

Introduction to residential family centres

A children's social care guide to registration

All residential family centres must register with Ofsted. This guide explains in more detail what the law says anyone intending to open a residential family centre must do to in order to apply for registration.

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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

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Introduction

This guide to registration explains in detail what a residential family centre is and what the law says it must do.

Residential family centre providers and managers must meet a range of legal requirements; this includes a requirement to register with Ofsted. We also expect providers and managers to show how they have taken account of the national minimum standards for residential family centres.

If you want to apply to us to open a residential family centre, you should first read this guide as well as our *Guide to registration for children's social care services*, which sets out the process of registration for all children's social care providers.¹

This guide explains in detail what a residential family centre is and what the law says in order to help you decide whether you need to register as a residential family centre provider or manager.

What is a residential family centre?

1. A residential family centre is any establishment that provides residential services for parents and their children in order to monitor and assess the parents' ability to respond to their children's needs and to safeguard and promote their children's welfare.
2. Residential family centres can also provide advice, guidance and counselling to the children's parents and services for parents who may be under 18 and therefore children themselves. In order to cover this range of people we use the term 'service user' throughout this guide.
3. The law sets out some types of accommodation that are not residential family centres and therefore do not have to register with us.² These include:
 - hospitals
 - independent clinics
 - hostels or domestic violence refuges
 - where the main purpose of an establishment is to provide accommodation and/or other services to adults. The fact that children are with the adults is incidental to meeting the adults' needs.
4. When does an establishment that offers places to parents and their children have to register as a residential family centre or a children's home?

¹ *Guide to registration for children's social care services* (090020), Ofsted, 2011; www.ofsted.gov.uk/resources/guide-registration-for-childrens-social-care-services.

² The Residential Family Centres Regulations 2002, Regulation 3; www.legislation.gov.uk/ukxi/2002/3213/contents/made.

There are three possibilities:

Firstly, if an establishment provides accommodation for children with their parents and:

- the parents' capacity to respond to their children's needs and to safeguard and promote their children's welfare is monitored or assessed

and:

- the parents are also given advice, guidance or counselling

it will require registration as a residential family centre under the Care Standards Act 2000.

If the primary purpose of any placement within a children's home is to assess parenting skills, re-registration as a residential family centre is required. Where a children's home contributes to another service's parenting assessment, the home does not meet the threshold for registration as a residential family centre if the primary purpose of the placement is to provide care and accommodation to both the parent, who is under 18, and child then the children's home does not need to re-register as a residential family centre.

Secondly, if an establishment accommodates parents with their children, but:

- does not carry out the assessment, advice, guidance or counselling functions above

and:

- the majority of those (parents plus children) who are accommodated are under the age of 18

the establishment requires registration as a children's home. Both parent and child placements must not exceed the total number of places the home is registered to provide care and accommodation for. The parent and child's placement plans must also clearly set out how care and accommodation is to be provided.

Finally, if the establishment's main purpose is to provide medical or psychiatric treatment for illness or mental disorder, or to provide palliative care, it may require registration with the Care Quality Commission. We have separate guidance on this, which is available on our website.

If you need any further specific advice about whether a particular children's home would need to register as a residential family centre, please email socialcare@ofsted.gov.uk.

Registration

5. All residential family centres must register with us before they can open. It is an offence to run a residential family centre without registration unless it is exempt

from registration. This helps to prevent unsuitable people owning, operating, managing or working within residential family centres.

6. A person or organisation that wishes to open a residential family centre must demonstrate how they meet a number of legal requirements and minimum standards for residential family centres. On page 7 of this guide we tell you where you can obtain copies of these.

7. In summary, a residential family centre must have:

- a registered provider and, where the provider is an organisation such as a company or organisation that is a charity, a person known as a 'responsible individual' who represents the organisation to Ofsted
- a registered manager
- a statement of purpose that sets out the overall aims of the residential family centre and the objectives for children who live there – the law sets out the information this must contain; you can find this information in schedule 1 of The Residential Family Centres Regulations 2002
- a resident's guide, which is a summary of the statement of purpose, the complaints procedure and the address and telephone number of Ofsted
- a number of policies and procedures; detailed in the national minimum standards for residential family centres.

8. There is more information on registration in the *Guide to registration for children's social care services*. You can find a link to this on page 7 of this guide.

Inspection

9. We normally inspect every residential family centre for the first time between seven and 12 months from the date of registration unless it has not admitted any service users, and then at an interval of at least once in a three year cycle.

10. At inspection we consider compliance with regulations and the national minimum standards as well as the quality of the leadership and management, and outcomes for those attending the residential family centre. We always want to speak to adults and children using the centre during our inspections.

11. We use a four-point scale to make judgements about the overall effectiveness of a residential family centre; the quality of the organisation and the outcomes for children and parents using the centre. The judgements are:

- **Outstanding:** the provision is of exceptionally high quality
- **Good:** the provision is strong
- **Satisfactory:** the provision is sound
- **Inadequate:** the provision is not good enough.

12. An inspection report is published about our findings. This may include statutory requirements a provider must complete to comply with the law or recommendations to help them improve. Providers must respond to any statutory requirements we set within a timescale. We will check on progress to meet any statutory requirements and will follow up recommendations at the next inspection.

Complaints and concerns about providers

13. We may receive complaints or concerns about a residential family centre. When considering complaints, we do not act as a complaints adjudicator. We do not decide if complaints are upheld, partially upheld or unsubstantiated. Instead we investigate concerns to make sure that the provider continues to meet regulations, the associated national minimum standards, and remains suitable for registration. Where they do not we may take enforcement action (see section below).

14. For more information about how we deal with complaints about providers please see the leaflet *Concerns and complaints about providers*. There is a link to this on page 7 of this guide.

Compliance and enforcement

15. Residential family centre providers must comply with the requirements of the regulations and meet the national minimum standards for residential family centres.

16. We investigate all instances that suggest a residential family centre does not meet legal requirements. Where we find non-compliance we take action to ensure service users' safety and compliance with the law. The action we take is based on what we call an 'escalating tariff'. Put simply this means that we take the least possible action to bring about compliance. In most cases we achieve this by simply telling providers in writing what they need to do to put things right, called 'statutory requirements'. Where providers cannot or will not improve we have a range of other powers including issuing a compliance notice, restricting accommodation in a residential family centre, cancelling a provider's registration or prosecuting for an offence.

17. Our *Compliance, investigation and enforcement handbook* provides more information about this and is available on our website. There is a link to this below.

Further information

All our guidance is available on our website: www.ofsted.gov.uk, by calling us on 0300 123 1231, or by writing to us at the following address:

Ofsted
National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD

For more information on how to **apply for registration** see our *Guide to registration for children's social care services* at:
www.ofsted.gov.uk/resources/guide-registration-for-childrens-social-care-services.

To **complain** about a social care provider please see *Concerns and complaints about social care providers* at: www.ofsted.gov.uk/resources/concerns-and-complaints-about-social-care-providers.

To see how we **investigate** information and bring about **compliance** please see our *Compliance, investigation and enforcement handbook* at:
www.ofsted.gov.uk/resources/compliance-investigation-and-enforcement-handbook.

Legislation

Please note: it is an applicant's responsibility to check that this is the most up to date legislation available and if any further amendments apply.

- The Care Standards Act 2000: legal definitions of all agencies and establishments we register; www.legislation.gov.uk/ukpga/2000/14/contents
- The Care Standards Act 2000 (Registration)(England) Regulations 2010; www.legislation.gov.uk/uksi/2010/2130/pdfs/uksi_20102130_en.pdf
- The Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2007; www.legislation.gov.uk/uksi/2007/694/contents/made
- The Care Standards Act 2000 (Establishments and Agencies) (Miscellaneous Amendments) Regulations 2002; www.legislation.gov.uk/uksi/2002/865/contents/made
- The Residential Family Centres Regulations 2002; www.legislation.gov.uk/uksi/2002/3213/contents/made

National minimum standards

Residential family centres must meet the national minimum standards:
www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4009250.