staff patient
- check key workers sessions – check to see these are happening
- check home meetings
- check anti-oppressive practice is happening
- look at photographs around the home – have they got lots from activities etc.?
- inspectors could ask the young people to work alongside them and accompany them when they inspect
- 'Are staff firm but fair?'

Questions the inspector could ask included:

- 'How do staff treat young people?'
- 'Do you feel able and confident to open up to staff?'

The young people in the secure unit told us that it was important for inspectors to establish what motivated staff to work in a children's home and to find out 'do staff want to be there?'

What motivates staff to 'be there' was seen as very important by the young people and played a big part in how well they worked with individual staff members. When a young person felt that a member of staff wanted to be there and really wanted to make a difference to children's lives, they tended to get on better with them and respect them more, whereas staff who gave the impression that they didn't want to be there and it was just a job tended not to have great rapport with the young people.

The young people said that checking out how relationships were between staff and young people was probably easier for inspectors to do in an open unit. They acknowledged that it could be harder to do in a secure unit where 'all rights and dignity are taken away'.

Although the young people made these suggestions, they added the cautionary note to inspectors that making these assessments could be quite a tricky thing to do because during an inspection everyone will be on their best behaviour and can 'put on an act'. They made some additional suggestions to help with this:

- inspect all members of staff to make sure they are respectful, including night staff

- have undercover inspectors who come and work at the home
- turn up unexpectedly
- camera footage – if it's available to look at.

What inspectors should focus on during one day inspections

Finally, we asked those at the discussion groups to advise us on what inspectors should focus on during their shorter one day inspections.

'Talk to the young people' was something everyone agreed should happen, not just on their own but sometimes with staff present – and see how they respond to each other while this is happening.

The inspector should tell young people what they think isn't right in the home and let the young people be involved in developing plans to make improvements. On subsequent visits they could check, with the young people, whether things are getting better.

Other suggestions included:

- find out what is important to the young people and check that out – this could be how involved the young people are in menu planning, are they getting the right amount of pocket money, are they having proper medical checks
- make sure young people are getting all their rights.

Annex B. Respondents to the consultation

The types of respondents to the consultation can be seen below.

Type of respondent	Number of responses
The parent or carer of a child or young person living in a children's home	8
The registered provider of a children's home (including responsible individuals)	27
The registered manager of a children's home	35
Local authority Director of Children's Services	5
Other local authority representatives including commissioners	4
Practitioner in social care	18
Local Safeguarding Children Board Chair	1
Associations/representative groups	13
Prefer not to say	3
Other	12
Total for main consultation	126
Children and young people	207
Total	333

The responses included submissions from the following organisations:

- Youth Justice Board
- Independent Children's Homes Association⁶
- British Association of Social Workers
- NSPCC
- Local Government Association
- The Office of the Children's Commissioner

⁶ Seven nearly identical responses were received from ICHA/ICHA members.

Annex C. Number and percentage of agreement to the proposals

We received 123 responses to our main consultation plus three written submissions that did not follow the format of the online survey so cannot be included in the tables below. Not all respondents provided a response to all of our proposals.

Percentages for each question are calculated using the number of respondents who answered that specific question and are rounded so may not add up to 100.

Proposal (I): That the evaluation criteria clearly describe the characteristics of each grade in each judgement area shown in the tables below

The overall experiences and progress of children and young people living in the home

	Q1. Do the characteristics of 'good' describe the help, care and protection that children and young people should experience and the progress they should make?		Q2. Does the 'outstanding' criterion capture well the effectiveness of those homes that are making an exceptional and enduring difference to the lives of children and young people?		Q3. Do the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that are failing to help, care for and protect children and young people?	
	Number of responses	%	Number of responses	%	Number of responses	%
Strongly agree or agree	111	92%	84	72%	93	79%
Neither agree nor disagree	3	2%	10	9%	8	7%
Disagree or strongly disagree	7	6%	23	20%	17	14%
Total	121	100%	117	100%	118	100%
No response	2		6		5	

How well children and young people are helped and protected

	Q4. Do the characteristics of 'good' describe the help, care and protection that children and young people should experience?		Q5. Does the 'outstanding' criterion capture well the effectiveness of those homes that are making an exceptional and enduring difference to the lives of children and young people?		Q6. Do the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that are failing to help, care for and protect children and young people?	
	Number of responses	%	Number of responses	%	Number of responses	%
Strongly agree or agree	95	80%	87	75%	87	74%
Neither agree nor disagree	10	8%	12	10%	11	9%
Disagree or strongly disagree	13	11%	17	15%	19	16%
Don't know	1	1%	0	0%	0	0%
Total	119	100%	116	100%	117	100%
No response	4		7		6	

The impact and effectiveness of leaders and managers

	Q7. Do the characteristics of 'good' describe the impact and effectiveness that leaders and managers should have?		Q8. Does the 'outstanding' criterion capture well the effectiveness of those homes that are making an exceptional and enduring difference to the lives of children and young people?		Q9. Do the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that have inadequate leaders and managers?	
	Number of responses	%	Number of responses	%	Number of responses	%
Strongly agree or agree	102	85%	88	76%	92	80%
Neither agree nor disagree	14	12%	20	17%	12	10%
Disagree or strongly disagree	3	3%	7	6%	9	8%
Don't know	1	1%	1	1%	2	2%
Total	120	100%	116	100%	115	100%
No response	3		7		8	

Working in partnership to improve outcomes for children and young people

	Q10. Do the characteristics of 'good' describe the quality of partnership working to improve outcomes that should be in place?		Q11. Does the 'outstanding' criterion capture well the effectiveness of those homes that are making an exceptional and enduring difference to the lives of children and young people?		Q12. Do the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that are failing to work effectively with others?	
	Number of responses	%	Number of responses	%	Number of responses	%
Strongly agree or agree	95	80%	72	64%	72	63%
Neither agree nor disagree	11	9%	20	18%	15	13%
Disagree or strongly disagree	13	11%	15	13%	22	19%
Don't know	0	0%	6	5%	6	5%
Total	119	100%	113	100%	115	100%
No response	4		10		8	

Proposal (II) (i) Registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no more than 'requires improvement' and is likely to lead to a judgement of 'inadequate'

Proposal (II) (ii) We will not register managers who at the point of registration do not hold the required professional qualification

	Q13. To what extent do you agree that registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no more than 'requires improvement' and is likely to lead to a judgement of 'inadequate'?		Q14. To what extent do you agree that we should only register managers who at the point of registration hold the required professional qualification?	
	Number of responses	%	Number of responses	%
Strongly agree or agree	68	57%	64	54%
Neither agree nor disagree	15	13%	6	5%
Disagree or strongly disagree	34	29%	38	32%
Don't know	2	2%	10	8%
Total	119	100%	118	100%
No response	4		5	

Proposal (III): That a judgement of 'inadequate' in the key judgement will always limit the 'overall progress and experiences' judgement to 'inadequate'. A judgement of 'inadequate' in any of the graded judgements is likely to limit the 'overall experiences and progress' judgement to 'inadequate' but to no more than 'requires improvement'

	Q15. To what extent do you agree that a judgement of 'inadequate' in the key judgement should always limit the 'overall progress and experiences' judgement to inadequate?		Q16. To what extent do you agree that a judgement of 'inadequate' in any of the graded judgements is likely to limit the 'experiences and progress' judgement to 'inadequate' but to no more than 'requires improvement'?	
	Number of responses	%	Number of responses	%
Strongly agree or agree	69	58%	65	55%
Neither agree nor disagree	16	13%	13	11%
Disagree or strongly disagree	33	28%	38	32%
Don't know	2	2%	3	3%
Total	120	100%	119	100%
No response	3		4	

Proposal IV: Making judgements at the interim inspection

	Q17. To what extent do you agree that interim inspections should focus on the four key areas we have identified?		Q18. To what extent do you agree that we should move to a three-point judgement scale of 'inadequate progress and/or declined', 'limited progress' or 'good progress'?	
	Number of responses	%	Number of responses	%
Strongly agree or agree	93	78%	69	59%
Neither agree nor disagree	19	16%	25	22%
Disagree or strongly disagree	7	6%	22	19%
Total	119	100%	116	100%
No response	4		7	