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Open consultation

Equality, diversity and inclusion statement: interim inspections of children's homes and residential holiday schemes for disabled children

Published 2 November 2021

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1. Introduction

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This document sets out Ofsted’s consideration of how the proposed changes to the way we carry out the interim inspection of children’s homes and how we inspect residential holiday schemes for disabled children (RHSDC) will enable us to fulfil the requirements of the Equality Act 2010, including the public sector equality duty (PSED) set out in section 149 of the Equality Act 2010.

The PSED requires Ofsted, when exercising all its functions, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

We are publishing this statement as part of our consultation proposals for changes to the way we carry out interim inspections of children’s homes and how we inspect RHSDC. This statement sets out our assessment of the equality, diversity and inclusion implications linked to the proposed new arrangements before consultation.

We will consider any consultation comments received that raise matters related to equality, diversity and inclusion. This may result in changes to the proposals. We will reflect any comments received in our published consultation response, and may publish a revised version of this equality, diversity, and inclusion statement.

2. Proposals

We are proposing some changes to the way we carry out interim inspections of children’s homes and the way we inspect RHSDC.

We are proposing to revise the purpose and the way we carry out an interim inspection of a children’s home to:

- provide assurance that the home has not declined since the full inspection
- ensure that children are well cared for and safe, and that leaders and managers are effective

To do this, we propose to:

- provide a single judgement based on the interim inspection findings and move away from relative judgements based on the home’s last inspection
- place greater emphasis on the effectiveness of any improvements leaders and managers have made since the last inspection
- replace ‘interim’ with a more meaningful name

In revising the way we inspect RHSDC, we intend to ensure that we remain focused on the arrangements to safeguard and promote the welfare of children while reducing the burden on providers.

To do this, we propose to:

- update the language and emphasis in the social care common inspection framework (SCCIF) for RHSDC
- use a combination of on- and off-site inspection activities
- require schemes to provide a formal notification of the proposed date and location they will run from

3. How the proposals could affect people in terms of protected characteristics and how they meet the 3 PSED aims

We have considered how the proposed new arrangements could affect individuals or groups of people in terms of protected characteristics. We have also considered whether the proposals meet the 3 PSED aims. In formulating these proposals, we have in mind the need to ensure that all children are kept safe and that their welfare is protected. This has included having due regard to the 3 aims of the PSED. We do not believe that the proposed changes will have a detrimental impact on people in terms of protected characteristics.

The current inspection framework focuses on the things that matter most in children's lives, and this will continue to be our primary focus when we consider any changes.

In relation to changes to interim inspections, we believe these proposals will not have a specific impact in terms of protected characteristics.

In relation to changes to RHSDC inspections, we recognise that these schemes are designed specifically for disabled children, and disability is a protected characteristic. We are, however, of the view that any proposed change will have a positive impact on these children. Specifically, we believe that the introduction of on- and off-site inspection work will mean that providers are spending less time with inspectors and more time engaging with the children for whom the schemes were designed. We do not believe our other proposals in relation to RHSDC inspections will have a specific impact in terms of protected characteristics.

Eliminating discrimination, advancing equality of opportunity and fostering good relations

Our current inspection methodology for children's homes and RHSDC includes

the following statements:

- ‘Children, irrespective of any disability they may have, enjoy access to a range of social, educational and recreational opportunities, including activities in the local community. They are able to participate in after-school activities, community-based activities, school trips and holidays. They are supported to engage in faith-based activities if they wish.’
- ‘Children are treated with dignity and respect. They experience care and help that are sensitive and responsive to their identity and family history, including age, disability, ethnicity, faith or belief, gender, gender identity, language, race and sexual orientation. The care and help assist them to develop a positive self-view and to increase their ability to form and sustain attachments and build emotional resilience and a sense of their own identity. The care and help also assist them to overcome any previous experiences of neglect and trauma.’

The proposed changes will remain consistent with this methodology and the current inspection framework, which takes account of equalities issues as above. Providers will therefore continue to be inspected against a framework that will hold them to account on discrimination, the need to advance equality of opportunity and to foster good relations.

When making judgements, our inspectors will evaluate a broad and diverse range of experiences of children and their families. If inspectors consider that any child or children or their families have been disadvantaged or denied equality of opportunity, they will advise the providers of their view and take this into account in considering the judgement of the inspection.

4. Monitoring and evaluation

We do not anticipate that the proposed new arrangements will have a disproportionate impact on individuals or groups who share protected characteristics. We consider that we have given full and appropriate consideration to all elements of the PSED. We have considered the impact on children who live in children’s homes and those who will attend the holiday schemes and do not consider that they will be disadvantaged as a result of these proposals.

The consultation process on the proposed new arrangements provides the opportunity for all stakeholders to raise any concerns they may have in relation to equality, diversity and inclusion. This statement may need to be revised in light of any responses received. If revised, we will re-publish it with our report on the outcome of the consultation.

We will also monitor the implementation of the changes to our inspection practice to ensure that no particular group is affected negatively.

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