

Inspection of children's homes

Consultation document

This is a consultation document on proposals for a revised framework for the inspection of children's homes. Ofsted seeks the widest possible range of views from those who have an interest in, or expertise relating to, children's homes in order to ensure that the inspection framework takes proper account of the needs and circumstances of all interested parties. Above all, the framework must assure the quality of services for the children and young people who live in children's homes, and support their continuing improvement. We are particularly interested to hear from children and young people who live in or have lived in children's homes.

The closing date for the consultation is 31 October 2010.

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About Ofsted

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Introduction

1. This consultation seeks your views on proposals for a revised framework for the inspection of children's homes. Your views will help to refine and develop the inspection framework.
2. A children's home is legally defined as an establishment providing care and accommodation wholly or mainly for children.¹ This definition covers a great variety of homes including:
 - secure children's homes
 - children's homes providing respite care/short breaks
 - refuges
 - therapeutic homes
 - homes for children and young people who misuse drugs (including alcohol)
 - boarding or residential special schools who provide care and accommodation for more than 295 days a year.²

It is important that the framework addresses the issues that are common to all forms of residential care for children and young people. It is also important that it is able to effectively capture the issues that are significant for particular kinds of homes and the needs of different groups of children and young people.

Purpose and background to the consultation

3. The Department for Education are currently revising the National Minimum Standards for Children's Homes, the associated regulations and statutory

¹ The Care Standards Act 2000 section 1(2), OPSI, 2001;
www.opsi.gov.uk/acts/acts2000/ukpga_20000014_en_2#pt1-pb1-l1g1.

² The Care Standards Act 2000 section 1(6), OPSI, 2001;
www.opsi.gov.uk/acts/acts2000/ukpga_20000014_en_2#pt1-pb1-l1g1.

guidance. It is expected that the revised national minimum standards and regulations will come into force on 1 April 2011.

4. The purpose of inspection is to assess the quality of care being provided for children and young people and the outcomes which they are being supported to achieve. It tests compliance with the relevant regulations, and takes into account the national minimum standards. The introduction of new regulations and national minimum standards necessarily requires a revision of the inspection framework, to ensure that it remains fully consistent with the regulatory and legislative framework.
5. This is also an opportunity to review aspects of the conduct of inspection, and of the way that evidence is structured into a number of key judgements. The aim of this review is to ensure that, within the regulatory framework, the inspection of children's homes meets the obligations placed on Ofsted to ensure that inspection supports improvement in the services we inspect and regulate, is centred on the needs of users, and promotes the effective use of resources.³
6. We believe that, in order effectively to meet these obligations, the voices and views of children and young people themselves must be central to the conduct and the findings of inspection. We would seek to ensure, in developing and implementing a revised framework, that inspectors spend as much time as possible during an inspection observing daily practice and care in the home, and engaging with children and young people.
7. These proposals are being published at a time of wide-ranging debate about the role of inspection and regulation. The Government has indicated that it is keen to ensure that inspection is focused where it is most needed, and that it is proportionate. It places a high priority on the elimination of unnecessary bureaucracy, and wishes to reduce both the direct cost of inspection and the burden of inspection and regulation. In her review of social work in child protection, Professor Eileen Munro has been specifically asked to consider how inspection might better capture the quality of front line practice and lead to better services for children.
8. The proposals set out in this consultation are based on the draft revised regulations and national minimum standards, in the most recent version available. If the regulations and standards change between now and publication, then any necessary amendments will need to be made to the proposed framework. Beyond this, the proposals are set within the existing legislative and regulatory framework concerning the role and responsibilities of regulation, the responsibilities laid upon providers, and the frequency of inspection. This does not of course in any way preclude or pre-empt possible changes in that framework.

³ Education and Inspections Act 2006, s117, OPSI, 2006;
www.opsi.gov.uk/acts/acts2006/ukpga_20060040_en_12#pt8-ch1-pb3-l1g117.

9. In response to this consultation, Ofsted seeks the widest possible range of views from those who have an interest in, or expertise relating to, children's homes in order to ensure that the inspection framework takes proper account of the needs and circumstances of all interested parties. Above all, the framework must assure the quality of services for the children and young people who live in children's homes, and support their continuing improvement. We are particularly interested to hear from children and young people who live in or have lived in children's homes.

Proposals for inspecting children's homes

10. The purpose of inspection is to assess the quality of care being provided for children and young people and the outcomes which they are being supported to achieve. It tests compliance with the relevant regulations, and takes into account the national minimum standards.
11. The current statutory requirement is for every children's home to be inspected twice a year. Currently, this will include a full inspection, in which the inspector will normally spend two days on site; and an interim inspection, which will involve one day on site. Currently, graded judgements are made as an outcome of both inspections.
12. We propose that with effect from 1 April 2011, every children's home should have a full inspection annually. This inspection will inspect against the full evaluation schedule (see below) and will result in a set of graded judgements, as proposed in that schedule.
13. Judgements on a full inspection will be made against the following scale:
 - outstanding
 - good
 - satisfactory
 - inadequate.
14. We propose that every home should also have an interim inspection annually. The focus of this inspection will be to follow up progress on any requirements and recommendations for improvement made as an outcome of the most recent full inspection, or, if no such requirements or recommendations were made, to assess whether those high standards of care have been maintained. We propose that this interim inspection should result in a graded judgement on progress, where requirements or recommendations have been made at a previous full inspection.
15. We propose that all children's homes inspections will be unannounced. Children and young people have consistently said (for example, in consultations carried out by the Children's Rights Director) that they think inspection should be carried out without notice.

16. We do not propose any change in the allocation of inspector time to each level of children's home inspection.
17. Information available to and considered by an inspector prior to the inspection will include:
 - the home's statement of purpose
 - previous inspection reports
 - concerns and complaints received
 - notifications of significant events received
 - Regulation 33 reports received
 - quality assurance reports received under Regulation 34
 - any changes to registration, including a change of manager
 - any current or recent enforcement activity
 - any other relevant information.
18. During the inspection, evidence will be gathered through:
 - discussion with children and young people. Young people will be spoken to without staff present, unless the young people request otherwise
 - discussion with the registered person, the registered manager, and staff employed in the home (including students and agency staff). Staff will be spoken to without managers present, unless they request otherwise
 - where possible and appropriate, contact with significant others – for example, placing social workers; family members; health professionals working with the home; schools attended by children and young people
 - direct observation of daily care and living in the home
 - reading school and other educational reports
 - examination of records of restraint and control
 - sampling of case records, personnel records, and supervision records.

Summary of full evaluation schedule

19. We propose that inspectors will make judgements in the areas of:
 - overall effectiveness
 - quality of care
 - outcomes for children and young people
 - the safety of children and young people
 - leadership and management.

20. In making each judgement, inspectors will consider compliance with the regulations particularly relevant to that judgement, and will take into account the relevant national minimum standards.

Overall effectiveness

21. Inspectors will consider evidence and judgements from across the evaluation schedule before arriving at the overall effectiveness judgement, taking into account:
- the effectiveness with which the home provides personalised, well planned care, taking full account of the individual needs of each child and young person, and promoting positive outcomes for all children and young people
 - the views of the children and young people about the quality of care in the home
 - the quality of the relationships between staff and young people in the home
 - whether children are safe and feel safe.

Quality of care

22. In order to make their judgement, inspectors will evaluate the extent to which:
- children and young people enjoy positive and constructive relationships with staff
 - children and young people feel that their views and wishes are actively sought and that they influence the running of the home
 - assessment, care planning, review, and, where appropriate, preparation for moving on, are effective, focused on improving outcomes for children, and involve children and young people and people who are significant to them
 - staff are proactive and consistent in supporting educational achievement
 - a range of purposeful and enjoyable activities are available to children
 - needs relating to the child's cultural background and personal identity (including disability, ethnicity, faith, gender, language, religious belief, and sexual orientation) are identified and positively addressed in both daily living and care planning
 - the home is appropriately located, designed and maintained (including, in the case of a secure children's home, providing appropriate security).

Outcomes for children and young people

23. In order to make their judgement, inspectors will evaluate the extent to which:
- the health needs of children and young people (including needs relating to both physical and mental health) are appropriately met

- children and young people are encouraged and supported in healthy lifestyles and in taking responsibility for their own health
- children and young people attend and achieve at school or other educational provision
- appropriate contact with family, friends and other people who are important to them is promoted and supported
- young people feel effectively prepared for and supported in the transition to independence and adult life.

The safety of children and young people

24. In order to make their judgement, inspectors will evaluate the extent to which:

- children and young people are safe and feel safe
- the registered provider and manager take effective steps to ensure that staff are suitable for work with children, and that any allegations and/or suspicion of harm are promptly and robustly dealt with
- care provided to children minimises the risk that they will go missing, and children who do go missing are protected as far as possible and responded to positively on their return
- positive behaviour is promoted, and restraint is only used, if at all, in strict accordance with the legislative framework, including the accurate and clear recording of restraint and the reasons for its use
- the environment is physically safe and appropriately secure, taking account of the needs and characteristics of the children and young people cared for.

Leadership and management

25. In order to make their judgement, inspectors will evaluate the extent to which:

- the home is effectively and efficiently managed, and the registered person actively and regularly monitors the quality of care provided
- the statement of purpose is clear, accessible and comprehensive
- the home employs a sufficient number of staff, who are appropriately trained and effectively supervised and supported
- the home is adequately resourced, indicating the financial viability of the provider
- resources are used effectively
- appropriate records are kept, and Ofsted is promptly and appropriately notified of significant events as required by regulations
- the home can demonstrate capacity for continuing improvement, based on its track record, performance since its previous inspection, and evidence of the impact of improvements

Aspects for consultation

26. In developing and implementing a revised framework, we wish to ensure, that inspectors spend as much time as possible during an inspection observing daily practice and care in the home, and engaging with children and young people.

Q1. Do you agree that the voices and views of children and young people themselves should be central to the conduct and the findings of the inspection of children's homes?

27. We propose that with effect from 1 April 2011, every children's home should have a full inspection annually. This inspection will inspect against the full evaluation schedule and will result in a set of graded judgements, on the following scale: outstanding, good, satisfactory, or inadequate.

Q2. Do you agree that there should be a full inspection of every children's home annually?

Q3. Do you agree that this should result in a graded set of judgements?

28. We propose that every home should also have an interim inspection annually. The focus of this inspection will be to follow up progress on any requirements and recommendations for improvement made as an outcome of the most recent full inspection, or, if no such requirements or recommendations were made, to assess whether those high standards of care have been maintained. We propose that this interim inspection should result in a graded judgement on progress, where requirements or recommendations have been made at a previous full inspection.

Q4. Do you agree that the interim inspections should focus on progress on any requirements and recommendations for improvement made as an outcome of the most recent full inspection, or, if no such requirements or recommendations were made, to assess whether those high standards of care have been maintained?

Q5. Do you agree that the interim inspection should result in a graded judgement on progress, where requirements or recommendations have been made at a previous full inspection?

Q6. Do you agree that all children's homes inspections should be unannounced?

29. We propose that, as an outcome of a full inspection, graded judgements should be made in each of the following areas: overall effectiveness; the quality of care; outcomes for children and young people; the safety of children and young people; and leadership and management.

Q7. Do you agree that we should make graded judgements on each of overall effectiveness; the quality of service; outcomes for children and

young people; the safety of children and young people; and leadership and management?

Q8. Do you have any comments or other suggestions to make about the areas in which we propose to make judgements (see paragraphs 19 to 25 above)?

30. In paragraphs 21 to 25 above, we set out the areas which we think inspectors should particularly consider in arriving at their judgements.

Q9. Do you agree that the areas set out in paragraphs 21 to 25 above are the right ones for inspectors to consider in arriving at their judgements?

Q10. Do you think that there are any of the suggested areas which should not be included in the evaluation schedule?

Q11. Are there other areas you think should be included in the evaluation schedule?

Any other comments?

Q12. Please add any further comments you would like to make about our proposals for a revised framework for the inspection of children's homes?

Annex A. Stakeholders consulted

The organisations listed will be specifically invited to respond:

A National Voice
Association of Directors of Children's Services
Chief executives of primary care trusts
Chairs of Local Safeguarding Children's Boards
Children's Workforce Development Council
Department of Education
Independent Care Homes Association
11 Million
National Children's Bureau
National Society for the Prevention of Cruelty to Children
Secure Accommodation Network
Youth Justice Board

Annex B. The consultation

Consultation questions

We welcome your responses to this consultation paper. The consultation remains open until 31 October 2010.

There are three ways to complete and submit the questionnaire and any other comments:

- online electronic questionnaire
- print and post
- download and email.

Online electronic questionnaire

Visit our website to complete and submit an electronic version of the questionnaire: <http://85.234.135.179/index.php?sid=67987>.

Print and post

Visit our website to print a Word version of the questionnaire that can be filled in by hand: www.ofsted.gov.uk/publications/090247. When you have completed the questionnaire, please post it to:

Peter Allcock
Inspection of children's homes consultation
c/o Inspection Development, Social Care
National Business Unit
Royal Exchange Buildings
St Ann's Square
Manchester
M2 7LA.

Download and email

Visit our website to download a Word version of the questionnaire that you can complete on your computer: www.ofsted.gov.uk/publications/090247. When you have completed the questionnaire, please email it to: enquiries@ofsted.gov.uk. Please put 'Inspections of children's homes consultation' in the subject line.

What happens next?

Who will be involved in developing the proposals and how?

We will publish a revised framework for the inspection of children's homes from 1 April 2011, taking full account of the responses to this consultation.

Publication of responses

We will publish a summary of the key responses in January 2011.

The consultation questionnaire

Confidentiality

The information you provide will be held by us. It will only be used for the purposes of consultation and research to help us to become more effective, shape policies and inform inspection and regulatory practice.

We will treat your identity in confidence, if you disclose it to us. However, we may publish an organisation's views.

Are you responding on behalf of an organisation?

No please complete section 1
please complete the 'Additional questions about you' section at the end if you wish as it provides us with useful information

Yes please complete section 2

Section 1

I am:

- a child or young person living in a children's home
 - the parent or carer of a child or young person living in a children's home
 - the registered provider of a children's home
 - the registered manager of a children's home
 - a social worker who places or is responsible for children and young people living in children's homes
 - other
(please specify)
- _____
- prefer not to say

Section 2

If you are filling in the consultation on behalf of an organisation and would like us to consider publishing the views of your organisation, please say so below.

Organisation:

I represent:

- a government department
- a local authority
- a primary care trust
- a provider representative body
- a children's representative body
- children and young people
- another type of organisation (please specify)

Consultation questions

For each of the following questions, please select the option which most closely fits your view and include any additional comments in the box provided.

Q1. Do you agree that the voices and views of children and young people themselves should be central to the conduct and the findings of the inspection of children's homes?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q2. Do you agree that there should be a full inspection of every children's home annually?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q3. Do you agree that this should result in a graded set of judgements?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q4. Do you agree that the interim inspections should focus on progress on any requirements and recommendations for improvement made as an outcome of the most recent full inspection, or, if no such requirements or recommendations were made, to assess whether those high standards of care have been maintained?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q5. Do you agree that this interim inspection should result in a graded judgement on progress, where requirements or recommendations have been made at a previous full inspection?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q6. Do you agree that all children's homes inspections should be unannounced?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q7. Do you agree that we should make graded judgements on each of overall effectiveness; the quality of service; outcomes for children and young people; the safety of children and young people; and leadership and management?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments

Q8. Do you have any comments or other suggestions to make about the areas in which we propose to make judgements (see paragraphs 19 to 25 above)?

A large, empty rectangular box with a thin black border, intended for providing comments or suggestions. A small grey rectangular block is visible in the top-left corner of the box.

Q9. Do you agree that the areas set out in paragraphs 21 to 25 above are the right ones for inspectors to consider in arriving at their judgements?

Strongly agree <input type="checkbox"/>	Agree <input type="checkbox"/>	Neither agree nor disagree <input type="checkbox"/>	Disagree <input type="checkbox"/>	Strongly disagree <input type="checkbox"/>	Don't know <input type="checkbox"/>
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Comments

Q10. Do you think that there are any of the suggested areas which should not be included in the evaluation schedule?

A large, empty rectangular box with a thin black border, intended for a respondent to provide their answer to question Q10. There is a small grey rectangular mark in the top-left corner of the box.

Q11. Are there other areas you think should be included in the evaluation schedule?

A large, empty rectangular box with a thin black border, intended for a respondent to provide their answer to the question above. A small grey rectangular block is visible in the top-left corner of the box.

Q12. Please add any further comments you would like to make about our proposals for a revised framework for the inspection of children's homes

A large, empty rectangular box with a thin black border, intended for providing comments. A small grey rectangular block is visible in the top-left corner of the box.

What did you think of this consultation?

One of the commitments in our strategic plan is to monitor whether our consultations are accessible to those wishing to take part.

Please tell us what you thought of this consultation process by ticking the box for that which most closely represents how you feel about each of the statements below.

The consultation information was accessible and easy to find.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

I had enough information about the consultation topic.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

I would take part in a future Ofsted consultation.

- Agree
- Neither agree nor disagree
- Disagree
- Don't know

How did you hear about this consultation?

- Ofsted website
- *Ofsted News*
- *talisman*
- Ofsted's email alerts service
- Ofsted conference
- Another organisation (please give details if you know them)
- Other (please give details)

Is there anything you would like us to improve on or do differently for future consultations? If so, please tell us below.

Additional questions about you

Your answers to the following questions will help us to evaluate how successfully we are communicating messages from inspection to all sections of society. **We would like to assure you that all responses are anonymous and you do not have to answer every question.**

Please tick the appropriate box.

1. Gender

Female <input type="checkbox"/>	Male <input type="checkbox"/>	Prefer not to say <input type="checkbox"/>
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Are you currently living in the same gender as stated on your birth certificate?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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2. Age

Under 14 <input type="checkbox"/>	14–18 <input type="checkbox"/>	19–24 <input type="checkbox"/>	25–34 <input type="checkbox"/>	35–44 <input type="checkbox"/>	45–54 <input type="checkbox"/>	55–64 <input type="checkbox"/>	65+ <input type="checkbox"/>
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3. Ethnic origin

(a) How would you describe your national group?

British or Mixed British	<input type="checkbox"/>
English	<input type="checkbox"/>
Northern Irish	<input type="checkbox"/>
Irish	<input type="checkbox"/>
Scottish	<input type="checkbox"/>
Welsh	<input type="checkbox"/>
Other (specify if you wish)	<input type="checkbox"/>

(b) How would you describe your ethnic group?

Asian		Mixed ethnic origin	
Bangladeshi	<input type="checkbox"/>	Asian and White	<input type="checkbox"/>
Indian	<input type="checkbox"/>	Black African and White	<input type="checkbox"/>
Pakistani	<input type="checkbox"/>	Black Caribbean and White	<input type="checkbox"/>
Any other Asian background (specify if you wish)	<input type="checkbox"/>	Any other mixed ethnic background (specify if you wish)	<input type="checkbox"/>
Black		White	
African	<input type="checkbox"/>	Any White background (specify if you wish)	<input type="checkbox"/>
Caribbean	<input type="checkbox"/>	Any other ethnic background	
Any other Black background (specify if you wish)	<input type="checkbox"/>	Any other background (specify if you wish)	<input type="checkbox"/>
Chinese			
Any Chinese background (specify if you wish)	<input type="checkbox"/>		

4. Sexual orientation

Heterosexual <input type="checkbox"/>	Lesbian <input type="checkbox"/>	Gay <input type="checkbox"/>	Bisexual <input type="checkbox"/>
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5. Religion/Belief

Buddhist	<input type="checkbox"/>	Muslim	<input type="checkbox"/>
Christian	<input type="checkbox"/>	None	<input type="checkbox"/>
Hindu	<input type="checkbox"/>	Any other, please state:	<input type="checkbox"/>
Jewish	<input type="checkbox"/>		

6. Disability

Do you consider yourself to have a disability?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
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