

# Conducting inspections of adoption support agencies

Guidance for the inspections of adoption support agencies

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This guidance is designed to assist inspectors from the Office for Standards in Education, Children's Services and Skills (Ofsted) when conducting inspections of adoption support agencies. It should be read in conjunction with *Inspection of adoption support agencies: framework for inspection from September 2012* and *Inspections of adoption support agencies: evaluation schedule and grade descriptors*.

**Age group:** 0 years onwards

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## Introduction

1. This guidance is designed to assist inspectors from the Office for Standards in Education, Children's Services and Skills (Ofsted) when conducting inspections of adoption support agencies in England. Adoption support agencies can use the guidance to see how inspections are conducted.
2. This guidance should be read in conjunction with the framework for the inspection of adoption support agencies and the evaluation schedule and grade descriptors for inspections of adoption support agencies.

## Scheduling and team deployment

3. Ofsted has a duty to inspect adoption support agencies at least once in every three-year cycle.<sup>1</sup> The scheduling of inspections takes account of: legal requirements; previous inspection findings; complaints and concerns about the service.
4. The inspection of an adoption support agency will involve a suitably experienced and trained inspector spending two days on site, which may be spread over three days, with an additional day to prepare and a day to write the report. In very small adoption support agencies the amount of time on site may be reduced.
5. In certain circumstances it may be necessary for additional inspectors to be involved in the inspection. In these cases, the inspector will request additional resources from their line manager. If the request is agreed by the line manager, it will be passed to the Managing Inspector, for approval.

## Notice

6. Ten working days' notice will be given of the inspection unless the adoption support agency is provided by an individual who works alone, who will receive 20 working days' notice.
7. When notice is given we will ask the agency to provide data and make arrangements for meetings with key people and groups of stakeholders. An example letter can be found at Annex A. During the inspection we may also identify other people with whom we wish to speak.
8. We ask providers for access to premises, space for the inspector, access to records through electronic files and paper files if they are used, and someone to support the inspectors' access to relevant electronic files. Inspectors will not ask that files are provided in hard copy unless these are already used by the

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<sup>1</sup> Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc) Regulations 2007 (S.I. 2007/694 as amended).

agency. Some individual providers work from home and therefore inspectors may spend less time on site.

## Timeframe

9. The timeframes for inspections, including preparation, on-site work and the publication of the inspection report, are as follows in working days.

Day	Inspection activity
1	A day preparation
2	Half a day on-site visit*
3	Site visit
4	Half a day on-site*
	*The two half days on site may be combined to one day so two whole days are spent on-site.
5	Report writing
6–9	Inspection evidence and report (toolkit) submitted for quality assurance
15	Report sent to the registered provider for any comments on factual accuracy, within 10 working days of the end of the inspection
20	Provider returns the draft report within five working days with any comments on factual accuracy
25	The final report will be published on the Ofsted website within 20 working days of the end of the inspection

## Pre-inspection activity

10. Inspectors are allocated a day to prepare for the inspection. The inspector will consider:
- previous inspection reports
  - pre-inspection data submissions from the agency
  - updated data and case lists submitted by the adoption support agency following notice of the inspection
  - reports made under national minimum standard (NMS) 25 – not required for individual providers
  - completed questionnaires from adopters, children, young people, birth relatives and others
  - the up-to-date Statement of Purpose and children’s guide
  - concerns and complaints made to Ofsted
  - notifications of significant events made to Ofsted
  - any changes to registration, including change of manager

- any enforcement activity since the previous inspection
  - the content of the provider's website.
11. If information has been received which indicates potential non-compliance with regulatory requirements, Ofsted may decide to investigate compliance issues at an inspection, taking into account the date of the last inspection and the requirement for 10 days' notice. In these cases, the concern will be used as part of the lines of enquiry for the inspection. The inspector will outline the concern to the adoption support agency at the beginning of the inspection. Annex B contains guidance on the content of the inspection report and covers how inspectors will report on concerns that have been investigated during an inspection.
12. The inspector carries out an analysis of the available evidence and information and records their planning notes within the planning section of the Regulatory Support Application (RSA) toolkit.<sup>2</sup> The plan for the inspection will identify lines of enquiry, any areas of apparent weakness or significant strength and areas where further evidence needs to be gathered. The focus of the inspection may change during its course as further evidence emerges. Annex C provides guidance on assessing financial viability.

## **Reports under national minimum standard (NMS) 25**

13. NMS 25.6 states that the executive side of the adoption support agency's trustees, board members or management committee members should:
- receive written reports on the management, outcomes and financial state of the agency every six months
  - monitor the management and outcomes of the services in order to satisfy themselves that the service is effective and is achieving good outcomes for children and/or service users
  - satisfy themselves that the agency complies with the conditions of registration.
14. As part of the pre-inspection preparation inspectors will consider the 'NMS 25 reports' and any emerging lines of enquiry will be included in the inspection plan. Please note that individual providers do not need to make reports under this standard.

## **Gathering views of service-users**

15. The views and experiences of people using the adoption support agency's services and of other stakeholders, for example commissioners of services, inform lines of enquiry for each inspection.

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<sup>2</sup> The RSA is the electronic system used by Ofsted to administer and record regulatory inspections.

16. Ofsted has online questionnaires for all groups using the adoption support agency service which are available throughout the year. This is in an electronic format and allows those with internet access to respond directly to Ofsted. We ask agencies to ensure they publicise the questionnaires to their service users and stakeholders during their contact with them. While hard copies are also available on request we would prefer electronic versions to be used. Business reply envelopes will be supplied on request and the agency may want to keep a small supply for this purpose.
17. Agencies will also be supplied, by request, with symbol versions of questionnaires by email to distribute to children who use the following alternative means of communication: Widgit, Makaton and Picture Communication Symbols. These should be returned by scanning into email or as hard copy. Providers can contact Ofsted for a supply of business reply envelopes.
18. An analysis of the online questionnaires and copies of all symbol versions received will be made available to inspectors prior to inspection.

## **Deferrals**

19. Inspections will not normally be deferred and will only be made in exceptional circumstances: for example, if the inspection went ahead it might place people at risk, or if the ability to gather secure evidence is severely restricted. If on arrival/notice it is found that there is an absence or unavailability of key staff, or accommodation issues, these will not constitute reasons for deferral.
20. Where services are provided by people working alone, however, it may be necessary to defer the inspection in some circumstances where the provider is unavailable.
21. Decisions about deferrals are agreed by Ofsted's Managing inspector with responsibility for adoption.

## **Inspection activity**

22. At the start of the inspection the inspector will confirm their identity by producing their Ofsted Inspector Authorisation and Identification card and identity badge. It is not necessary to carry paper copies of Disclosure and Barring Service (DBS) checks. The inspector will discuss the inspection plan with the registered person confirming if any information is required or if meetings need to be arranged.
23. The days on site will be used for discussions with staff, managers, service users and stakeholders and to examine files. Evidence will be sought against the evaluation schedule and will take into account issues already identified through pre-inspection data and questionnaires. The organisation of the days on site will

depend on when meetings and discussions can be held and what evidence is required to make secure judgements.

24. Due to potential sensitivities and vulnerabilities surrounding adoption support it is important that the inspector involves the agency in any decisions about service user involvement.

### **Case sampling and the examination of records, policies and procedures**

25. Inspectors will access at least four case files across the range of the adoption support agency's work. Usually more files will be sampled, taking into account the size of the adoption support agency. However, this may not be possible where providers have worked with fewer than four service users.
26. Inspectors access files via electronic systems, if used, and with support from the service. Providers must ensure that inspectors have access and support to use their system from the first day of inspection. Inspectors will examine, discuss and evaluate cases in line with the criteria set out in the evaluation schedule.
27. The adoption support agency's Statement of Purpose and, where relevant, children's guide, should be available on the internet and form part of the pre-inspection data. Ofsted should also hold copies in our database as agencies are required to submit these documents to us whenever they are changed.
28. Other documents will be examined where they inform a line of enquiry for that individual inspection. Inspectors will not routinely examine all policies and procedures.
29. Inspectors will access personnel records in respect of anyone working for the purposes of the agency, which can be maintained in checklist or spreadsheet format. The information available for inspection should reflect schedule 2 of The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005 (S.I. 2005/2750), and must include the reference number of the subject's DBS check. Inspectors may sample more detailed personnel records if information contained within any spreadsheet is insufficient or particular evidence is needed to pursue a line of enquiry. Where recruitment records are not maintained at the premises where the inspector is based for the inspection the provider will need to arrange for any files required to be made available on site.

### **Interviews and discussions with service users and other interested parties**

30. The experiences of children, young people, adopters, birth relatives and adult adoptees are at the centre of the inspection and provide key evidence in assessing outcomes against the evaluation schedule. Inspectors will always try to speak with people receiving an adoption support service, although this may

not always be possible due to an individual's particular circumstances. Any contact with service users will be arranged through the adoption support agency and in the light of their advice.

31. Inspectors will demonstrate safe and sensitive practice, for example by explaining:
  - to service users that they will not include comments that will identify them in the inspection report unless they are in agreement
  - that information suggesting that a child or young person is at risk of harm will be passed by the inspector to an appropriate person able to take necessary action about that concern.
32. Inspectors should always take account of privacy and confidentiality when talking to service users, be it in person or on the telephone. Where a call back is requested, the inspector should always use the adoption support agency's number or Ofsted's national number: 0300 1231231.
33. All adoption support agencies will be asked to arrange discussions with their staff, which may be in a focus group meeting depending on the size of the agency. During their preparation and during the inspection, inspectors may identify individuals with whom they wish to speak.
34. Inspectors will consult with stakeholders to inform the inspection findings. This will usually be through a telephone call. Stakeholders may include any of the people who appear to be able to offer relevant information to the inspection, for example commissioners and social workers.

## **Discussions with the managers**

35. Individual interviews will be held with the manager and may also be held with the registered person.
36. The interview with the manager will include these elements:
  - issues that the inspector wishes to explore with the manager that have arisen from pre-inspection information
  - how the manager involves service users
  - follow up on progress in response to previous requirements and recommendations
  - the plans for future development of the adoption support agency
  - the arrangements for supervision received by the manager
  - any further evidence the manager may wish to highlight with the inspector.

## Safeguarding concerns

37. If serious issues of concern arise, for example in relation to the failure to follow child protection procedures and/or where a child is discovered to be at immediate risk of harm, the adoption support agency's senior manager will be notified as soon as possible unless this compromises the child/young person's safety. Inspectors should always follow Ofsted safeguarding policy and procedures<sup>3</sup> and contact the compliance, investigation and enforcement (CIE) team for social care on 0300 123 1231 should they be in need of advice. Where required, a referral will be made to the CIE team and the appropriate local authority children's services and the child/young person's allocated social worker.

## Recording evidence

38. Throughout the inspection, inspectors will maintain a record of their evidence. Electronic evidence is recorded within the RSA toolkit evidence screen. In most circumstances once the summarised evidence has been placed in RSA any duplicate handwritten evidence will be destroyed by the inspector. In some circumstances inspectors will be required to also keep any handwritten notes they have made during the inspection. This may apply in circumstances where legal action is being considered or a challenge or complaint about the judgement is anticipated. Inspectors need to record all handwritten evidence using black ink so that it can be photocopied or scanned if necessary. All handwritten evidence must be legible and dated. Inspectors must submit all handwritten evidence that has not been summarised or scanned on to RSA that will form part of the inspection evidence base to the national quality assurance team within five working days of the end of the on-site visit. All inspection records will be retained in accordance with Ofsted's published retention policy.<sup>4</sup>
39. Evidence should be clear, evaluative and sufficient for the purpose of supporting the judgements. Evidence should not include anything that could identify individual staff, children, young people or family members, unless necessary for the protection of a child/young person. Inspectors can record direct quotes from children and young people, adult adoptees, birth relatives, adopters and stakeholders in evidence to support judgements, although evidence should never use individuals' names or initials unless they are the names of the registered person.
40. Evidence may be scrutinised for quality assurance and will be considered in the event of any complaint.

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<sup>3</sup> *Ofsted safeguarding policy and procedures* (reference no: 100183), Ofsted 2010; [www.ofsted.gov.uk/resources/ofsted-safeguarding-policy-and-procedures](http://www.ofsted.gov.uk/resources/ofsted-safeguarding-policy-and-procedures).

<sup>4</sup> *Handling and retention of inspection evidence*, (reference no: 100122), Ofsted, 2010; [www.ofsted.gov.uk/resources/handling-and-retention-of-inspection-evidence](http://www.ofsted.gov.uk/resources/handling-and-retention-of-inspection-evidence).

## Inspection findings

41. Failures to meet regulations and national minimum standards that are identified and addressed during the inspection must still be reported even if they do not lead to a requirement or recommendation.
42. *Inspections of adoption support agencies: evaluation schedule and grade descriptors* sets out illustrative evidence of an outstanding, good, adequate and inadequate service. Inspectors will use this to formulate their findings and judgements and to prepare verbal feedback to the manager.

## Inspection feedback

43. Inspectors will share emerging findings about the adoption support agency's key strengths and weaknesses during the inspection. Shortfalls that could have an immediate impact on the safety of children, young people and/or staff will be brought to the immediate attention of the manager or another senior person in the agency.
44. At the end of the inspection, inspectors will give verbal feedback of the main findings and provisional judgements to the manager. In exceptional circumstances, an inspector may need additional time after the inspection fieldwork to take advice before giving feedback. The date of feedback is counted as the last day of the inspection.
45. The feedback should:
  - cover the main findings of the inspection against the evaluation schedule, including both strengths and weaknesses
  - indicate likely requirements and recommendations with clear reference to the relevant regulation, national minimum standard or adoption guidance providing a clear agenda for improvement
  - use the grade descriptors to indicate how the inspector has arrived at her/his judgements
  - confirm that the report will be sent to the manager in draft for comments on factual accuracy (see 'Timeframe' at paragraph 9 above).
46. Inspectors will not provide a written summary of the inspection or written feedback in advance of the inspection report. Providers may choose to take their own notes at feedback.

## Writing the report

47. Inspectors are responsible for producing high quality reports. The inspector should ensure that the report is free of errors – for example, grammar, spelling and punctuation – before submitting the report. Reports should be written in

the present tense. However, a specific example of evidence from the inspection should be written in the past tense.

48. Inspectors should write their reports with regard to the *Guide to Ofsted's house style*.<sup>5</sup> The report should be succinct and evaluative. Inspectors should make appropriate professional judgements about the extent of detail required to 'tell the story' of the experience of people using the adoption support service.
49. There is no specified word length for the report or the individual sections. Inspectors should use their professional judgement to ensure that the reports are long enough to say what needs to be said and no more. It is likely that reports for adoption support agencies with a number of weaknesses or services found to be outstanding will require more detailed explanations of the reasons for the judgements.
50. Ofsted will send a copy of reports to providers and publish reports on the Ofsted website.

## Quality assurance

51. The inspector is responsible for the quality of the report. The inspector will check the completed report carefully before submitting it to the Quality Assurance National Team for sign-off for publication.
52. The inspector must use the *Guide to Ofsted's house style* for reference when quality checking their own reports.
53. Ofsted's Quality Assurance National Team quality assures:
  - inspection reports
  - the evidence base underpinning inspection judgements
  - inspection fieldwork through a programme of accompanied visits.
54. The Quality Assurance National Team will discuss with the appropriate Divisional Manager, Inspection Delivery any proposed change of judgement from the provisional judgement given at verbal feedback during the inspection. On these rare occasions, the inspector must inform the agency of the revised judgements and provide reasons for the changes before the provider receives the draft report.
55. Ofsted will send an evaluation form following each inspection to the manager of the adoption agency to complete, which will be used to improve the quality of inspections.

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<sup>5</sup> *Guide to Ofsted's house style* (reference no: 080230), 2010; [www.ofsted.gov.uk/resources/guide-ofsteds-house-style](http://www.ofsted.gov.uk/resources/guide-ofsteds-house-style).

## Concerns

56. The great majority of Ofsted's work is carried out smoothly and without incident. If concerns arise during an inspection, these should be raised with the inspector as soon as possible during the inspection visit. This provides an opportunity to resolve the matter before the inspection is completed. Any concerns about the factual accuracy of the findings in the report can be raised after the inspection and will be considered as part of the quality assurance process.

## Complaints

57. If it has not been possible to resolve concerns through the process detailed in paragraph 56, a formal complaint can be raised under Ofsted's complaints procedure: [www.ofsted.gov.uk/resources/130128](http://www.ofsted.gov.uk/resources/130128).

## Annex A. Notice of inspection

Dear

### Notice of inspection

This letter is to confirm that Ofsted will be carrying out an inspection of your adoption support agency commencing on >inspection due date< and ending on >last inspection day<. The name of the inspector is >name< and he/she will contact you to discuss the inspection.

To ensure that inspector time is used effectively we ask that you provide us with some information in advance of your inspection, and a form to complete. **Pre-inspection information for adoption support agencies** is attached and available online. We would also like you to arrange some meetings for the inspector. This is explained below.

### Focus groups and discussions

Please find enclosed a list of focus groups and discussions that we would like you to arrange, where relevant to your agency. If there are existing appropriate groups running, please do use these. Please also ensure there are at least 30 minutes between meetings. Focus groups should be on-site wherever possible and may last up to an hour. Discussions with individuals may be held by telephone. No additional meetings should be arranged unless agreed with the inspector.

### Case list

The records that the inspector will generally need to see are case files kept in relation to the provision of adoption support (including assessment reports and reviews and feedback from service users), supervision notes, team meeting notes and staff recruitment files. Please provide the details listed in the attached case lists. The inspector will use these to select the files they will look at during the inspection.

If you have records stored electronically please ensure that there will be a member of staff available to support the inspector in accessing these. If these records are stored off-site please be prepared to deliver them to the location of the inspector.

The inspector will be sampling and reading files during the inspection and will need time to incorporate this into their inspection programme.

### Reports under national minimum standard (NMS) 25

Please send any reports made to the adoption support agency's provider/trustees, board members or management committee members under the *Adoption National Minimum Standards* (NMS) 25 (please note that individual providers do not need to make reports under this standard).

## Returning documents to Ofsted

All information should be returned **within five working days of the date of this letter** by email to the inspector at >inspector email address< and copy in >IST name email address<. Please note that any sensitive information that you send by email should be anonymous or encrypted. You can find out more information about encryption at [www.getsafeonline.org](http://www.getsafeonline.org).

## Additional information

The inspector may ask you to help arrange telephone calls with service users, social workers or commissioners during the inspection.

The inspector will feed back their findings at the end of the inspection to key people in the agency or service that you identify. Please keep this number to a minimum.

Further information about the inspection of adoption support agencies is available in:

- [\*Conducting inspections of adoption support agencies\*](#)
- [\*Inspections of adoption support agencies: evaluation schedule and grade descriptors\*](#)
- [\*Inspections of adoption support agencies: framework for inspection from September 2012\*](#)

If you have any further questions, please contact me on 0300 123 1231.

Yours sincerely

>Name<

Inspection Support Team

## Information for inspection

Have you returned:

- the details about arranged meetings? **Yes / No**
- a completed case list? **Yes / No**
- the pre-inspection information form? **Yes / No**

Signed:

Print name:

Job title:

Agency or service:

URN:

Date:

## Meetings/focus groups/telephone calls

Please arrange the meetings, focus groups or telephone calls listed in the table below and provide a contact name, date and time.

<b>Meetings</b>	<b>Contact name</b>	<b>Date and time</b>
A focus group of staff from your agency		
A small focus group of service users if appropriate		
A meeting with the manager and or registered person on each day of the inspection		
<b>Discussions</b>		
With relevant social workers		
With relevant commissioners from local authorities		

The case list is available on the Ofsted website:

[www.ofsted.gov.uk/resources/adoption-support-agency-inspection-case-list](http://www.ofsted.gov.uk/resources/adoption-support-agency-inspection-case-list)

The pre-inspection information form is available on the Ofsted website:

[www.ofsted.gov.uk/resources/adoption-support-agency-pre-inspection-information-form](http://www.ofsted.gov.uk/resources/adoption-support-agency-pre-inspection-information-form)

## **Annex B. The content of the inspection report**

### **Brief description of the service**

This is a brief factual description of the agency and should not include judgements or evaluation.

It should describe:

- the size of the adoption support agency, numbers of staff and amount of work
- the range of adoption support services provided and any specialism
- whether the agency carries out any work that is not adoption support. If so state that this is not the subject of this inspection.

### **Overall effectiveness**

This section should be a brief summary of the outcome of the inspection, explaining the main reasons for the overall effectiveness judgement. It should highlight any outstanding practice and the adoption support agency's strengths. It must include reference to any areas for improvement but should not list the requirements and recommendations. This section should provide the reader with a clear picture of the quality of the adoption support agency.

### **Statutory requirements and recommendations**

Requirements and recommendations must arise from any weaknesses identified in the report.

#### **Requirements**

Requirements must link clearly to regulations. Inspectors must consider the wording of the requirements to ensure that providers are not asked to do something they do not have to do. Inspectors should, wherever possible, use the wording of the regulation. However, the requirement should be sufficiently detailed so that it is clear what is being asked of the provider: on occasion this may require more explanation. The wording should be followed by the regulation in the form of (Regulation 31(2)(c)).

#### **Recommendations**

Recommendations, although not enforceable, promote good practice, always relate to a national minimum standard and help the adoption support agency to improve outcomes for service users. Any recommendation should be sufficiently detailed so that it is clear what is being asked of the provider.

Requirements and recommendations should start with a verb. Commonly used verbs are: ensure, update, implement, improve, create, devise, keep, maintain and revise. They should follow on from the stem 'the provider must/should'.

Requirements and recommendations should start with a lower case letter as they follow on from a stem in the inspection report. There should be no full stops at the end of the requirement/recommendation except for the final one. This should have a full stop at the end of the wording, but before the regulation or national minimum standard it is related to. The relevant regulation or national minimum standard will be included within brackets – in the case of statutory guidance, in the form (Volume 5, statutory guidance, paragraph XX).

In all cases where an adoption support agency is judged inadequate, the inspector will set requirements so that the registered person/s meet the requirements of the Care Standards Act 2000 and the relevant regulations. They may also make recommendations to help the registered person/s to improve the quality and standards of care further.

## **All sections of the report**

Inspectors need to inspect against the full evaluation schedule but it is not necessary to report against each aspect of the evaluation schedule. Text should provide a brief commentary on the key strengths and weaknesses that support the judgement given and, most importantly, tell the unique story of each adoption support agency.

Inspectors do not need to write a section of the report about each area they have evaluated but must include enough in the report to support their judgement and make it clear to the reader. While the evidence will confirm that the whole evaluation schedule has been inspected, the report will focus on the key strengths and weaknesses that support the judgements made.

There will be references to equality and diversity throughout the report. In addition, there are specific parts of the evaluation schedule that relate to equality and diversity. Inspectors will make comments relating to equality and diversity linked to the evaluation schedule.

## **Outcomes for service users**

This section should focus on the experiences of service users. What helps them should generally appear in other sections of the report.

## **The quality of service provision**

This section should focus on service provision and how positive outcomes for service users are promoted by the services received.

## **Safeguarding**

This section focuses on how the service embeds and promotes the safety and protection of children and young people in all its work.

## **Leadership and management**

This section should identify the key aspects of practice that support the judgement for leadership and management, including strengths and weaknesses.

Inspectors should evaluate and report on the impact of action to comply with requirements, recommendations or key issues raised at the last inspection and consider how, in consequence, outcomes for children and other service users have improved.

Inspectors should not write out previous requirements, recommendations or key issues in full but should report on the agency's progress in achieving the requirements or recommendations. For example, you can say that the quality and impact of training has improved, or children's access to health services is promoted.

## **General report writing guidance**

A well-written report:

- contains more evaluation than description
- has judgements that are clearly supported by good evidence
- is clear on the outcomes and experiences for service users
- is unique and captures the character of an adoption support agency
- states findings in the present tense but may use the past tense to refer to specific pieces of evidence
- has short sentences
- is simple and easy to understand
- does not identify or contain sensitive information about individuals
- includes quotes from service users and professionals where appropriate and possible
- follows the *Guide to Ofsted's house style*.

Reports should be written using the 'active voice'. This is likely to make sentences shorter and more easily understood.

## **Reporting on inspections where compliance issues have been investigated**

If concerns are raised and it is agreed that issues of compliance should be investigated at the inspection the inspector will discuss the concern with the provider. However they will not refer to the concern in the inspection report, or

report whether the concern was substantiated. The inspector will, however, report any non-compliance under the relevant judgement area.

The inspector will raise requirements where there is a breach of regulation. If a higher level of enforcement is required inspectors will consult with Ofsted's compliance, investigation and enforcement team.

## Annex C. Assessing financial viability

The adoption support agency regulations state that the 'registered provider must carry on the agency in such manner as is likely to ensure that it will be financially viable for the purpose of achieving the aims and objectives set out in its statement of purpose.<sup>6</sup>

Inspectors are only expected to undertake a lay person's assessment of the financial information. Where, during the course of a routine inspection, the inspector has concerns about the financial viability of a provider; due for example to insufficient staff to provide contracted support or insufficient accommodation to storing secure records, s/he should follow the guidance set out in Annex K of the *Social Care Registration Handbook*.<sup>7</sup> Paragraph 42 of Annex K applies where an organisation is already registered.

The financial information Ofsted can request ranges from professionally produced business plans to a collection of accounts and balance sheets.<sup>8</sup>

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<sup>6</sup> Regulation 25(1) of The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005.

<sup>7</sup> *Social care registration handbook* (110171), Ofsted, 2012; [www.ofsted.gov.uk/resources/110171](http://www.ofsted.gov.uk/resources/110171).

<sup>8</sup> Regulation 20(2) of The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005.

## Annex D: Checks on responsible individuals

1. An organisation which applies to register an adoption support agency is required by The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, to have a responsible individual.<sup>9</sup> The responsible individual is the person within an organisation who is responsible for supervising the management of the agency: he or she is the link between the organisation and the registered manager and, the organisation and Ofsted.
2. The role of the responsible individual is to:
  - supervise the management of the agency and particularly to ensure that the agency operates in a manner which protects and promotes children and young people's safety and welfare
  - report on the operation of the adoption support agency to the registered provider and Ofsted.
3. When an organisation applies to be registered in respect of a new adoption support agency Ofsted assesses the responsible individual's suitability as part of that application. From 1 April 2014, Ofsted's inspectors will scrutinise the steps providers have taken to determine that a responsible individual who has been appointed is fit to supervise the management of an adoption support agency.
4. A provider must demonstrate to Ofsted that the responsible individual they appoint:
  - has an effective knowledge and understanding of:
    - law and practice relating to looked after children
    - safeguarding and child protection
    - law and guidance in relation to the establishment or agency that he or she will be responsible for including: applicable regulations; national minimum standards; and, statutory guidance.
  - has the skills, knowledge and ability to carry on the establishment or agency in a way which promotes both good practice and continuous improvement
  - has the business and management skills to supervise the management of the establishment or agency efficiently and effectively

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<sup>9</sup> The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 7; [www.legislation.gov.uk/uksi/2005/2720/contents/made](http://www.legislation.gov.uk/uksi/2005/2720/contents/made)

- can demonstrate that she or he, or another official within the organisation, has the necessary financial skills and expertise to ensure the establishment or agency is run on a sound financial basis. This includes the long-term financial viability of the establishment or agency.
  - has completed all checks required under regulations and these were satisfactory.<sup>10</sup>
5. When we become aware that the responsible individual of an adoption support agency is changing or has changed, we will ask the provider to provide us with information that demonstrates:
- the person they appoint as a responsible individual satisfies the legal obligation relating to their fitness in the relevant regulations
  - the length of time registered establishments or agencies remain without a responsible individual is minimal.
6. There is more information in our guidance *Changes to children's social care services that are registered and/or inspected by Ofsted*.

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<sup>10</sup> The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Schedule 2; [www.legislation.gov.uk/uksi/2005/2720/schedule/2/made](http://www.legislation.gov.uk/uksi/2005/2720/schedule/2/made)