

Conducting inspections of residential family centres

Guidance for the inspection of residential family centres

This guidance is designed to assist inspectors from the Office for Standards in Education, Children's Services and Skills (Ofsted) when conducting inspections of residential family centres. It should be read in conjunction with the *Framework for inspection* and the *Evaluation schedule and grade descriptors for inspections of residential family centres*.

Published: April 2014

Reference no: 130055



Corporate member of
Plain English Campaign
Committed to clearer communication

361

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, work-based learning and skills training, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email enquiries@ofsted.gov.uk.

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.ofsted.gov.uk/resources/130055.

To receive regular email alerts about new publications, including survey reports and school inspection reports, please visit our website and go to 'Subscribe'.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.ofsted.gov.uk

No. 130055

© Crown copyright 2014



Contents

| | |
|--|-----------|
| Introduction | 4 |
| Scheduling and team deployment | 4 |
| Timeframe | 5 |
| Pre-inspection activity | 5 |
| Gathering the views of parents, staff and other interested parties prior to inspection | 6 |
| Deferrals | 7 |
| Inspection activity | 7 |
| The use of surveillance | 12 |
| Safeguarding concerns | 12 |
| Recording evidence | 13 |
| Inspection findings | 13 |
| Inadequate judgements | 14 |
| Inadequate residential family centres - feedback to placing authorities | 14 |
| Inspection feedback | 15 |
| Writing the report | 16 |
| Quality assurance | 16 |
| Concerns | 17 |
| Complaints | 17 |
| Annex A. Request for information at an inspection | 18 |
| Annex B. Inspecting residential family centres where there are no families in placement | 20 |
| Annex C. Inspecting residential family centres where there is no manager in post or where the manager is not registered with Ofsted | 22 |
| Annex D. The content of the inspection report | 24 |
| Annex E. Regulation 23 and Regulation 25 reports | 27 |
| Annex F. The implications of the Equality Act 2010 | 29 |
| Annex G: Checks on responsible individuals | 30 |

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 residential family centres in England. Residential family centre providers can use the guidance to see how inspections are conducted.
2. This guidance should be read in conjunction with the Framework for the inspection of residential family centres and the Evaluation schedule and grade descriptors for inspections of residential family centres.

Scheduling and team deployment

3. Ofsted has a duty to inspect residential family centres once during every three-year inspection cycle.¹ The scheduling of inspections takes account of: legal requirements; previous inspection findings; any complaints and concerns about the service; and notifications and monitoring reports provided to Ofsted by residential family centres under Regulations 23, 25 and 26 of the Residential Family Centres Regulations 2002 (as amended).
4. The inspection of a residential family centre will involve a suitably experienced and trained inspector spending a maximum of two and a half days on site, with an additional day to prepare and a day to write the report.
5. In certain circumstances, for example where a residential family centre accommodates a large number of families (over eight), it may be necessary for another inspector to be involved in the inspection or for additional time to be spent on site. 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 National Lead HMI, for approval.
6. If there are no families in placement in the residential family centre, inspectors will follow the guidance in Annex B.

¹ Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes, etc) Regulations 2007 (SI 2007/694). As amended by (SI 2011/553).

Timeframe

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

| Day | Full inspection activity |
|-----|--|
| 1 | Preparation day |
| 2 | Site visit |
| 3 | Site visit |
| 4 | Site visit (half day) |
| 5 | Drafting report |
| 6–9 | Inspection evidence and report (toolkit) submitted for quality assurance |
| 14 | Report sent to the registered provider for any comments on factual accuracy, within 10 working days of the end of the inspection |
| 19 | Provider returns the draft report within five working days with any comments on factual accuracy |
| 24 | The final report will be published on the Ofsted website within 20 working days of the end of the inspection |

Pre-inspection activity

8. Inspectors are allocated one day for preparing for an inspection.

9. During their preparation day inspectors will look at any information that Ofsted already holds about the service, which includes:

- previous inspection reports
- completed questionnaires from parents, staff, social workers and commissioners, and partner agencies
- the residential family centre's Statement of Purpose
- concerns and complaints received
- notifications of significant events received
- reports made under Regulation 23 and Regulation 25 of the Residential Family Centres Regulations 2002 (subject to confirmation of amendments (2012))
- any changes to registration, including change of manager or responsible individual
- any enforcement activity within the last inspection year
- the content of the provider's website.

Some of this information is drawn together in the provider information portal (PIP).²

10. If information has been received that indicates possible non-compliance with regulatory requirements, Ofsted may decide to investigate compliance issues at an inspection. In these cases, the concern will be used as one of the lines of enquiry for the inspection. The inspector will outline the concern to the residential family centre manager at the beginning of the inspection. Annex D contains guidance on the way inspectors will report on concerns that have been investigated during an inspection.

11. The inspector must download the *Request for information at an inspection form* (Annex A) from the intranet, ready to use at an inspection. This form requests specific information from the residential family centre to inform the inspection.

12. The inspector will carry out an analysis of the available evidence and information and record their planning notes within the planning section of the Regulatory Support Application (RSA) toolkit.³

13. The plan for the inspection will identify lines of enquiry, any areas of apparent weakness or significant strength, or areas where further evidence needs to be gathered. The focus of the inspection may change during its course as further evidence emerges.

Regulation 23 reports

14. Regulation 23 of the Residential Family Centres Regulations 2002 requires the registered person to establish and maintain a system for reviewing and improving the quality of care provided at the centre. The reports form part of the provider's quality assurance procedures. We consider it good practice for these reports to be completed twice a year. A copy of the report should be sent to Ofsted within 28 days of completion (see Annex E).

Gathering the views of parents, staff and other interested parties prior to inspection

15. The views of parents, staff and other interested parties – such as placing social workers and independent reviewing officers – inform lines of enquiry for each inspection and are an important part of inspection evidence. Children's views will be sought and included where appropriate during the inspection.

16. Ofsted will send out a standard letter to the residential family centre at a point of time during the inspection year. This will include a set of electronic addresses that

² Ofsted's provider information portal provides a summary report of the centre's regulatory and inspection history.

³ The RSA is the electronic system used by Ofsted to administer and record regulatory inspections.

link to an online questionnaire for each group (parents, staff and other interested parties) specifically for that residential family centre.

17. If Ofsted does not hold an email address, we will send the residential family centre the links by post to distribute. Paper copies of the questionnaires will be available on request.

18. Completed questionnaires will be passed to the relevant inspector for the residential family centre and used to inform the planning of the inspection.

Deferrals

19. Inspections will not normally be deferred. If on arrival the inspector finds that key staff are absent or unavailable, or that there are issues such as refurbishment of accommodation under way, these will not constitute reasons for deferral.

20. An inspection will only be deferred where there is a strong reason for supposing that if the inspection went ahead it might place people at risk or if the ability to gather secure evidence is severely restricted. Such conditions might be:

- serious weather conditions making access to sites for inspectors, children and parents and staff difficult and/or dangerous
- a serious incident, where the presence of an inspector would impact adversely on the safety and well-being of families in the centre.

21. Decisions about deferrals are agreed by Ofsted's Regional Director, who takes advice from the National Lead HMI.

Inspection activity

22. On arrival 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)⁴ checks.

23. The inspector will agree a plan for the inspection with the manager or a senior staff member. If the manager is not available in the residential family centre at the start of the inspection, the inspector will ask staff to inform the manager or Responsible Individual that the inspection is taking place and to make arrangements for feedback at the end of the inspection.

24. The inspector must refer to any concerns that have led to the inspection being brought forward or prioritised but should be mindful of the need to maintain confidentiality and to protect sensitive information, for example personal data about any person who raises a concern with us that triggers an inspection. The inspector

⁴ Disclosure and Barring Service previously known as the Criminal Records Bureau (CRB).

must not confirm the identity of any person who has given us the information, even if asked to do so by the provider, and must take all reasonable steps to protect their identity during the inspection.

25. At the beginning of the inspection, inspectors will ask staff for any current information or personal issues relating to any of the families placed that they need to be aware of while they are on site. This information could include any recent significant incident involving a family member or members.

26. The inspector will also request:

- a copy of the latest completed assessment report and local authority commissioners' report
- a completed Request for information form (Annex A of this guidance).

27. The provider can download the Request for information form from this guidance (Annex A), or the inspector will provide a copy for the provider to complete and return. This form requests specific information from the residential family centre to inform the inspection and may generate lines of enquiry.

28. Inspection activities are likely to include:

- listening and talking to families
- observing interactions between staff and families
- observation of key activities such as handovers of information between staff
- gathering views from partners and stakeholders such as social workers
- sampling a selection of case files including assessment reports and placement plans
- examination of other relevant records, for example records of complaints
- inspection of premises, facilities and health and safety arrangements
- discussions with managers and staff.

29. The inspection will specifically focus on gathering evidence against the evaluation schedule. The detail of activities undertaken and discussions held will vary depending on the lines of enquiry for each individual inspection.

Listening and talking to children and parents

30. The views and experiences of children and parents who stay at the residential family centre are central to the inspection and provide key evidence in assessing the effectiveness of the residential family centre against the evaluation schedule.

31. Inspectors will always try to meet with a number of families during the inspection, although in exceptional circumstances this may not be possible. The inspector should talk with parents and children as appropriate.

32. Inspectors will be aware that some parents are themselves children and the inspection will include consideration of how this group's needs are met.

33. Inspectors must take into account any specific individual communication needs. For some children and parents, the inspector may request the assistance of staff who know and understand the person's preferred means of communication.

34. Inspectors will demonstrate safe and sensitive practice through:

- advising staff where conversations with children and parents are taking place and who is involved
- being sensitive to the fact that some children and parents may not want to be involved in the inspection
- ensuring that staff are aware of any arranged meetings with children and parents and that individuals understand that they may leave the meeting at any time
- explaining to children and parents that we will not include comments that will identify them in the inspection report or in feedback to staff working in the residential family centre unless they are in agreement
- explaining to children and parents that their views will remain anonymous, unless the feedback identifies risk of, or actual, harm to a child or young person
- where appropriate, explaining to children and parents that information suggesting that they or another child or adult is at risk of harm, or is being harmed, will be passed by the inspector to an appropriate person able to take necessary action about that concern.

35. Inspectors will assess how effectively the residential family centre consults with children and parents. This includes how the centre managers and staff use observation approaches to understand the impact of the care provided on babies and small children. Inspectors will also consider how children and parents can give feedback and raise concerns about their experience of the centre and what happens as a result.

Observation of key activities

36. As many of the children in residential family centres are babies, the inspector will also gather first-hand evidence and gain insight into how babies and small children experience the centre by observing parents and their children during play and daily care routines. The inspector will also observe how the children and parents interact with staff and respond to their environment.

37. Inspectors can use the centre's scheduled activities as opportunities for observing and following lines of enquiry. These activities could include:

- staff handover between shifts

- meetings with families
- staff meetings or briefings
- family group sessions.

38. Inspectors will respect the family's privacy and the confidentiality of their personal information at all times.

Gathering views from stakeholders

39. Wherever possible, inspectors will consult with stakeholders to inform the inspection findings. This will usually be through a telephone call during the inspection. This group may include: representatives of the placing family court(s); social workers; Independent Reviewing Officers; Cafcass; local police; commissioners from the local authority and the Local Authority Designated Officer; safeguarding officers (adults/children); relevant health and education professionals; guardians; or independent visitors. Inspectors can ask managers or staff for the relevant contact details.

40. Inspectors should always take account of privacy and confidentiality when talking to stakeholders on the telephone during the inspection. Where a call back is requested, the inspector should always use Ofsted's national number, 0300 1231231.

Case tracking and sampling

41. Where numbers allow, inspectors will sample at least two case files. This part of the inspection will include discussions about placement planning with parents and key members of staff. At every inspection, inspectors will examine the most recent assessment submitted to the court. Lines of enquiry will reflect the evaluation schedule and are likely to include:

- the quality of assessment, including safeguarding, child protection and the parents' capacity to change
- referral information, pre-admission assessments, court directions, the core assessment, placement plan reports
- parents' access to and contribution towards their placement plan
- exploration of how a family's healthcare needs are identified and met
- evaluation of the quality of the assessments and reports and the impact they make on the lives of children.

Examination of records, policies and procedures

42. Inspectors will not routinely examine all the residential family centre's policies, procedures and documentation but should check a small sample including:

- the registration certificate, to confirm that the centre operates in line with the conditions on the certificate

- the statement of purpose, to confirm that it contains the information required in Schedule 1 of the Residential Family Centre Regulations 2002
- the record of DBS checks and a sample of recruitment, induction and professional development records
- some qualifications and training records, including paediatric first aid
- a sample of planning documents
- some family placement plans and assessment reports
- the complaints record.

43. Where paper or electronic personnel records are maintained at the centre, the inspector may ask to see those records if they are included within the lines of enquiry for the inspection.

44. Where recruitment records are not maintained at the centre, inspectors will look at the centre's lists or electronic records that summarise the vetting and recruitment checks for staff. These records could be maintained in checklist or spreadsheet formats. The information available for inspection should comply with schedule 2 of the Residential Family Centre Regulations 2002, and must include the reference number of the subject's DBS check and confirmation that there are two satisfactory employment references.

45. Other documents will be examined where required to inform a line of enquiry for that particular inspection. The inspector may need to check additional documentation where potential non-compliance is identified during an inspection or where inspections have been brought forward or prioritised.

Discussions with the manager/s and staff

46. Individual interviews will be held with the manager/person in charge and a number of other staff. The number will depend on the size of the residential family centre, but will include a sample of permanent staff and any agency staff working at the centre at the time of inspection.

47. In making plans to interview staff, inspectors should be ready to alter arrangements if staff have to attend to the needs of families within the centre.

48. The interview with the manager should include the following:

- issues that the inspector wishes to explore with the manager that have arisen from pre-inspection information
- follow up on progress in response to previous requirements and recommendations
- the plans for future development of the centre
- the arrangements for the manager's supervision

- how the centre undertakes assessments, the support and guidance they provide to help parents protect their children and promote their welfare
- staff training plans
- staffing levels and arrangements
- safeguarding measures
- any complaints and/or allegations
- Regulation 23 reviews of quality of care
- Regulation 25 visits
- the financial position of the residential family centre
- a summary of the needs of the families currently resident at the centre
- any further evidence the manager may wish to highlight with the inspector.

49. The interviews with staff should include these elements:

- exploration of their role within the service and their contribution to the assessment process and report writing
- assessment skills
- training, support and supervision.

The use of surveillance

50. The inspector will observe how any surveillance or electronic monitoring is used in the residential family centre, and will discuss this with parents and staff with specific reference to Regulation 21A of the Residential Family Centres (Amendment) Regulations (2012) and the Residential Family Centres National Minimum Standards, Standard 10.

Safeguarding concerns

51. If serious issues of concern arise, for example in relation to the failure to follow child or adult protection procedures and/or where a child or adult is discovered to be at immediate risk of harm or is being harmed, the centre's senior manager will be notified as soon as possible unless this compromises the child/young person's safety.

52. Inspectors should always follow Ofsted Safeguarding Policy and Procedures⁵ and contact their team manager should they be in need of advice. Where required, a referral will be made to the Complaints, Investigation and Enforcement Senior Officer, the appropriate local authority children's or adults' services and the allocated social worker.

⁵ *Ofsted safeguarding policy and procedures* (100183), Ofsted, 2010; www.ofsted.gov.uk/resources/100183.

Recording evidence

53. Throughout the inspection, inspectors will maintain a record of their evidence. Electronic evidence is recorded within the RSA toolkit evidence screen. In most circumstances once the summarised evidence has been placed in RSA the inspector will destroy any duplicate handwritten evidence.

54. In some circumstances inspectors will be required to keep any handwritten notes they have made during the inspection. This would apply in circumstances where legal action is being considered or a challenge or complaint about the judgement is anticipated.

55. Inspectors need to record all handwritten evidence using black ink so that it can be photocopied if necessary. All handwritten evidence must be legible and dated. Handwritten evidence must be recorded in a notebook used only for recording evidence.

56. Inspectors must submit all handwritten evidence that will form part of the inspection evidence base to their team manager within five working days of the end of the on-site visit.

57. Evidence should be clear, evaluative and sufficient for the purpose of supporting the judgements and telling the story of families' experiences within the residential family centre. Evidence should not include anything that could identify individual staff, individual children, parents or family members, unless necessary for the protection of a child. Inspectors can record direct quotes from parents and stakeholders in evidence to support judgements, although evidence should never use individual's names or initials unless they are the names of the registered person.

58. Evidence may be scrutinised for quality assurance and will be considered in the event of any complaint. All inspection records will be retained in accordance with Ofsted's published retention policy.⁶

Inspection findings

59. The *Evaluation schedule for the inspection of residential family centres* sets out illustrative evidence of an outstanding, good, adequate and inadequate service. Inspectors will use this to formulate their findings and judgements and to prepare verbal feedback to the manager.

60. Failure to meet regulations and national minimum standards that are identified and addressed during the inspection will still be reported.

⁶ *Handling and retention of inspection evidence* (100122), Ofsted, 2010; www.ofsted.gov.uk/resources/100122.

Inadequate judgements

61. Any judgement of inadequate overall effectiveness at inspection of a residential family centre must lead to an urgent CIE case review. In the most serious cases a CIE case discussion will be held during the inspection or immediately afterwards so that appropriate enforcement action can be taken without delay. In all cases, the inspector will have a discussion with their team manager or the duty manager either during the inspection or as soon as possible afterwards.

62. The CIE case review must take place within two working days of the end of the inspection. The inspector must ensure that CIE colleagues have an opportunity to review the inspection evidence in advance of the case review.

63. The case review must consider whether statutory enforcement action is required in relation to the residential family centre and, where appropriate, the registered manager. The case review will consider all the enforcement options available and must begin by considering whether the threshold for the highest enforcement option is met.

64. In the case of the most serious failures, it is anticipated that we will seek to cancel the provider's registration, under the relevant provisions of the Care Standards Act 2000, unless there are specific reasons justifying why this is not the most appropriate way of dealing with the regulatory breaches.

65. In all other cases, the case review must consider whether serving a compliance notice is the most appropriate enforcement option to address the regulatory breach(es) found during the inspection that have led to the inadequate judgement. Any compliance notice must be as specific as possible, setting out the actions that the provider must take by a certain date to meet the relevant regulations.

66. Every enforcement decision must be based on a consideration of all the enforcement options available and the individual facts and circumstances of the case in question. There must be a documented audit trail of why the chosen power is the most appropriate power to be used and why other options have been rejected.

Inadequate residential family centres - feedback to placing authorities

67. Wherever children and/or adults are at immediate risk, inspectors must follow Ofsted's safeguarding policy and procedures⁷. In addition, whenever a residential family centre is judged inadequate, the inspector must alert the placing authority for any families currently placed in the centre to the concerns that have been identified.

68. If the validity of an assessment is in question, it may also be necessary to inform the judge in the family court who has issued the letter of instruction. This will

⁷ *Ofsted safeguarding policy and procedures* (100183), Ofsted, 2010, www.ofsted.gov.uk/resources/100183.

need to be decided on a case by case basis. The inspector should obtain contact details from the residential family centre where necessary.

69. The inspector will send an email to the Director of Children's Services in the placing authority by the end of the working day following the inspection. We will follow this email up with a telephone call to ensure receipt.

70. The inspector will give feedback to the placing authority in line with the feedback given to the provider, summarising the key concerns and making clear that this is an indication of the likely inspection judgement but that it is subject to confirmation by Ofsted on publication of the report.

71. The details of the email and any phone calls must be recorded on RSA for future reference.

72. We will interact in this manner with family courts and placing authorities pursuant to HMCI's powers in paragraph 8 of schedule 13 of the Education and Inspections Act 2006 to provide assistance to other public authorities in the exercise of their functions.

Inspection feedback

73. During the inspection, inspectors will share emerging findings about the centre's key strengths and weaknesses. Shortfalls that could have an immediate impact on the safety of children, staff or parents will be brought to the attention of the manager, or senior member of staff on duty, as soon as the inspector has identified the problem.

74. At the end of the inspection the inspector will give verbal feedback of the main findings and provisional judgements to the manager or senior member of staff present. 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.

75. 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 or national minimum standard, providing a clear agenda for improvement
- be balanced and include positive comments, as well as highlighting any areas for development
- use the grade descriptors to indicate how the inspector has arrived at her/his judgements
- confirm that the report will be sent to the manager in draft for comments on factual accuracy (see 'Timeframe' on page 5 above).

76. 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 the feedback session.

Writing the report

77. 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.

78. Inspectors should write their reports with regard to the Guide to Ofsted's house style. In addition, a quality checklist is included within Annex D of this guidance to help authors and readers of Ofsted's reports.

79. The report should be succinct and evaluative. Inspectors should make appropriate professional judgements about the extent of detail required to 'tell the story' of the experience of the families staying at the residential family centre, depending on the complexity of circumstances.

80. The quality of inspection reports is enhanced when people's feedback is quoted within the report and used to illustrate evaluation about the quality of the residential family centre. However, in smaller centres the potential to identify people is high and should be taken into account.

81. There is no specified word count 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 residential family centres with a number of weaknesses or provision found to be outstanding will require more detailed explanations of the reasons for the judgements.

Quality assurance

82. The inspector is responsible for the quality of the report. The inspector will check the completed report carefully before submitting to the Quality Assurance National Team for sign off and publication. The inspector must use the Guide to Ofsted's house style for reference when quality checking their own reports. Inspectors and the Quality Assurance National Team should refer to Annex D. Ofsted's Quality Assurance National Team quality assures:

- inspection reports
- the evidence base underpinning inspection judgements
- inspection fieldwork through a programme of accompanied visits.

83. The Quality Assurance National Team will discuss with the appropriate National Lead HMI any proposed change of judgement downwards from the provisional judgement given at verbal feedback during the inspection. 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.

84. Ofsted will send an evaluation form following each inspection to the manager of the residential family centre to complete, which will be used to improve the quality of inspections.

Concerns

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

Complaints

86. If it has not been possible to resolve concerns through the process detailed in paragraph 85, a formal complaint can be raised under Ofsted's complaints procedure: www.ofsted.gov.uk/resources/130128.

87. Lodging a complaint will not normally delay the publication of the final inspection report.

Annex A. Request for information at an inspection

Name of residential family centre:

Name of person completing the form:

Signature:

Date:

| | Information required | Details |
|----|---|---------|
| 1 | For organisations and partnerships: Names of the current directors, secretary and other officers of the organisation or names of current partners of the company (please attach details to this form as applicable) | |
| 2 | Number of family assessments in progress on the date of inspection | |
| 3 | Total number of family assessments completed in the last 12 months Of those assessments how many recommendations were: <ul style="list-style-type: none"> ■ to remove all children from their parents ■ for all children to remain with their parents ■ for some children to remain and for some children to be removed (within the same family) ■ other decisions (please specify below) | |
| 4 | Number of complaints from resident parents in the last 12 months | |
| 5 | Number of complaints from others in the last 12 months | |
| 6 | Number of allegations made against staff in the last 12 months | |
| 7 | Number of child protection referrals to local authority children's social care team where centre is located in the last 12 months | |
| 8 | Number of vulnerable adult referrals to local authority children's social care team where centre is located in the last 12 months | |
| 9 | Number of families requiring use of surveillance in the last 12 months | |
| 10 | Number of staff who have left in the last 12 months | |
| 11 | Number of new staff employed in the last 12 months | |
| 12 | Total number of staff currently employed on the day of | |

| | | |
|-----|---|--|
| | <p>the inspection:</p> <ul style="list-style-type: none"> ■ number of qualified staff (please give details below) ■ number of staff undertaking qualifications ■ number of staff at the centre who have a first aid qualification ■ number of auxiliary staff ■ number of volunteers ■ number of agency staff | |
| 13 | Please list staff training completed in the last 12 months | |
| | Dates of most recent checks and other records | |
| 14 | Date of gas installations check | |
| 15 | Date of Portable Appliance Testing (PAT) check | |
| 16 | Date of health and safety risk assessment | |
| 17 | Date of last health and safety check of the premises | |
| 18 | Date of fire risk assessment | |
| 19 | Date of last fire drill – day and night | |
| 20 | Date of public liability insurance policy | |
| 21 | Date of employer’s liability insurance policy | |
| | Further information | |
| 22. | Please provide contact telephone numbers and email addresses for commissioners, children’s social workers and/or guardians, and solicitors | |
| 23. | Please provide details of any actions you have taken as a result of feedback from parents | |
| 24. | Please provide feedback from placing authorities and courts | |
| 25. | Please provide evidence of the residential family centre’s monitoring of the quality of care, support and guidance and the impact of the residential experience for families | |

Annex B. Inspecting residential family centres where there are no families in placement

1. If there is no family present at the first inspection after registration, the inspection will focus on whether the service continues to meet registration requirements. The inspector must use the inspection toolkit and make the following statement in the report:

The residential family centre has not accommodated any families since its registration on <insert date of registration>. This inspection focuses on whether the residential family centre meets its statutory requirements in order to maintain its registration and is ready to accept placements. <Inspector to include any relevant text>

2. If the requirements of registration are not met, the inspector can raise requirements or recommendations.

All other inspections

3. Where a residential family centre has no placements at the time of the inspection but intends to admit a family at any time, the inspection will focus on whether the registration requirements continue to be met and whether the residential family centre is suitable to accommodate children and parents. However, if the residential family centre has not had an inspection in the inspection cycle and a family will soon be placed there, the inspector should discuss the timing of the inspection with their line manager.

4. If families have been accommodated since the last inspection it may be possible to use information about their placements as evidence. Inspectors should take account of the length of time since the last family left and the independence of the evidence that can be collected to support the judgement.

5. Where a residential family centre does not intend to take placements and will remain closed for some time, the inspector will complete the inspection and impose a condition that the residential family centre will notify Ofsted if they intend to accept a placement. The condition must be worded as follows on the certificate:

The residential family centre:

- must inform Ofsted of their intention to admit families three months before a placement commences.

6. In these instances the text of the inspection report must contain the following statement:

The residential family centre has been closed for <state length of time>. The registered provider has indicated that the residential family centre will not be operational for <state length of time from the date of inspection>. Should the

centre decide to accept placements, they are required to inform Ofsted of their intention before they do so.

Annex C. Inspecting residential family centres where there is no manager in post or where the manager is not registered with Ofsted

Inspecting residential family centres where there is no manager in post

1. If there is no manager in charge of the residential family centre and no application in progress, the inspector should raise a requirement under Regulation 6 of the Residential Family Centres Regulations 2002 (Appointment of manager). The inspector should: consider how long the post has been vacant; evaluate how this is affecting the children and parents placed and the management of the centre; and take this into account in making their judgements. This may lead to an overall judgement of inadequate.
2. If there is a manager in post but they are not registered with Ofsted, the inspector will ensure that the individual manager is aware that it is an offence not to be registered.⁸ We expect all managers to apply to register with us within 28 days of taking up their appointment in order to comply with legislation.
3. It is Ofsted's view that managers who are not registered need to be aware of the seriousness of the issue so that they can take appropriate steps to become registered without delay. However, in the majority of instances, it is not anticipated that the inspector will need to advise the manager of their rights under PACE through the caution at the inspection as we will not be gathering evidence to prosecute at this stage.
4. We cannot raise a requirement in the inspection report for the manager to become registered. Instead, when we inspect a residential family centre and find that the manager has been appointed but has not yet applied for registration, we send a standard letter to the manager.
5. After the inspection the inspector should ask the appropriate Delivery, Performance and Support team (DPS) to send the standard letter to the manager to remind them that it is their responsibility to register. DPS 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.
6. Where there are additional concerns, such as the manager having been in post for a significant period of time and/or the manager indicating that they do not intend to become registered, the inspector will consult with their manager and/or Compliance, Investigation and Enforcement to take advice about appropriate next steps.

⁸ Section 11(1) of the Care Standards Act 2000 states, 'Any person who carries on or manages an establishment or agency of any description without being registered under this Part in respect of it (as an establishment or, as the case may be, agency of that description) shall be guilty of an offence.'

7. The inspector should ensure that a contemporaneous written record is made of any further discussions with the individual manager and follow up the conversation with confirmation of any required actions in writing to the manager and the responsible individual.

Annex D. The content of the inspection report

Brief description of the service

1. This is a brief factual description of the service and should not include judgements or evaluation. It should describe:
 - how many families the residential family centre is registered for
 - whether the residential family centre is privately owned, a charitable organisation or local authority managed
 - any specific facilities or specific services provided, for example disability, community based assessments, mental health.

Overall effectiveness

2. 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 state clearly the residential family centre'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 residential family centre.
3. The report should not include a description of the inspection process as this is detailed in the relevant frameworks.
4. The report should state if no families were present during the inspection.

Statutory requirements and recommendations

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

Requirements and recommendations

6. Requirements must link clearly to regulations. Inspectors must consider the wording of the requirement 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 xx (x)).
7. Recommendations always relate to a national minimum standard. Although not enforceable, they should promote good practice and help the residential family centre to improve the effectiveness of their work with children and parents. Any recommendation should be sufficiently detailed to make it clear what the provider is expected to do.

8. 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'.
9. 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.
10. In all cases where a residential family centre is judged inadequate, the inspector will set requirements so that the registered person/s meets the requirements of the Care Standards Act 2000 and the Residential Family Centres Regulations 2002. 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

11. 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 that particular residential family centre and the experience of children and parents.
12. 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.
13. Where there are aspects of the evaluation schedule that have not been inspected because they are not relevant for the particular type of residential family centre, this will be clearly recorded in the evidence.
14. Inspectors should evaluate and report on how the steps taken to tackle requirements and recommendations or how key issues raised at the last inspection have contributed to improvement. This should be recorded in the leadership and management section of the report and linked to the capacity of the residential family centre to improve.
15. Inspectors should not write out previous requirements, recommendations or key issues in full.
16. Inspectors need to analyse and evaluate the practice that they see. All sections of the report need to capture the difference that the residential family centre is making to the lives of the children and parents that stay there.

17. There should be references to equality and diversity throughout the whole inspection report, not as a standalone section. Equality and diversity issues are an important aspect across the whole evaluation schedule.

Further report writing guidance

18. A well written report:
 - contains more evaluation than description
 - has judgements that are clearly supported by good evidence
 - is clear on the quality of the assessment and experiences for children and parents
 - is unique and captures the character of a particular residential family centre
 - does not provide advice or use advisory language
 - 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 contain sensitive information about individual parents, children, staff or others
 - includes quotes from parents, staff and other professionals where appropriate and possible
 - follows the Guide to Ofsted's house style.
19. Reports should be written using the 'active voice'. This is likely to make sentences shorter and more easily understood.
20. No identifying information should be included in the report. Inspectors must not use people's names, but should refer to 'the Registered Manager' or 'a social worker'.

Reporting on inspections where compliance issues have been investigated

21. In the inspection report, the inspector will not refer to the concern or report whether the concern was substantiated. The inspector will report any non-compliance under the relevant judgement area.
22. The inspector will raise requirements where there is a breach of regulation. If a higher level of enforcement is required (such as restriction of accommodation or a proposal to cancel registration), inspectors will consult with the Compliance, Investigation and Enforcement Senior Officer.

Annex E. Regulation 23 and Regulation 25 reports

Submitting Regulation 23 and Regulation 25 reports to Ofsted

1. All residential family centres are required to submit to Ofsted a report of their reviews of the quality of care under Regulation 23 and of any visits by the registered provider under Regulation 25.

Regulation 23

2. Regulation 23 requires the registered person to establish and maintain a system for reviewing at appropriate intervals, and improving, the quality of care provided at the residential family centre. The registered person is also required to supply a report to Ofsted in respect of any such review.

Regulation 25

3. Where the registered provider is an individual, but is not in day to day charge of the residential family centre, she or he should visit the centre at least once a month in accordance with this regulation.
4. Where the registered provider is an organisation or a partnership, the centre must be visited by:
 - the responsible individual or one of the partners
 - another of the directors or other persons responsible for the management of the organisation or partnership

or

 - an employee of the organisation or partnership who is not directly concerned with the conduct of the residential family centre.
5. Where the registered provider is an individual and in day to day charge of the centre (for example, they are also the Registered Manager), then a Regulation 25 report is not required.
6. Ofsted reviews the content of Regulation 25 reports to inform the next inspection and uses the information to decide whether we need to take any other action. The Regulation 25 report will be securely stored within Ofsted's Meridio system for 12 months.
7. The onus is on providers to submit their Regulation 25 reports to Ofsted. Inspectors will use their judgement to decide whether a provider's continuing failure to submit Regulation 25 reports requires them to make a monitoring visit to the residential family centre or to bring forward the next planned inspection.
8. Failure to submit any Regulation 25 report will be noted in the lines of enquiry for the next inspection. Findings in this area may impact on the judgement for Leadership and management.

Submitting reports to Ofsted

9. Reports must be submitted to:

Document Handling Centre Manager
Ofsted
National Business Unit
PO Box 4317
Manchester
M61 0AW.

10. Providers must include Ofsted's unique reference number (URN) and the date the visit occurred on the report.
11. Regulation 23 and Regulation 25 reports can also be submitted electronically to: enquiries@ofsted.gov.uk. Although reports received in this way will be processed, information transmitted by email is not considered a secure link; providers should be aware of the associated risks while operating within the information assurance guidelines of their own organisations.

Annex F. The implications of the Equality Act 2010

1. The Equality Act 2010 (the Act) came into effect on 1 October 2010. The Act contains provisions that restrict the circumstances in which potential employees can be asked questions about disability or their health during the recruitment process for work. The Act makes it unlawful for an employer to ask a potential employee questions about their health or disability before they are offered employment, whether on a conditional or unconditional basis.
2. While there are a number of exemptions to the provisions in the Act, it is likely that providers of residential family centres will need to comply with the Act when employing staff. If a provider believes that an exemption applies to them, they will need to take their own legal advice on the matter.
3. Social care providers must comply with **both** the Equality Act and the remit-specific regulations that require them to employ people who are fit, including staff being physically and mentally fit for the work. In order to comply with both laws, this means in practice that providers may give conditional offers of employment to potential employees after the recruitment process, subject to appropriate medical and health checks.
4. Inspectors should continue to check that providers have a rigorous recruitment and vetting process in place, including ensuring that their employees are mentally and physically fit before they commence work.
5. It is important to note that as Ofsted is not a potential employer of applicants to provide or manage a residential family centre, we are not prohibited from making enquiries about the health of applicants for registration, in order to satisfy ourselves that they are fit to be registered.

Annex G: Checks on responsible individuals

1. An organisation which applies to register a residential family centre is required by The Residential Family Centre Regulations 2002 to have a responsible individual.⁹ The responsible individual is the person within an organisation who is responsible for supervising the management of the centre: 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 centre and particularly to ensure that the centre operates in a manner which protects and promotes children and young people's safety and welfare
 - report on the operation of the residential family centre to the registered provider and Ofsted.
3. When an organisation applies to be registered in respect of a new residential family centre 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 a residential family centre.
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 the establishment

⁹ The Residential Family Centre Regulations 2002, Regulation 5;
www.legislation.gov.uk/ukxi/2002/3213/regulation/5/made

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.¹⁰
5. When we become aware that the responsible individual of a residential family centre 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 The Residential Family Centre Regulations 2002, Schedule 2;
www.legislation.gov.uk/uksi/2002/3213/schedule/2/made