

Fostering: Inspections of independent fostering agencies

The framework and evaluation schedule and grade descriptors

This document outlines the framework for the inspection of independent fostering agencies and sets out the areas that inspectors will evaluate in order to make their judgements from September 2013.

It replaces the framework for the 'Inspection of local authority fostering services and independent fostering agencies' and 'Inspections of fostering services: evaluation schedule and grade descriptors'.

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Introduction

1. This document sets out the judgements that inspectors will make and report on when inspecting independent fostering agencies.
2. It shows how the principles and processes underlying all Ofsted inspections are applied, sets out the statutory basis for inspection and summarises the main features of the inspection process.
3. The framework and guidance remain subject to periodic review. Any changes will be published on Ofsted's website.

Legal basis for inspection

4. Ofsted inspects independent fostering agencies under the Care Standards Act 2000.¹ The Care Standards Act 2000, including regulations² made under section 22, sets out the legal basis for regulating fostering agencies. It sets out Ofsted's powers to register, inspect and, where necessary, enforce compliance with the Care Standards Act 2000 and relevant regulations.
5. Ofsted is required to encourage the services it inspects and regulates to:
 - improve
 - be user-focused
 - be efficient and effective in the use of resources.
6. When inspecting independent fostering agencies, Ofsted gives consideration to knowledge and understanding gained from previous inspections, and to:
 - the Care Standards Act 2000
 - the Fostering Services (England) Regulations 2011³
 - the Care Standards Act (Registration)(England) Regulations 2010
 - Fostering services: national minimum standards⁴
 - The Children Act 1989 guidance and regulations volume 4: fostering services⁵ (referred to as statutory guidance).

¹ The Care Standards Act 2000; <http://www.legislation.gov.uk/ukpga/2000/14/contents>.

² The Fostering Services (England) Regulations 2011; and The Care Standards Act (Registration)(England) Regulations 2010; The Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2007.

³ The Fostering Services (England) Regulations 2011;
<http://www.legislation.gov.uk/uksi/2011/581/contents/made>.

⁴ *Fostering services: national minimum standards*, DfE, 2011;
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00029-2011>.

Frequency of inspection

7. The frequency of inspections is set out in regulations.⁶ Independent fostering agencies must have at least one inspection in each three-year inspection cycle.
8. The timing of any inspection will be influenced by an assessment of:
 - any current concerns or enforcement action
 - notifications received
 - returned questionnaires from children, young people and other stakeholders
 - the outcomes of previous inspections
 - other relevant information held by Ofsted.
9. Where we judge a fostering agency as inadequate, we normally re-inspect it within 12 - 18 months.

Notice given for inspection

10. Inspections will be conducted with 10 working days' notice.

Inspectors

11. Fostering agencies are inspected by trained social care inspectors. Usually there will be one inspector for each inspection.

How the regulations and national minimum standards inform inspection judgements

12. Inspection is intended to help raise standards and support improvement in the sector. This requires a focus on the experiences and progress of children and young people and inspectors evaluate how the agency contributes to delivering improved outcomes. The framework and the inspection judgements are underpinned by the regulations, the national minimum standards and statutory guidance. Ofsted wants all provision to achieve a good standard, not just the minimum standard, and our inspections judge whether services are good or not, as well as whether they comply with basic requirements.

⁵ *The Children Act 1989 guidance and regulations volume 4: fostering services*, DfE, 2011; <https://www.education.gov.uk/childrenandyoungpeople/families/childrenincare/fostercare/a0071234/regs>.

⁶ Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes, etc.) (Amendment) Regulations SI 2007/694, as amended.

13. The headline outcome statements for each standard can be found in Annex A and the national minimum standards in full are on the Department for Education's website.⁷

14. The national minimum standards for fostering services, which inspectors take into account in the inspection of those services, state that:

'Each standard is preceded by a statement of the outcome to be achieved by the fostering service provider. The standards are intended to be qualitative in that they provide a tool for judging the quality of life experienced by service users, but they are also designed to be measurable. Services will normally show they are meeting the headline statement of the outcome by following the standards below. However, these do not have to be followed exactly if the service can demonstrate, and Ofsted is satisfied, that the outcomes are being met in a different way. The exception is a requirement set out in regulations in which case the requirement must be met.'

15. The strengths and weaknesses of the agency are highlighted throughout the inspection report to illustrate how inspectors have arrived at their judgement. Independent fostering agencies must meet regulations and notices will be served to require this when necessary. Any areas for improvement will be the subject of a recommendation to help ensure that standards are being met in a manner that effectively supports good experiences, progress and outcomes for children and young people. Failures to meet regulations or observe standards are taken into account and their impact on children and young people affect inspection judgements.

The role of independent fostering agencies

16. Independent fostering agencies recruit, assess, approve, train, support and supervise foster carers. They are not directly responsible for the care planning and placement decisions relating to a child or young person placed with the agency and are not accountable for shortfalls in provision by the placing local authority. However, they play a significant part in meeting the needs of children and young people. The agency will propose placements for children and young people that should be carefully matched; they should monitor children's and young people's experiences and outcomes, and support their progress. Independent fostering agencies should aim to provide successful and stable placements. In order to do this an agency must give foster carers all the information they have available so that the foster carers can appropriately care for the child, and fully participate as part of the team working with the child, both in discussions and decisions regarding children's and young people's care. To achieve the best possible outcomes for children and young people independent fostering agencies should work in partnership with local authorities who place those children.

⁷ *Fostering services: national minimum standards*, DfE, 2011;
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00029-2011>.

Inspection activity

17. Inspectors:

- evaluate and explore the agency’s work in relation to a sample of foster carers in order to judge the quality of practice and management and the difference the agency makes to the lives of children and young people. This includes discussions with agency and placing social workers, managers, other agency staff and professionals working with children or young people in placement
- talk with, as appropriate, children, young people and foster carers
- analyse information about the fostering agency to inform the inspection and inspection judgements, including the annual quality and data form from the agency and returned questionnaires from all those involved with the agency.

18. Full details of the method of inspection are available in *Fostering: Conducting the inspection of independent fostering agencies*.⁸

Grading inspection findings

19. Inspectors make judgements against the evaluation schedule using a four-point judgement scale.

Outstanding	An agency demonstrating and exceeding the characteristics of a good judgement where children and young people are making significantly better progress and achieving more than was expected in all areas of their lives.
Good	An agency where children and young people, including those with the most complex needs, have their individual needs met and their welfare safeguarded and promoted. They make good progress and receive effective services so they achieve as well as they can in all areas of their lives.
Requires improvement	An agency that may be compliant with regulations and observing the national minimum standards, but is not yet demonstrating the characteristics of a good judgement. It therefore requires improvement to be good. There may be failures to meet all regulations or NMS but these are not widespread or serious; all children’s and young people’s welfare is safeguarded and promoted.

⁸ *Fostering: Conducting the inspection of independent fostering agencies*, Ofsted (120305); www.ofsted.gov.uk/resources/130205.

Inadequate	An agency where there are widespread or serious failures that result in children and young people not having their welfare safeguarded and promoted.
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20. Independent fostering agencies must meet their responsibilities as set out in the equality legislation. For all children and young people, the expectation is that the services provided are sensitive and responsive to age, disability, ethnicity, faith or belief, gender, gender identity, language, race and sexual orientation.

Using the grade descriptors

21. Inspectors make the following judgements:

- overall effectiveness
- the experience and progress of, and outcomes for, children and young people
- quality of service provision
- safeguarding children and young people
- leadership and management.

22. The framework sets out the characteristics of a good service for each judgement. Inspectors will use these criteria to evaluate the experiences of children, young people and families and the services they receive. Inspectors will make a judgement of good where the characteristics set out best describe the service provided, are widespread and common practice across the agency and are demonstrably leading to improved progress and outcomes. Inspectors will deploy professional judgement to determine the weight and significance of their findings for children and young people. When evaluating the effectiveness and impact of the agency, inspectors **must** start by considering whether the agency meets the descriptors for good, and whether it is better than good, or worse. A judgement of good will be made where the inspector concludes that the evidence overall sits most appropriately with a finding of good.

23. Meeting all regulatory requirements and national minimum standards does not itself result in a judgement of good or outstanding, nor does failure to do so in full necessarily result in a judgement of requires improvement or inadequate. The quality of the service, the impact of meeting the standards, the seriousness of any failure and its potential impact on the progress of children and young people is considered carefully to determine the overall judgement. Inspectors use their professional judgement to assess the impact of any breach of regulation, or failure to meet the national minimum standards or statutory guidance, against other aspects of the service provided. However, it is expected that in an agency judged to be outstanding, there are no breaches of regulations, and if, in an agency judged to be good, there are any breaches of the detail of the regulations, these are infrequent, minor, have no impact on safeguarding or promoting children’s welfare and can be immediately remedied (although they will still be referred to in the inspection report).

Overall effectiveness

24. Inspectors consider the evidence and judgements from across the evaluation schedule before arriving at the overall effectiveness judgement. They take account of the context of the agency and whether they specialise in placements for particular groups of children, for example older teenagers, or whether they specialise in types of placements, for example short breaks for disabled children or emergency placements. Agencies should be judged on the progress children and young people make from their starting points. Where children have complex needs and behaviours, these, and the duration of placements, must be taken into account in making judgements to ensure that agencies are not discouraged from offering placements to children and young people in most need. It should, however, be the case that there is clear evidence of specialist help being made available on a sustained basis, or being effectively pursued, for all children for whom it is required.

25. In a good independent fostering agency:

- Children and young people, including those with the most complex needs, have their individual needs met and their welfare safeguarded and promoted.
- The agency supports children and young people to live and thrive in safe and stable placements, in which they develop safe and secure relationships.
- The recruitment and preparation of foster carers results in a range of skilled foster carers who are able to meet the diverse needs of the children and young people cared for in line with the agency's statement of purpose.
- Accurate, focused and analytical assessments of foster carers are completed in a timely way. Potential foster carers are not lost because of deficits in this process.
- Foster carers are part of the team working with the child and are required to use their knowledge and experience of individual children and young people to inform planning and decision making. They benefit from professional, supportive and challenging relationships with the agency and placing social workers.
- The views and experiences of children, young people and foster carers influence agency developments and strategic thinking.
- The independent fostering agency works to ensure that relationships with partner organisations are effective. The partnerships ensure that individual children are protected and their needs are met without delay and lead to improvements in the quality of care that is provided and in the progress of children and young people.
- Leadership of the agency is visible and effective. There is a registered manager in post or, if the manager's post is vacant, urgent action is being taken.

- Any breaches of regulations are infrequent, minor, have no impact on safeguarding or promoting children’s welfare, or on the recruitment and retention of foster carers, and are immediately remedied.

26. In an outstanding independent fostering agency:

- Direct work, provided by the agency, with children, young people and foster carers is of the highest quality and is supporting measurably improved progress and/or outcomes. For some children and young people, their progress is exceptional based on their starting points.
- Inspirational, confident, ambitious and influential leadership changes the lives of children and young people placed with their agency. Leaders are visible and effective. They innovate and attract creative ideas to sustain the highest-quality services for children and young people and their foster carers.
- Effective and continuous learning improves professional practice. This is sustained over time. Leaders, managers and staff have ambition and inspire high quality work with foster carers which supports exceptional progress, and protects and promotes the welfare of, all children and young people placed with the agency.
- There are no breaches of regulations.

27. In an independent fostering agency that requires improvement:

- The agency is not yet demonstrating the characteristics of a good judgement. It therefore requires improvement to be good. However, there are no widespread or serious failures that result in individual children and young people not having their welfare safeguarded and promoted.

28. In an independent fostering agency that is inadequate:

- There are widespread or serious failures that result in children and young people not having their welfare safeguarded and promoted. This will be the case if any of the judgements are inadequate.

The approach following an overall judgement of inadequate

29. An overall effectiveness judgement of inadequate is made where there are widespread or serious failures to comply with requirements that result in individual children and young people not having their welfare safeguarded and promoted. Serious failures may affect only one child, but will still lead to a judgement of inadequate. In these circumstances, the inspector sets requirements to achieve compliance with the Care Standards Act 2000 and the Fostering Services (England) Regulations 2011. Inspectors may also make recommendations to help the registered person/s to improve the quality and standards of care further.

30. On making a judgement of inadequate, the inspector must consult with the Social Care Compliance team, and must instigate a case review.

31. The inspector should also consider consulting with the Social Care Compliance team where there is any history of:

- complaints against the independent fostering agency that have not been dealt with in a satisfactory way
- failures to comply with regulations and/or observe national minimum standards that have not been dealt with in a satisfactory way
- failures to take satisfactory action to meet requirements/actions and recommendations that call into question the suitability of the registered person.

32. The purpose of the case review is to consider whether any enforcement action must be taken.

33. When agencies are judged to be inadequate for overall effectiveness, the next inspection will normally take place within 12-18 months. It will take place sooner if any further significant concerns arise during this period or if earlier inspection is necessary to meet statutory requirements.

The experiences and progress of, and outcomes for, children and young people who are looked after

34. Children and young people who are fostered should benefit from stable, appropriate placements and, if in their best interests, they are placed with their brothers and sisters. In those foster homes they should: achieve their potential; make and maintain sound relationships with their family, friends and foster carers, as appropriate; and feel valued and welcomed. Their views should influence what is happening to them.

35. The judgement evaluates the experiences and progress of, and outcomes for, children and young people. It does not evaluate the work of those who contribute to those outcomes, for example social workers, teachers and foster carers. It is essential that agencies clearly establish children's starting points and monitor their progress in order to understand the impact of their service. The agency's input will be judged and reported on in other sections of the report.

Good

36. The experiences and progress of, and outcomes for, children and young people are likely to be good where the criteria below best describe the experiences of children and young people.

- Children and young people looked after are provided, before they move to the foster carers (via the local authority social worker), with easily accessible and helpful information prepared by the independent fostering agency about their potential foster carers. This helps them settle into their foster home and understand how their foster carers will look after them.
- Children and young people looked after are well cared for and their care plan is understood and central to the making of permanent arrangements for their future. They are safe and feel at ease living with foster carers who meet their needs. They develop, or are developing, secure primary attachments with the adults caring for them and do not move at the instigation of the independent fostering agency. They remain with their foster carers for as long as they need the care and support that is provided. This includes remaining under Special Guardianship Orders or through an adoption arrangement.
- Children and young people looked after have a wide range of opportunities, support and help to enable them to achieve the best possible outcomes, mature successfully to adulthood and to develop a positive identity. When they do not live with their brothers and sisters, they are supported to keep in touch where this is in their best interests. They have access to the independent fostering agency records about their life, which are provided, with appropriate support, when they are needed.
- Children and young people looked after have the opportunity to express their wishes, feelings and views. They influence their day-to-day care. They understand how to complain and feel able to do so. They can easily access an advocate, the Independent Reviewing Officer and independent visitor, where relevant, who can provide the advice and support they need, and pursue matters on their behalf, if necessary. They also know what to do or who to speak to if they are bullied, including homophobic bullying, or if they face other forms of discrimination.
- Children and young people looked after take, or are learning to take, responsibility for their behaviour. They are either being helped to reduce any incidents of, or are not, offending, misusing drugs or alcohol, going missing or being sexually exploited. If any such risks are identified, the independent fostering agency takes action, in partnership with the local authority, that reduces the risk and protect the child or young person.
- Children and young people looked after lead a healthy life, receive advice on healthy living and, when it is needed, are offered effective emotional, physical, psychological and therapeutic help. Services for disabled children and young people are provided when they are needed for as long as these are required.

- Children and young people looked after attend school or other educational provision that provides for their statutory entitlement of 25 hours per week and in cases where children are not able to manage full attendance there are concerted efforts to help them to work towards this. The quality of that experience is good. They make progress and achieve in their learning and development, taking into account their needs and starting points. Young people who do not attend school are in further education, training or employment or there are concerted efforts to help them to work towards this.
- Children and young people looked after are included in the foster carer's family life and enjoy themselves. They see their own family and friends; have overnight stays, as appropriate; and access a broad range of social, educational, recreational and, where appropriate, spiritual opportunities.
- Children and young people looked after have the length of their placement taken into account, and where possible, they benefit from consistent, clear and positive relationships between their parents and foster carers.

Outstanding

- The experiences and progress of, and outcomes for, children and young people who are looked after is likely to be judged outstanding if it is evident that children and young people are making exceptional progress in their social, emotional and educational development and achievement. In addition, the characteristics of a good judgement must be met.

Requires improvement

- The agency is not yet demonstrating the characteristics of a good judgement and therefore requires improvement to be good. However, there are no widespread or serious failures that result in individual children and young people not having their welfare safeguarded and promoted. Regulatory requirements are met or, if they are not, any breaches do not have a negative impact on the welfare of children and young people.

Inadequate

- There are widespread or serious failures that result in children and young people not having their welfare safeguarded and promoted. There are breaches of regulations that have a negative impact on the welfare of children and young people.

The experiences and progress of, and outcomes for, children and young people who receive short break care

37. Children and young people who receive short breaks should benefit from stable and appropriate placements. In those placements they should: achieve their potential; make and maintain sound relationships with their family, friends and carers, as appropriate; and feel valued and welcomed. Their views should influence what is happening to them.

38. The judgement focuses on what children and young people experience, it does not evaluate the work of those who contribute to those experiences, for example social workers and foster carers. It is essential that agencies monitor their progress in order to understand the impact of their service on children. The agency's input will be judged and reported on in other sections of the report.

Good

39. The experiences and progress of, and outcomes for, children and young people who receive short break care is likely to be good where the criteria below best describe the experiences of children and young people.

- Children and young people are placed with short break carers who understand and can meet their assessed needs and help them to make progress, they feel comfortable and safe, and are happy and secure with their short break family. They do not change carers unless it is in their best interests or if they do, it is beyond the control of the fostering agency and they receive effective support to cope with any change.
- Children and young people have the opportunity to express their wishes, feelings and views. Taking into account the children's and young people's needs, they influence their day-to-day care. They understand how to complain and have easy access to an advocate and independent visitor, where relevant, who can provide the advice and support they need and pursue matters on their behalf if necessary.
- Children and young people are supported to take risks that promote their social, emotional and psychological development. They are safe in doing so. They are not offending, misusing drugs or alcohol, going missing or being sexually exploited or, if any such risks are identified, the fostering agency takes action, in partnership with parents and the local authority, that reduces the risk and protect the child or young person.
- Children and young people access a wide range of stimulating opportunities to promote their development that may not otherwise be available to them. Taking into account the purpose and length of the placement, they benefit from consistent, clear and positive relationships between their parents and foster carers, have good relationships with their peers and enjoy themselves.

- Children and young people have their assessed needs met, including the provision of specialist equipment if they are disabled.

Outstanding

- The experiences and progress of, and outcomes for, children and young people who receive short breaks are likely to be judged outstanding if it is evident that children and young people are being supported to make exceptional progress in their emotional, social and educational development. In addition, the characteristics of a good judgement must be met.

Requires improvement

- The agency is not yet demonstrating the characteristics of a good judgement and therefore requires improvement to be good. However, there are no widespread or serious failures that result in individual children and young people not having their welfare safeguarded and promoted. Regulatory requirements are met or, if they are not, any breaches do not have a negative impact on the welfare of children and young people.

Inadequate

- There are widespread or serious failures that result in children and young people not having their welfare safeguarded and promoted. There are breaches of regulations which have a negative impact on the welfare of children and young people.

Quality of service provision

40. The central focus of a fostering agency must be the welfare and safety of children and young people who are fostered. This will be achieved by recruiting, training, supporting and placing children with skilled foster carers who provide stability in children's lives and have a positive impact on their experiences, progress and outcomes.

41. The judgement of the quality of service provision is based on an analysis of how the recruitment, assessment, preparation, support, training and supervision of foster carers assists progress and improves outcomes for children and young people.

Good

42. The quality of service is likely to be good if the following characteristics best describe the service provided:

- The fostering agency recruits a range of foster carers, in line with their statement of purpose, who can meet the diverse needs of children and young people who are looked after, or children and young people receiving a short break service from the agency. The agency offers placements to children and young people with complex needs and challenging behaviour and provides the necessary specialist support and help for as long as it is required.
- The preparation, assessment, support and training of foster carers focuses on the needs of children and young people and helps to ensure that their needs are met by carers who have an in-depth understanding of children living away from their families. Foster carers understand their role and those of both the local authority and the fostering agency.
- Foster carers understand and demonstrate that they can help children and young people who are fostered to feel a part of their family and to enjoy themselves. They are able to form and maintain contact and positive working relationships with parents and other significant adults for the child or young person. Foster carers are provided with 'respite' only when it is in the child's or young person's best interests, including improved stability of the child's or young person's placement with the foster carers, and any respite care provided takes full account of the child's or young person's needs.
- Foster carers receive effective training and supervision in respect of the specific and complex needs of children and placements are more effective and stable as a result. Foster carers achieve the training, support and development standards in foster care within one year of approval, or within 18 months if they are family and friends carers.⁹
- Foster carers benefit from professional and supportive relationships with the agency which helps them to provide high quality care. They work very effectively together with children's social workers so that placements are appropriate, planned and meet the needs of children. They are part of the team around the child, which is mutually supportive. They are actively involved in planning for the child or young person, and their views are valued by the fostering agency and positively influence children's and young people's progress. Foster carers are well supported to ensure that plans for children and young people remain in their best interests. Foster carers and their families value the support provided by the agency, which

⁹ *Fostering services: national minimum standards*, standard 20, Department for Education, 2011; <http://education.gov.uk/childrenandyoungpeople/families/fostercare/a0071234/regs>.

helps them to cope with the additional demands of fostering on their family life.

- The fostering panel promotes safe, secure and stable placements through active engagement with the fostering agency. It carries out a rigorous quality assurance function and promotes thorough assessments, support and training for foster carers. The panel members are recruited from a range of diverse backgrounds and have the knowledge and expertise to make effective decisions in relation to the cases before them that are led by children's best interests.
- Assessments that identify foster carers as suitable for a child are informed by a clear understanding of that child's needs and of the skills necessary to help and support them. Fostering services work with local authorities to ensure that full information is always shared with foster carers prior to a placement so that appropriate care can be provided. If information is not shared, the agency can provide evidence that it has pursued it and has made a decision in the child's best interests as to whether the placement can proceed. Careful matching contributes to the stability of placements and the retention of foster carers.
- The fostering agency works with the child's social worker and Independent Reviewing Officers to ensure that the care plan and placement plan are reviewed at least within statutory intervals and whenever the child or young person's needs indicate that this would be beneficial. The agency staff use their knowledge and experience to help all professionals achieve better outcomes in their work with children and young people. The agency ensures that their foster carers are aware of the local authorities' written policy on delegated authority and will challenge local authorities when individual children and young people are disadvantaged if that authority is not delegated appropriately.

Outstanding

- The quality of service provision is likely to be judged outstanding if, in addition to meeting the characteristics of a good judgement, there is evidence that professional practice exceeds the standard of good and results in sustained improvement to the lives of children and young people. Research informs practice, some of which will be innovative, and makes an exceptional difference to the recruitment, assessment, support, training and retention of foster carers.

Requires improvement

- The quality of service provision is likely to require improvement when the characteristics of good are not in place. It therefore requires improvement to be good. However, there are no widespread or serious failures that result in individual children's and young people's welfare not being safeguarded and promoted, or in a significant loss of foster carers. Regulatory requirements are met or, if they are not, any breaches do not have a negative impact on the welfare of children and young people.

Inadequate

- The quality of service provision is likely to be inadequate if there are widespread or serious failures that result in children's and young people's welfare not being safeguarded and promoted. There are breaches of regulations which have a negative impact on the welfare of children and young people.

Safeguarding children and young people

43. Safeguarding children and young people must be at the centre of all the fostering agency does. Children and young people should feel safe and be safe. They should benefit from highly effective safeguards to ensure that unsuitable people do not have unsupervised contact with them. The agency, all their staff and their foster carers should have a clear understanding of, and effective practice, in relation to disclosures of abuse by children and young people.

44. Foster carers should have a clear understanding and effective practice in relation to the potential impact of abuse and neglect on a child or young person's development and behaviour, and in relation to disclosures of abuse.

45. This judgement focuses on how the fostering agency puts child protection at the centre of all it does and ensures that children benefit from living with foster carers where they feel safe and protected.

Good

46. Safeguarding children and young people is likely to be good if the following criteria best describe the agency's safeguarding practice:

- Children are enabled to take age-appropriate risks and develop an understanding of how to protect themselves. They know how to complain, and feel able to do so. They know who they can talk to about any concerns they have. They feel confident that they will be supported and listened to and that their concerns will be addressed. The fostering agency involves children and young people in discussions, groups and strategies to raise awareness of risk, and to help them stay safe.

- Placement plans and risk assessments that are established with foster carers for each child and young person placed identify the impact of any abuse or neglect and actions required to protect and support the children and young people concerned. The plan is carefully monitored, reviewed and evaluated by the agency to ensure that children and young people are very effectively protected and supported.
- The incidence of children or young people going missing and/or being at risk of sexual exploitation is monitored rigorously. Adults take action to protect children and to review plans for them where they continue to be at risk. Agency social workers and foster carers understand and implement local protocols for children who go missing or run away, have a good understanding of what may cause children or young people to go missing and take action to minimise all associated risks and reduce the incidents of 'going missing'. Carers explain to children and young people what is happening and help them to understand the plan to protect them.
- Foster carers are fully aware of, and sensitive to, potential and actual abuse in children's lives. They have an open attitude to disclosures and are able to demonstrate that they have thought through how they would deal with safeguarding and the need to protect foster children. They recognise the impact of any abuse or neglect on the behaviour of children and young people they care for and take appropriate action to protect and support them.
- Strong and effective relationships with the local authority, the police, health services, schools and other agencies protect those children who engage in risk-taking behaviour.
- Recruitment, assessment, preparation, supervision and training of foster carers have a very strong focus on safeguarding and child protection. The agency operates a safe fostering service with safe families. It promotes safe care, makes annual unannounced visits to foster carers and ensures that children and young people are seen without their foster carers.
- All staff and panel member recruitment and vetting is thorough and complies with statutory requirements. As much as possible is done to assure the suitability of people working in the agency, including staff who do not work directly with children and where Disclosure and Barring Service (DBS) checks are unavailable.¹⁰ Working practices and panel procedures also help to prevent unsuitable people from having the opportunity to harm children and young people.

¹⁰ The DBS was established under the Protection of Freedoms Act 2012 and carries out the functions previously undertaken by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).

- An open culture within the agency supports the reporting of concerns and staff know about using whistleblowing procedures when necessary. Staff notice any inappropriate behaviour and take action to prevent adults from harming children and young people.
- Allegations against or suspicion of harm by foster carers are referred immediately to local authority child protection services and handled appropriately by the agency. The agency also protects and supports the children, young people and carers involved, and helps to ensure that decisions are focused on children's needs. Unnecessary placement moves are challenged.
- Safeguarding and child protection practice are reviewed regularly, clearly evaluated and inform agency developments.

Outstanding

- Safeguarding is likely to be judged outstanding if, in addition to meeting the characteristics of a good judgement, the agency's safeguarding practice, including its work with foster carers, is informed by research and developments in the area of safeguarding and child protection. This results in foster carers who demonstrate a comprehensive and impressive understanding of safeguarding and of the impact of abuse on children, young people and adults. They, therefore, effectively support children and young people even in the most difficult and demanding circumstances. It is evident that children and young people are making significantly better progress and achieving more than was predicted in all areas of their development.

Requires improvement

- Safeguarding children and young people is likely to require improvement when the characteristics of good are not in place. It therefore requires improvement to be good. However, there are no widespread or serious failures that result in individual children and young people's welfare not being safeguarded. Regulatory requirements are met or, if they are not, any breaches do not have a negative impact on the welfare of children and young people.

Inadequate

- Safeguarding is likely to be inadequate if there are widespread or serious failures that result in children's and young people's welfare not being safeguarded and promoted. There are breaches of regulations that have a negative impact on the welfare of children and young people.

Leadership and management

47. Leadership and management must demonstrate clear vision and ambition for children and young people who are fostered. Leaders and managers must monitor all areas of the fostering agency, particularly the experiences and progress of, and outcomes for, children and young people, and demonstrate continuous improvement. Effective partnerships with all those involved with looked after children and young people are clearly embedded within the service so that it delivers the best outcomes. These include partnerships with children and young people themselves, looked after children's teams, other fostering agencies, local authority fostering and commissioning services, education and health services.

48. The judgement of leadership and management is based on evaluating the agency's contribution to improving outcomes for children and young people.

Good

49. Leadership and management is likely to be good if the following characteristics best describe agency practice:

- Leaders and managers develop highly effective working relationships with placing local authorities, with social workers in particular, and with other professional services. They develop a clear understanding with contracting local authorities about the needs of their looked after children. The independent fostering agency takes specific actions to meet those needs and maintain effective working relationships. This improves the care and progress of, and outcomes for, children and young people who are fostered.
- Leaders and managers ensure that children and young people are provided with opportunities to have fun, engage in their community as well as influencing their day-to-day care. Leaders and managers regularly monitor, review and track the progress of individual children and young people to assess the quality of the service and the experiences of children and young people. Action is taken if progress is not being made or if children are unhappy or unsafe.
- Leaders and managers monitor the quality of the service provided and conduct a thorough review of the fostering agency annually. The views of children and young people, their parents, foster carers and other stakeholders inform the review. The results of the review drive continuous improvement in outcomes for children and young people and service provision. Annual quality and performance data forms are promptly completed and submitted to Ofsted.

- The statement of purpose and children's guide are clear, easily understood and comprehensive. This results in children and young people, parents and relatives, foster carers and staff being clear about the aims and objectives of the fostering agency. The agency has adopted the Foster Carers' Charter in consultation with foster carers. It is implementing and reviewing its commitments in consultation with them. Complaints and concerns are welcomed and inform improvements in the care provided to children and young people.
- Managers review, and act on, the trends and patterns in the recruitment of foster carers. They take action to recruit, develop, support and retain a sufficient number of foster carers with the right skills to fulfil their commitments to local authorities and their statement of purpose. They regularly review their placement processes and take any necessary action to improve the stability of placements and the progress children make.
- Staff, managers and panel members are appropriately qualified, experienced and supervised. The agency is well staffed, resourced and financially viable. Staff receive regular and relevant training that enables them to supervise and support foster carers. Staff appraisals are effective. They include, where possible, the views of children, young people and foster carers. There is evidence of action being taken where feedback indicates this is needed.
- All notifiable events under schedule 7 of the Fostering Services (England) Regulations 2011 are completed and the registered manager is able to demonstrate and evidence that appropriate follow-up action is taken.
- Effective action has been taken in relation to any requirements and recommendations made at the previous inspection.

Outstanding

- Leadership and management are likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence that leaders and managers are inspirational, confident, ambitious, innovative and influential in changing the lives of children and young people placed with the agency. Professional relationships between the agency and the local authority and other partner organisations are highly effective. The agency can demonstrate that it makes an exceptional difference to the lives and experiences of children and young people.

Requires improvement

- Leadership and management are likely to require improvement when the characteristics of good are not in place. It therefore requires improvement to be good. However, there are no widespread or serious failures that result in individual children and young people's welfare not being safeguarded and promoted. Regulatory requirements are met or, if they are not, any breaches do not have a negative impact on the welfare of children and young people.

Inadequate

- Leadership and management are likely to be inadequate if there are widespread or serious failures that result in children and young people's welfare not being safeguarded and promoted. There are breaches of regulations that have a negative impact on the welfare of children and young people. Where there has been no registered manager for 26 weeks or more, due to the agency's failure to recruit, or the absence of a manager leads to a risk to the welfare of children and young people, this is likely to lead to a judgement of inadequate.

Fitness and conditions of registration

50. As well as the areas above, inspectors consider whether the:

- registered persons remain fit for registration
- fostering agency is operating in accordance with any conditions placed on its registration.

51. Inspectors report any concerns they identify relating to the registered person's 'fitness' or to whether the conditions of registration are being met. They consult the Social Care Compliance team as appropriate.

Annex A: headline outcome statements from the national minimum standards

Individual standards may be taken into account and lead to recommendations under any of the judgement areas.

Outcomes for children and young people

- Children know that their views, wishes and feelings are taken into account in all aspects of their care, are helped to understand why it may not be possible to act upon their wishes in all cases and know how to obtain support and make a complaint (NMS 1).
- Children have a positive self view, emotional resilience and knowledge and understanding of their background (NMS 2).
- Children enjoy sound relationships with their foster family, interact positively with others and behave appropriately (NMS 3).
- Children live in a healthy environment where their physical, emotional and psychological health is promoted and where they are able to access the services to meet their health needs (NMS 6).
- Children are able to enjoy their interests, develop confidence in their skills and are supported and encouraged to engage in leisure activities (NMS 7).
- Children are able to make a positive contribution to the foster home and their wider community (NMS 7).
- Children and young people achieve their educational potential (NMS 8).
- Children have, where appropriate, constructive contact with their parents, grandparents, siblings, half-siblings, wider family, friends and other people who play a significant role in their lives (NMS 9).
- Children are welcomed into the foster home and leave the foster home in a planned and sensitive manner which makes them feel loved and valued (NMS 11).
- Children feel part of the family and are not treated differently to the foster carer's own children living in the household; the child's needs are met and they benefit from a stable placement (NMS 11).
- Children are prepared for, and supported into, adulthood so that they can reach their potential and achieve economic well-being (NMS 12).

Quality of service provision

- Children enjoy sound relationships with their foster family, interact positively with others and behave appropriately (NMS 3).
- Children live in foster homes which provide adequate space, to a suitable standard; the child enjoys access to a range of activities which promote his or her development (NMS 10).

- The fostering service recruits, assesses and supports a range of foster carers to meet the needs of children they provide care for and is proactive in assessing current and future needs of children (NMS 13).
- The fostering panel and decision maker make timely, quality and appropriate recommendations/decisions in line with the overriding objective to promote the welfare of children in foster care (NMS 14).
- The responsible authority has information and support from the fostering service, which it needs to facilitate an appropriate match between the carer and child, capable of meeting the child's needs and consistent with the wishes and feelings of the child, so maximising the likelihood of a stable placement (NMS 15).
- Foster carers receive the training and development they need to carry out their role effectively (NMS 20).
- A clear framework of training and development is in place and this is used as the basis for assessing foster carers' performance and identifying their training and development needs (NMS 20).
- Foster carers receive the support and supervision they need in order to care properly for children placed with them (NMS 21).

Safeguarding children and young people

- Children feel safe and are safe; they understand how to protect themselves and are protected from significant harm, including neglect, abuse and accident (NMS 4).
- Children who do go missing are protected as far as possible and responded to positively on their return (NMS 5).
- The fostering service is provided and managed by those who are suitable to work with children and have the appropriate skills, experience and qualifications to deliver an efficient and effective service (NMS 17).
- There is careful selection of staff, fostering households, volunteers and the central list of persons considered suitable to be members of a fostering panel, and there is monitoring of such people to help prevent unsuitable people from having the opportunity to harm children (NMS 19).
- Allegations and suspicions of harm are handled in a way that provides effective protection and support for children and the person making the allegation, and at the same time supports the person who is the subject of the allegation (NMS 22).
- Staff and volunteers are supported and guided to fulfil their roles and provide a high quality service to children (NMS 24).

Leadership and management

- Children, their parents, foster carers, staff and the responsible authority/placing authority are clear about the aims and objectives of the fostering service and what services and facilities it provides (NMS 16).
- The fostering service's operation meets the aims and objectives in the statement of purpose (NMS 16).
- The fostering service is financially sound (NMS 18).
- Where a service is to close or substantially change, there is proper planning, to make the transition for children, foster carers and staff as smooth as possible (NMS 18).
- Children and foster carers receive a service from staff, volunteers and panel members, and decision makers who have the competence to meet their needs (NMS 23).
- Staff and volunteers are supported and guided to fulfil their roles and provide a high quality service to children (NMS 24).
- The fostering service is managed ethically, effectively and efficiently, delivering a service which meets the needs of its users (NMS 25).
- Records are clear, up to date, stored securely and contribute to an understanding of the child's life (NMS 26).
- The premises and administrative systems are suitable to enable the service to meet the objectives of its statement of purpose (NMS 27).
- Payments to foster carers are fair and paid in a timely way (NMS 28).
- Foster carers are clear about the fostering service's payment structures and the payments due to them (NMS 28).
- All significant events relating to the health and protection of children fostered by the service are notified by the registered person to the appropriate authorities (NMS 29).
- Family and friends foster carers receive the support they require to meet the needs of children placed with them (NMS 30).
- Children are cared for in line with their placement plan/short break care plan (NMS 31).
- The fostering service takes action to chase up outstanding reviews or visits from the responsible authority, contributes to those reviews and assists the child to contribute to their reviews (NMS 31).

Annex B: National minimum standards, regulations and statutory guidance relevant to the evaluation schedule

- The Fostering Services (England) Regulations 2011;
<http://www.legislation.gov.uk/uksi/2011/581/contents/made>.
- Care Planning, Placement and Case Review and Fostering Services (Miscellaneous Amendments) Regulations 2013;
<http://www.legislation.gov.uk/uksi/2013/984/contents/made>.
- Fostering services: national minimum standards, DfE, 2011;
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DFE-00029-2011>.
- The Children Act 1989 guidance and regulations volume 4: fostering services, DfE, 2011;
<http://www.education.gov.uk/childrenandyoungpeople/families/childrenincare/fostercare/a0071234/regs>.