

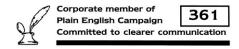
Inspection handbook: adoption support agencies

Guidance for the inspections of adoption support agencies from April 2015

This guidance is designed to assist Ofsted inspectors when conducting inspections of adoption support agencies. It should be read along with 'Inspection of adoption support agencies: framework, evaluation schedule and grade descriptors'.

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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 'Inspection of adoption support agencies: framework, evaluation schedule and grade descriptors' (see: www.gov.uk/government/publications/inspecting-adoption-support-agencies-framework).

Scheduling and team deployment

- 3. Ofsted has a duty to inspect adoption support agencies at least once in every three-year cycle. 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 Senior Her Majesty's Inspector (HMI), 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 of notice can be found at Annex A. During the inspection we may also identify other people with whom we wish to speak.

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¹ Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015 (S.I. 2015/551) www.legislation.gov.uk/uksi/2015/551/contents/made.



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 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 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 OfficeBase.² 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 25

- 13. National minimum standard (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.

² OfficeBase is the new electronic system used by Ofsted to administer and record regulatory inspections.



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.
- 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 that 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 the regulatory inspection manager.

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. We should also hold copies in our database as agencies are required to submit these documents to Ofsted 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 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 123 1231.
- 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 who they wish to speak to.
- 34. Inspectors will consult with stakeholders to inform the inspection findings. This will usually be through a telephone call. Stakeholders can include any of the people who may 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:
 - 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 adult or child protection procedures and/or where a adult or 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 procedures³ and contact their team manager if they need advice. When required, a referral will be made to the social care compliance inspector, the appropriate local authority children's or adults' services and the allocated social worker.

Recording evidence

- 38. Throughout the inspection, inspectors will maintain a record of their evidence. Electronic evidence is recorded within the OfficeBase evidence screen. In most circumstances, once the summarised evidence has been placed in OfficeBase 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. All handwritten evidence that will form part of the inspection evidence base but has not already been summarised or scanned onto OfficeBase, must be sent 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 retention policy.
- 39. Evidence should be clear, evaluative and sufficient to support 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.

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³ 'Safeguarding children and young people and young vulnerable adults policy', (150004), Ofsted 2015; www.gov.uk/government/publications/ofsted-safeguarding-policy.



- 40. Evidence may be scrutinised for quality assurance and will be considered in the event of any complaint.
- 41. Evidence used to support any regulatory action taken or to support an inspection judgement must be of the highest quality and reliability and must stand up to any external scrutiny. Such evidence may be scrutinised by providers in the event of any complaint.

Inspection findings

- 42. 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.
- 43. 'Inspection of adoption support agencies: framework, evaluation schedule and grade descriptors' sets out illustrative evidence of an outstanding, good, requires improvement and inadequate service. Inspectors will use this to formulate their findings and judgements and to prepare verbal feedback to the manager.

Inspection feedback

- 44. 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.
- 45. 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.
- 46. 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 the 'Timeframe' table in paragraph 9 of this document).



47. 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.

Our approach to adoption support agencies judged to be inadequate

- 48. Any inspection judgement of inadequate for overall effectiveness will lead to an urgent case review.
- 49. The case review will consider whether statutory enforcement action is required in relation to the agency and, where there is a registered manager, the registered manager. The 'Social care compliance handbook' contains detailed information about the enforcement options available and the arrangements for following up enforcement activity.^[2]
- 50. The timing and nature of subsequent inspection and monitoring visits following a judgement of inadequate will be determined on a case-by-case basis and depend on any improvement made. Where concerns are serious, we are likely to return to conduct a monitoring visit to check that the registered manager and provider have taken sufficient steps to safeguard and protect the welfare of children, young people and, where appropriate vulnerable adults receiving services. Any monitoring visit will result in a published report. [3] See Annex H: Monitoring Visits
- 51. An inspection visit will take place sooner if any further significant concerns arise during the period, or if an earlier inspection is necessary to make statutory requirements to safeguard and protect the welfare of children, young people and, where appropriate, vulnerable adults receiving services.

Writing the report

- 52. 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.
- 53. Inspectors should write their reports with regard to the 'Guide to Ofsted's house style'. The report should be succinct and evaluative. Inspectors should make

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^[2] Social care compliance handbook (140136) Ofsted, 2016; www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014 ^[3] Regulatory inspection managers can decide not to publish monitoring reports in exceptional circumstances.

⁴ 'Guide to Ofsted's house style' (080230), Ofsted, 2010; www.gov.uk/government/publications/guide-to-ofsteds-house-style.



- appropriate professional judgements about the extent of detail required to 'tell the story' of the experience of people using the adoption support service.
- 54. 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.
- 55. We will send a copy of reports to providers and publish reports on our website.

Quality assurance

- 56. All Ofsted inspection reports are subject to quality assurance procedures.
- 57. The inspector has responsibility for ensuring that all evidence gathered is robust, reliable and secure.
- 58. We ask the manager of the adoption support agency to complete a short evaluation form following each inspection, which is used to improve the quality of inspections.
- 59. Ofsted's quality assurance processes include reviews of:
 - inspection reports
 - the evidence base underpinning inspection judgements
 - inspection fieldwork through a programme of accompanied visits.
- 60. The person assuring reports for quality will discuss any proposed change of judgement from the provisional judgement given at verbal feedback during the inspection, with the appropriate Regulatory Inspection Manager. Any decision to change an overall judgement of inadequate must be referred to the regional Senior HMI and Regional Director for a decision. The regional Senior HMI and Regional Director will also make the final decision about a proposal to downgrade any overall judgement to inadequate. On these rare occasions, the inspector must inform the provider of the revised judgements and provide reasons for the changes before the provider receives the draft report.

Complaints

61. 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.
- 62. If it has not been possible to resolve concerns through these means, a formal complaint can be raised under Ofsted's complaints procedure: www.gov.uk/government/publications/complaints-about-ofsted.

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 >IMS 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.

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:

- 'Inspection handbook: adoption support agencies'
- 'Inspection of adoption support agencies: framework, evaluation schedule and grade descriptors'.

Yours sincerely
>Name<
Inspection and Management Support Team



Yes / No

Information for inspection

Have you returned:

	ompleted case list? e pre-inspection information form?	Yes / I Yes / I	
Signed:			
Print name:			
Job title:			
Agency or se	rvice:		
URN:			
Date:			

the details about arranged meetings?

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.

Meetings	Contact name	Date and time
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		
Discussions		
With relevant social workers		
With relevant commissioners from local authorities		

The case list is available at:

www.gov.uk/government/publications/inspecting-adoption-agencies-case-list-form.

The pre-inspection information form is available at:

www.gov.uk/government/publications/adoption-support-agencies-pre-inspection-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.

Experience, progress of and 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 children, young people, adults and families

This section focuses on how the service embeds and promotes the safety and protection of children, young people and adults 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.'5

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'. 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.⁷

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⁵ Regulation 25(1) of The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005.

⁶ 'Social care registration handbook' (110171), Ofsted, 2012; www.gov.uk/government/publications/social-care-registration-handbook.

⁷ 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. 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
 - can demonstrate that she or he, or another official within the organisation, has the necessary financial skills and expertise to ensure that the

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⁸ The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 7; www.legislation.gov.uk/uksi/2005/2720/contents/made.



- 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.⁹
- 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'¹⁰.

⁹ The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Schedule 2; www.legislation.gov.uk/uksi/2005/2720/schedule/2/made.

¹⁰ 'Changes to children's social care services registered and/or inspected by Ofsted', Ofsted, 2014; www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted.



Annex E: Changes to registered managers of an adoption support agency

Introduction

7. The Care Standards Act 2000 requires any person who carries on or manages an adoption support agency to be registered with Ofsted. Having a registered manager working in 'full-time day to day charge' is in children and young people and adult service users' best interests because it best protects and promotes their safety and welfare. Further, it is a criminal offence to operate or manage an adoption support agency without registration with Ofsted.¹¹

Notifying Ofsted and taking action

- 8. Regulations 26 and 27 of the 2005 Regulations require the provider to notify Ofsted if the manager is to be absent for 28 days or more, or if they leave. Providers must do this at least one month before a known absence of the manager and in an emergency within one week of a registered manager being absent for 28 days. 13
- 9. Any failures to either notify Ofsted of the absence or change of a manager or a failure to put in place satisfactory management arrangements will be taken into account when planning and undertaking inspections.¹⁴ Examples of actions we may take include, but are not limited to, bringing the date of the inspection forward and using this information to inform our judgement about the leadership and management of the agency. If a provider fails to notify us of a change of manager this may also affect our view of their fitness. For more information about what regulatory action we can take refer to the Social care compliance handbook.¹⁵

A registered manager gives notice that they will cease to manage an adoption support agency

 Ofsted expects providers to have appropriate plans in place when it is known that a registered manager will cease to manage an adoption support agency. These plans should ensure there is a proper transition of responsibilities from

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¹¹ Section 11 of the Care Standards Act 2000.

¹² The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 26 and 27

¹³ The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 27

¹⁴ Changes to children's social care services registered and/or inspected by Ofsted Changes to children's social care services registered and/or inspected by Ofsted (100253), Ofsted, 2014; www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted

¹⁵ Social care compliance handbook :https://www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014



- one manager to another, including a period of handover for the incoming and outgoing manager. Detail of the arrangements should form part of the notification to Ofsted.¹⁶
- 11. The provider should also ensure that the new manager is aware of his or her responsibility to apply for registration with Ofsted within 28 days of taking up their post. It is an offence to manage an adoption support agency without registration.

Known absences of a registered manager

- 12. Registered managers may have to take a planned absence which lasts for 28 days or more. Examples are, but not limited to, planned medical treatment, maternity leave or sabbatical. In these instances the provider or registered manager must notify Ofsted in advance of the absence and provide all of the required information. ¹⁷
- 13. Ofsted expects providers to have an interim manager working at the adoption support agency by the time the registered manager commences their planned absence. There should be robust handover arrangements in place.

A registered manager unexpectedly ceases to manage an adoption support agency

14. There are circumstances where a registered manager leaves suddenly and is unable to give notice of their decision to cease managing an adoption support agency. Some examples are, but not limited to: unexpected illness; illness of a dependent; or suspension. In these circumstances a manager must follow the quidance below on interim managers.

Where there is no manager in post

- 15. If there is no manager in charge of the agency, the inspector should raise a requirement under regulation of the 8 of the Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005.
- 16. The inspector should consider how long the post has been vacant and evaluate how this is affecting the welfare of the children placed and the management of the agency, and take this into account in making their judgements. This may lead to a leadership and management judgement of inadequate. If an agency has been without a manager for more than 26 weeks a case review must be convened immediately and decisions taken about how to proceed.

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¹⁶ The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 27(1)(b)

¹⁷ The Adoption Support Agencies (England) and Adoption Agencies (Miscellaneous Amendments) Regulations 2005, Regulation 26



Interim management arrangements

- 17. A person who is to be in charge of the agency for an interim period without registration is known in this guidance as the interim manager. Ofsted expects providers to ensure that any interim management arrangements fully protect and promote children and young people's, and, where appropriate, adults', safety and welfare.
- 18. Providers should generally only have interim management arrangements in place if a registered manager:
 - unexpectedly ceases to manage an adoption support agency
 - is absent unexpectedly for more than 28 days.
- 19. Ofsted expects a provider to:
 - ensure that any person they employ to act as an interim manager has the relevant qualifications, skills and experience to undertake this position
 - put in place strong arrangements which support the interim manager whilst he or she is responsible for the agency
 - regularly review whether the interim management arrangements effectively protect children and young people's, and where appropriate adults' safety and welfare
 - regularly monitor that the interim manager is effective
 - ensure the interim manager fully understands the timescales Ofsted imposes on them to apply for registration. The provider must also ensure that an interim manager is aware that he or she must submit an application to Ofsted at the earliest opportunity if it becomes clear that the registered manager will be absent for longer than the specified timescales in this Annex.

Registration of an interim manager

- 20. Interim management arrangements should be in place for the shortest time possible. Ofsted expects to receive an application to register a manager at the earliest opportunity, including where an interim manager is in place. An interim manager must apply for registration immediately when any decision is taken that this person is appointed to permanently manage the adoption support agency. Ofsted expects any interim management arrangements to last no more than 90 days.
- 21. Ofsted will continue to assess whether the arrangements are effective based on the information we hold and receive, including notifications received from a provider. If we are concerned about an interim manager's ability to manage the adoption support agency we may require them to apply for registration immediately so that we can fully assess their suitability.



- 22. If we consider the interim management arrangements do not protect and promote children and young people's safety and welfare, this will impact on the timing and outcome of an inspection irrespective of the length of the arrangements. It may also impact on our view of a provider's fitness.
- 23. Wherever an adoption support agency does not have a registered manager in post by week 12, regardless of their inspection judgements or if they have an interim manager, the inspector should convene a case review to consider whether immediate action is required including whether to impose additional conditions on the agency's registration.
- 24. Where we have not received an application we will take this into account in our evaluation of the effectiveness of leadership and management at the next inspection and in considering enforcement action. Where there has been a registered manager vacancy of 26 weeks or more, this will lead to a judgement of inadequate for leadership and management. Where leadership and management is judged inadequate for this reason the overall effectiveness judgement will be inadequate.
- 25. If there are extenuating circumstances as to why a manager wishes us to consider extending the date by which they must register the manager must put their reasons in writing for Ofsted to consider. Decisions will be made based on a case by case basis. For example: if there is evidence that the registered manager will return shortly after 90 days we may decide to allow the interim manager to continue to do so without registration.
- 26. We cannot raise a requirement in the inspection report for the manager to become registered. Instead, when we inspect an adoption support agency and find the manager has been appointed but has not yet applied for registration, we send a standard letter to the manager.
- 27. After the inspection the inspector should ask the appropriate Inspection and Management Support (IMS) team to send the standard letter to the new manager to remind them that it is their responsibility to register. IMS should also send a copy to the nominated person/responsible individual for their reference. The letter should be sent no later than the date we send the inspection report to the provider.
- 28. The inspector should ensure a contemporaneous written record is made of any further discussions with the individual manager and the conversation should be followed up with confirmation of any required actions in writing to the manager and the responsible individual.
- 29. Where a manager manages more than one agency, inspectors will want to ensure that the manager has the capacity to be in day to day charge of each agency, even if this is on a temporary basis.



Annex F: Children and young people who are missing and children who are at risk from sexual exploitation

- 30. Providers and managers of adoption support agencies and, their staff must:
 - demonstrate effective knowledge about children and young people who go missing and those at risk of sexual exploitation
 - know what to do if concerned that a child or young person is missing or at risk of being sexually exploited
 - have effective procedures in place regarding children and young people who are missing and those who are at risk of sexual exploitation
 - train staff effectively regarding issues relating to children and young people who are missing or at risk of sexual exploitation.

Inspection

31. Inspectors will:

- evaluate the effectiveness of a provider's training in respect of both children and young people who go missing and those at risk of sexual exploitation
- assure themselves that, where relevant, the agency identifies where children are at risk of sexual exploitation and understands the risks associated with going missing
- take the appropriate and necessary action in accordance with local procedures and statutory guidance



Annex G: Extremism

- 32. Adoption support agencies are a 'specified authority' listed in Schedule 6 of the Counter-Terrorism and Security Act 2015. As such providers have a duty to work in ways which prevent people, including children from being drawn into terrorism.
- 33. Extremism is however, unlikely to be a routine line of enquiry during adoption support agency inspections. Inspectors must however, remain alert to the prospective that children and young people are at risk of being drawn into terrorism. All initial enquiries should be directed to the manager of the agency.
- 34. For further advice on extremism during, or after an inspection, inspectors can contact their Regulatory Inspection Manager who will be able to access specialist advice. If inspectors are unable to contact their manager and remain concerned, they should follow Ofsted's 'Safeguarding children and young people and vulnerable adults' procedures'.19
- 35. If inspectors have concerns that an adoption support agency provider is not meeting their responsibilities under the Prevent duty20 they should pursue this as a line of enquiry. Providers and staff should be able to demonstrate they are aware of, and know how to, contribute to Prevent-related activity, have the appropriate knowledge to both identify children at risk of being drawn into terrorism and understand referral arrangements for when children require further help.
- 36. If a concern arises about a child or young person being drawn into terrorism providers have specific duties to perform:
 - Risk Assessment

Specified authorities are expected to assess the risk of children being drawn into terrorism. This should be based on shared understanding with partners, of the potential risk in the local area. The agency will need to demonstrate they are protecting children and young people from being drawn into terrorism by having robust safeguarding policies in place to identify children at risk, and intervening as appropriate. Policies and procedures must be in place which are understood by staff and identify the most appropriate referral route, for example, Channel Authorities or children's social care.

http://www.legislation.gov.uk/ukpga/2015/6/contents/enacted

Concerns about children: guidance for all Ofsted staff

https://www.gov.uk/government/publications/concerns-about-children-guidance-for-all-ofsted-staff ²⁰ Prevent duty quidance https://www.gov.uk/government/publications/prevent-duty-guidance

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¹⁸ Counter Terrorism and Security Act 2015 A voluntary adoption agency is a specified authority because its provider is 'a person entered on a register kept by Her Majesty's Chief Inspector of Education, Children's Services and Skills under Part 2 of the Care Standards Act 2000.' (Schedule 6 of the Counter-terrorism and Security Act 2015)



■ Working in partnership

An agency's safeguarding arrangements must take account of the Local Safeguarding Children Board's policies and procedures. Providers are expected to incorporate the duty into their existing policies and procedures so it becomes integral to their overall safeguarding responsibilities.

Staff training

Agency staff must have the knowledge to identify children at risk of being drawn into terrorism. They must also know about referral arrangements for children and young people who require further help.

■ IT policies

A provider's arrangements for access to IT, including filtering, must ensure that children and young people are safe from terrorist and extremist material when accessing the agency's internet. They must support prospective and adoptive parents to understand how to best protect children from accessing or exposure to terrorist and extremist materials.



Annex H: Monitoring visits

Monitoring visits are conducted in accordance with the general principles of the Inspection handbook: adoption support agencies. Monitoring visits are usually undertaken to follow-up concerns, following an inadequate inspection, or to monitor compliance with a notice. The decision to undertake a monitoring visit will usually be determined at a case review. The frequency of monitoring visits will be determined on a case by case basis. Timing and frequency will be determined by any dates included in compliance notices and the nature of the concerns.²¹ This will be agreed and recorded at the case review.

The agency will be told that they will be the subject of monitoring following enforcement action or an inadequate inspection judgement. Monitoring visits will usually be unannounced.

Monitoring compliance notices

Where we establish a number of actions on a statutory notice or serve multiple statutory notices with different completion dates, we schedule follow-up visits for each date or notice to ensure that the provider has met each specified action within the prescribed timescale. We aim to complete follow-up visits the day after the required completion date for each notice, or at the very latest within five working days of that date. In some instances we may timetable the monitoring visit so that we can assess compliance with more than one notice.

We may decide, in exceptional circumstances, not to carry out a follow-up visit to check that the provider has met a specific requirement in a notice. In such cases, we will accept written confirmation that the provider has taken the required action, accompanied by documentary evidence, such as a photograph or a copy of a required procedure. We make a note on OfficeBase of the reasons why it was not necessary to visit.

Preparing for the monitoring visit

Inspectors should plan for a monitoring visit taking into account:

- the last inspection report
- requirement(s) set out in the last inspection report
- requirement(s) set out in any compliance notice
- letters from previous monitoring inspections
- any notifications received since the last inspection
- any action plan provided by the provider

²¹ A compliance notice sets out the actions a provider must take by a certain date to meet the relevant service-specific regulations for children's social care providers.



- any information recorded on Office Base including information from other agencies; for example, police, Local Authority Designated Officer, complaints and whistle blows
- any enforcement action that should be monitored.

Conducting monitoring visits

Inspectors should conduct this visit in the same way they would any inspection in accordance with the general principles in this handbook.

Where the monitoring visit is conducted following an inadequate judgement to monitor compliance notices or determine whether requirements have been completed, the monitoring visit should:

- determine the impact of any completed requirements on the safety and welfare of children, young people and adult service users
- identify if any additional concerns exist
- determine the capacity of the registered manager to sustain the changes required
- consider any further action that may need to be taken
- review the evidence in order to determine if a new inspection judgement can be made.

Where the visit is to monitor other concerns or issues, the monitoring visit should:

- determine whether the effectiveness of the agency has declined or improved;
- determine the impact of any improvement or decline in practice on the safety and welfare of children, young people, and adult service users
- consider any further action that may need to be taken.

The inspector must notify either the registered provider or registered manager on arrival on site.

The inspector should judge how effective the improvement is and how tackling the requirements/issues has improved the safety and welfare of children, young people and adult service users. To demonstrate the necessary improvement, providers and managers need to show that their actions have had a significant impact in achieving clear and sustainable progress. Good intentions and an inspirational outlook or a recent change of manager following a period of poor leadership do not in themselves provide sufficient proof of the ability of the provider to sustain improvement.

If it becomes evident that there are further issues of concern or that in tackling the actions from the last inspection the provider has let other aspect(s) slip because of which children or vulnerable adults are at risk of harm, then the inspector should consider what further action needs to be taken. This includes consideration of new



requirements and/or recommendations and compliance notices or other enforcement action such as imposing of conditions.

If the inspector is concerned or unsure about any aspect of the visit they can contact their manager or a social care compliance inspector.

If the inspector considers an offence may have been committed they should contact a social care compliance inspector or regulatory inspection manager immediately to discuss whether the monitoring visit should continue and take advice.

If during the course of the visit the inspector considers that an offence has been committed it is possible to caution the registered provider or registered manager. However the preferred way of interviewing under caution is to withdraw and then conduct the interview under the Police and Criminal Evidence Act 1984, in a planned way at a later date. ^{22,23} Inspectors should only caution when they have taken advice from their regulatory inspection manager. This is the preferred way of interviewing under caution as then we can clearly plan the questions we wish to ask the registered provider.

Gathering evidence

The central questions are:

- how effective is the improvement in tackling the requirements set at the last inspection
- how effective is the action the provider has taken in improving the safety and welfare of children, young people and adults
- what is the impact on the outcomes for children and young people?

Evidence should be recorded in OfficeBase. The evidence should reflect the areas identified in the inspection report as requiring improvement. This section should include evidence of the most significant strengths and weaknesses, and any new areas of improvement or breaches of requirement that need to be taken forward. The inspector must consider whether the agency has let other aspects slip so there is now cause for concern in different areas.

It is important to consider whether the provider demonstrates their capacity to sustain any improvements made. Inspectors should consider whether the improvements are having a marked and sustained impact on all areas of weakness and that there is capacity for the improvement to continue.

²² Only the responsible individual or the registered manager can be found to have committed an offence. It many instances the responsible individual will not be present at the monitoring visit.

²³ Police and Criminal Evidence Act 1984 (PACE) and accompanying Codes of Practice, http://police.homeoffice.gov.uk/operational-policing/powers-pace-codes/pace-code-intro/.



Feedback at the end of the monitoring visit

The provider will receive oral feedback at the end of the visit. Oral feedback at the end of the visit must:

- be clear about the evidence base on which the judgement of improvement or continued concern is founded
- make clear any new issue(s) to take forward
- ensure the provider is clear about the outcome of the visit and what the next step will be, especially if a new issue has arisen or improvement is inadequate
- be clear with the provider when the next steps will be confirmed if the inspector requires further advice
- explain that the outcome of a monitoring visit is published in the form of a report on the Ofsted website alongside the last report
- make clear that the text of the report may differ slightly from the oral feedback, but that the substance of the issues will not change
- ensure that the provider understands that the overall judgement of inadequate has not changed (where relevant), although progress and improvements may have been made
- be clear if a new inspection judgement has been made why this is the case and what the new judgement is or, alternatively, why no change to the judgement has been made.

After any monitoring visit following an inadequate judgement, the inspector must contact the DCS of the placing authorities to advise them:

- if there has been a change of judgement and what that new judgement is and the nature and effectiveness of any improvements
- if there has been no change of judgement, that either the original concerns remain or new ones have emerged.

Monitoring report

Ofsted will publish all monitoring reports.²⁴ The summary should outline the significant developments and evidence of progress since the last visit. The summary must clearly explain the action the agency has taken to address the requirements and the impact of any improvement, or not, on the care, experiences and progress of children, young people and adults. The report will be a short summary. It must be clear, succinct, well written and meet the standards expected by Her Majesty's Chief Inspector.

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²⁴ Regulatory inspection managers can decide not to publish monitoring reports in exceptional circumstances.



The report must:

- set out the reason for the visit. If the visit is to follow up enforcement activity then the letter should clearly set this out. Where this relates to compliance notices, there should be a short summary of the number of notices and an overview of the areas for concern
- evaluate where progress has been made and where progress has not been made
- the impact of continued concerns on children and young people must be clearly stated, alongside any action that Ofsted will be taking to notify placing local authorities and/or to protect children
- set out clearly where and what further action is needed
- set out why a new judgement has been made or the reasons why the judgement will not be changed (if appropriate).

Inspectors must use clear language to indicate the level of concern; for example, the visit raised serious concerns about the practices of the agency. Inspectors can clearly state that the agency is likely to be subject to further enforcement action where this is the case. The details of intended action cannot be included as this may prejudice any action we are likely to take and be seen to impede the provider's right of appeal, where relevant.

Reviewing and factual accuracy check of the report

Monitoring toolkits will be reviewed by the regulatory inspection managers before they are sent to the provider and/or published. This is to ensure that they accurately reflect the improvement made or support any further enforcement action we may wish to take.

The provider has an opportunity to check the factual accuracy of a monitoring report.

Monitoring reports should usually be published within 10 working days of the visit.

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