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Guidance

# Social care common inspection framework (SCCIF): independent fostering agencies

Updated 5 April 2024

**Applies to England**

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## Introduction

The social care common inspection framework (SCCIF) applies to inspections of:

- children's homes
- secure children's homes
- independent fostering agencies
- boarding schools and residential special schools
- voluntary adoption agencies
- adoption support agencies
- residential family centres
- residential holiday schemes for disabled children
- residential provision in further education colleges

The SCCIF means that:

- we apply the same judgement structure across the range of settings listed above

- the experiences and progress of children and other service users, wherever they live or receive help, are central to inspections
- there are key areas of evidence that we usually report on at each inspection

The SCCIF is not a 'one-size-fits-all' framework. Where necessary, the SCCIF reflects and addresses the unique and distinct aspects of each type of setting. However, the evaluation criteria we use to make judgements and the accompanying guidance are, wherever possible, consistent across settings.

## The inspection principles

[Ofsted's corporate strategy](#) outlines how we will carry out inspection and regulation that are:

- intelligent
- responsible
- focused

Our approach is further underpinned by the following 3 principles that apply to all social care inspections.

### To focus on the things that matter most to children's lives

We have reached a general consensus with the main social care stakeholders that social care inspections should focus on the experiences and progress of children. We regularly ask children, and the adults who look after them, what matters most about children's experiences and progress.

Using this to guide us, we focus the criteria for our judgements on the difference that providers are making to children's lives. Adults can only support children well if they're given the time, resources and information they need to do this, so we also take account of the quality of the support that the adults who care for children receive.

### To be consistent in our expectations of providers

It's important that professionals and members of the public can compare services that do similar things. We make this possible by being consistent in what we expect from providers.

We use the same judgement structure and the same evaluation criteria, whenever possible, irrespective of where children live or receive help.

Our inspection methods and published guidance only differ when there is a good reason. This includes taking a similar approach to deciding on the frequency of inspections.

## To prioritise our work where improvement is needed most

We are committed to inspecting in a way that focuses our resources where they are needed most. If leaders and managers have shown that they can consistently deliver services for children well, we may decide to return less often or do a more proportionate inspection.

However, we always take into account the risk to children of not inspecting as frequently. We use a broad range of information to tell us whether standards are slipping. We are always able to go back to good and outstanding providers more quickly if we have concerns.

## The focus of inspections

The SCCIF has a consistent and clear focus on evaluating the impact of care and support on the experiences and progress of children, largely through case tracking and sampling. This means that:

- inspectors spend less time looking at policies and procedures and more time looking at the impact of services on children's lives
- we give the minimum notice of inspection, so that we can see settings as they are on a day-to-day basis and so that the time providers may spend preparing for inspection is reduced as much as possible
- we have set out as clearly as possible the details of the information required by inspectors to assist their inspection; this will enable providers to produce their best evidence whenever we give notice of inspection

When applying this guidance, inspectors will take appropriate action to comply with Ofsted's duties under the Equality Act 2010.

## How inspectors make judgements under the SCCIF

### Judgement structure

Our judgement structure stems from our first principle of inspection – to focus on the things that matter most to children's lives – and places the progress and experiences of children and other people who use children's services at the core of inspections.

All SCCIF inspections follow the 4-point scale (outstanding, good, requires improvement to be

good and inadequate) to make judgements on the overall experiences and progress of children, taking into account:

- how well children are helped and protected
- the effectiveness of leaders and managers

Inspections of adoption support agencies, voluntary adoption agencies and residential family centres also look at, as appropriate, the experiences of adult service users.

The judgement about how well children are helped and protected is a limiting judgement. This means that, if inspectors judge this area to be inadequate, then the 'overall experiences and progress' judgement will always be inadequate.

The judgement of the effectiveness of leaders and managers is a graded judgement. If inspectors judge this area to be inadequate, this is likely to lead to a judgement of inadequate, and certainly no more than requires improvement to be good, for 'overall experiences and progress'.

Inspectors make the limiting and graded judgements first so that they can take these into account for the 'overall progress and experiences' judgement.

## **How inspectors use the evaluation criteria**

Inspectors use the descriptions of what good looks like as the benchmarks against which to grade and judge performance. The judgement, however, is not derived from a checklist. It is a professional evaluation of the effectiveness and impact of the care and support provided on the experiences and progress of children. Failure to meet all of the criteria for good will not automatically lead to a judgement of requires improvement to be good.

Some criteria will have less relevance than others in some settings because of the nature of the setting and the needs of the children.

Even when all the criteria are relevant, there is always a degree of professional judgement in weighing and balancing evidence against the evaluation criteria.

The inspector judges a setting to be good if they conclude that the evidence sits most appropriately with this finding. We call this the 'best fit'.

The evaluation criteria for SCCIF inspections are broadly consistent across different types of setting but, when necessary, they have been adapted to reflect the varying and unique nature of each type of provision.

## **Required evidence**

Inspectors look at several areas of required evidence for each judgement. Some areas are common to all SCCIF inspections but others are specific to the specific type of provision. The

areas of required evidence are set out in the bullet points at the beginning of the evaluation criteria for each judgement.

## Evaluation criteria

Inspectors use the following criteria to make judgements, including benchmarks of what good looks like.

### The overall experiences and progress of children

Areas of required evidence are:

- the quality of individualised care and support provided and the influence and impact of the agency on the experiences and progress of children
- the quality of relationships between professionals and children and parents
- how well foster carers are prepared and supported to promote the progress children make in relation to their health, education, and emotional, social and psychological well-being
- how well children's views are understood and taken into account and how their rights and entitlements are met
- the quality of children's experiences on a day-to-day basis
- how well children are prepared for their futures and how well transitions are managed
- how well the needs of children who live outside their home authority are met
- how well prospective carers are welcomed, prepared and assessed
- the quality and impact of [fostering for adoption](#) work

#### Good

The experiences and progress of children are likely to be judged good if there is evidence of the following:

Children are enabled to build trusted and secure relationships with their foster carers, who know them well, listen to them, spend time with them, protect them and promote their welfare. Children are enabled to develop an appropriate sense of permanence and belonging and are fully included in their foster carers' family lives.

They make progress and have a range of positive experiences. Foster carers are provided with respite care only when it is in the child's best interests, including improved stability of the child's placement with the foster carers. Any respite care provided takes full account of the child's needs.

Children, including those who communicate non-verbally, are supported to actively participate in decisions about their lives. They are sensitively helped to understand when it may not be possible to act on their wishes and why other action is taken that is in their best interests. Children have access to, and are actively encouraged to involve, a suitably skilled and experienced independent advocate and, where appropriate, an independent visitor.

Children know how to complain. The agency's complaints policy is easy to understand, accessible, including for children who use alternative communication systems, and child-focused. Children understand what has happened as a result of their complaint. Their complaints are treated seriously and responded to clearly. Urgent action is taken and practice and/or services improve accordingly.

Children attend school or other educational provision. They are learning and making good progress taking account of their starting points. Foster carers are ambitious for children and support children to attend and do well in their education. There is effective liaison with the school/college and the virtual school head.

Children enjoy access to a range of social, educational and recreational opportunities, including activities in the local community, as appropriate. They have the opportunity to participate in after-school activities or community-based activities and school trips and holidays. They are supported to engage in faith-based activities if they wish.

Children are supported to develop their independence in line with their individual needs, while protecting themselves from being in unsafe situations or with unsafe people. The agency challenges the local authority when they have concerns about the future plans for the child, including the timing of leaving care.

Children are able to remain living with their carers as long as they need the care and help that are provided. 'Staying put' arrangements are considered and planned as early as possible.

Children are in good health or are being helped to improve their health or to manage lifelong conditions. Their health needs are identified (including their oral, physical, mental and sexual health needs, as appropriate) and addressed. They have access to local health services, including dentists, when they need them. Arrangements for managing medication

or children's complex health needs are safe and effective and promote independence whenever possible. Foster carers and agency staff develop effective relationships with health professionals to promote good health.

Specialist help is made available according to the individual needs of children, including those who live away from their 'home' authority. The help is available as soon as it is needed, at the intensity required and for as long as it is required. If specialist services from elsewhere are not available, or children are waiting for a long time for help, the agency is proactive in challenging and escalating concerns with the placing authority and/or other partners.

Any specific type or model of care delivered or commissioned by the agency is provided by staff or carers who are suitably trained, experienced, qualified and supervised. The benefits of this to children are clearly evident. The care is reviewed regularly.

Children who are new in placement are welcomed sensitively and with careful and considered planning. When children leave the foster home, staff promote positive endings and help with building their 'life story'. When endings are unplanned, the welfare and well-being of children remain paramount and the agency and carers act at all times with this in mind. The needs and feelings of other children living in the foster home are taken into account.

Children are helped to develop skills and strategies to manage their own conflicts and difficult feelings through developing positive relationships with carers. There are clear, consistent and appropriate boundaries for children.

Children are treated with dignity and respect. They experience care that is sensitive and responsive to their identity and family history, including age, disability, faith or belief, sex, 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 help them to overcome any previous experiences of neglect and trauma.



The agency and its carers always place the well-being of individual children at the centre of their practice. All children's achievements are celebrated and appropriately rewarded. Their day-to-day needs are met, such as routine, privacy, personal space and nutritious meals.

The agency supports children to have appropriate and carefully assessed contact (direct and/or indirect) with their family, friends and other people who are important to them, such as previous carers. There are no unnecessary restrictions in place. Staff work proactively and positively with parents and former carers to promote meaningful and safe contact and continuity of care where appropriate.

Prospective foster carers contacting the agency feel valued and welcomed by the agency. The process for assessment is timely and sensitive to the needs of the carers.

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.

The agency works well with local authorities to ensure that full information is always shared with foster carers before a placement begins so that appropriate care can be provided. If information is not shared, the agency can provide evidence that it has pursued it. Careful matching contributes to the stability of placements and the retention of foster carers.

Foster carers benefit from professional and supportive relationships with the agency, which help 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, and their views are valued by the fostering agency and positively influence children's progress.

Foster carers are well supported to ensure that plans for children remain in children's best interests. Foster carers and their families value the support provided by the agency, which helps them to cope with the additional demands of fostering on their family life.

Children who receive short breaks are making progress in their development and acquiring

skills and/or new experiences because of the quality of the service.

In short break services, there are effective relationships with parents or carers so that they feel confident leaving their child for their stay and they understand what the placement can offer. Parents feel involved in the planning of the short break placement and they are able to raise concerns and complaints. Carers and agency staff are accessible and keep parents informed about their child's short break experiences.

Fostering for adoption arrangements minimise delay and disruption for children who require adoption, leading to early permanence. Children's needs are always central to practice and decision-making. Preparation and support for fostering for adoption placements help carers and, where relevant, their children to manage the impact of fostering for adoption on their family life. Assessments are robust. Information provided to prospective adopters about fostering for adoption is clear and helpful.

### **Requires improvement to be good**

The experiences and progress of children are likely to be judged requires improvement to be good if there is evidence of the following:

The agency is not yet delivering good care and support for children and carers. The weaknesses identified need to be addressed to fully support children's experiences and progress and to mitigate risk in the medium and long term. However, there are no serious or widespread failures that result in their welfare not being safeguarded and promoted.

### **Inadequate**

The experiences and progress of children are likely to be judged inadequate if there is evidence of the following:

There are serious or widespread failures that mean that children are not protected, or that result in children's welfare not being promoted or safeguarded, or that mean their care, support and experiences are poor and they are not making progress.

### **Outstanding**

The experiences and progress of children are likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following:

Professional practice consistently exceeds the standard of good and results in sustained improvement to the lives of children even when they have complex or challenging needs.

There is significant evidence of change and improvement for children because of the agency's practice. The progress of children is exceptional, taking into account their starting points.

The care and support received by children and carers enhance children's life chances. Staff are able to evidence the sustained benefit they have had in making a difference to the lives of children with the most complex needs. There are examples of excellent practice that are worthy of wider dissemination.

Research-informed practice, some of which may be innovative, continues to develop from a strong and confident base, making an exceptional difference to the lives and experiences of children.

## How well children are helped and protected

Areas of required evidence are:

- how well risks are identified, understood and managed and whether the support and care provided help carers to ensure that children become increasingly safe, taking account of their individual circumstances and previous experiences, when this is the focus of the work
- how well carers are prepared and supported to respond to children who may go missing or may be at risk of harm, including from exploitation, neglect, abuse, self-harm, bullying and radicalisation
- how well carers are prepared and supported to manage situations and behaviour and whether clear and consistent boundaries contribute to a feeling of well-being and security for children
- whether safeguarding arrangements to protect children meet all statutory and other government requirements, promote their welfare and prevent radicalisation and extremism

### Good

The help and protection offered to children are likely to be judged good if there is evidence of the following:

Children feel protected and are protected from harm, including from neglect, abuse, sexual exploitation, criminal exploitation, accidents, bullying and radicalisation. There is a strong and proactive response from all those working with children that reduces harm or the risk of harm to them, including self-harm. That response includes regular and effective contact and planning with the child's allocated social worker and their family, if this is appropriate and in accordance with plans for their future.

Children can identify a trusted adult who they can talk to about any concerns. They report that adults listen to them, take their concerns seriously and respond appropriately.

Any risks associated with children offending, misusing drugs or alcohol, self-harming, going missing, being affiliated with gangs, or being sexually or criminally exploited are known and understood by the adults who look after them. Individual up-to-date risk assessments address any known vulnerabilities for each child effectively and set out what action staff and foster carers should take to address the risks. There are plans in place to reduce harm or the risk of harm and there is evidence that these risks are reducing or managed well, based on children's individual circumstances.

Children who go missing experience well-coordinated responses that reduce the harm or risk of harm to them. Risks are well understood and minimised. There is a clear plan of urgent action in place to protect them and to reduce further harm or risk of harm.

The agency is aware of, and implements as appropriate, the requirements of the statutory guidance for children who are missing. It challenges the local authority when an independent return home interview is not offered or arranged by the local authority and takes appropriate steps to escalate concerns. Parents, if it is appropriate, are made aware of incidents when the child has been or is missing.

Children are supported to take risks appropriate to their age or level of understanding that are considered with carers, placing social workers (as appropriate) and the children themselves. The children are encouraged to learn from any incidents when things don't go to plan.

Children are protected, and helped to keep themselves safe, from bullying, homophobic behaviour, racism, sexism, radicalisation and other forms of discrimination. Any discriminatory behaviours are challenged and help and support are given to children about how to treat others with respect.

Children receive help to manage their behaviour and feelings safely. Foster carers respond with clear boundaries about what is safe and acceptable and seek to understand the triggers for behaviour.

Positive behaviour is promoted consistently. Foster carers use effective de-escalation techniques and creative alternative strategies that are specific to the needs of each child and planned in consultation with them where possible.

Restraint or restrictive practice are used only when necessary to protect the child and/or those around them, and must be proportionate. All incidents are recorded, reviewed and monitored. The views of the child, dependent on their age and understanding, are sought and understood.

Where a child's care includes the use of specific surveillance and monitoring tools, the reasons for this are understood and clearly recorded in the child's plans.

Conflict management is effective and includes the appropriate use of restorative practices that improve relationships, increase children's sense of personal responsibility and reduce the need for formal police intervention.

Proactive and effective working relationships with the police help to support and protect children. The agency and carers work with the police to protect children from any unnecessary involvement in the criminal justice system.

Foster carers understand the risks that using the internet may pose for children, such as bullying, sexual exploitation and radicalisation. The agency has well-developed strategies to support carers in keeping children safe and to support them in learning how to keep themselves safe.

Careful recruitment and regular monitoring of staff and carers prevent unsuitable staff or carers from being recruited and having the opportunity to harm children or to place them at risk. The relevant authorities are informed of any concerns about inappropriate adults.

The recruitment, assessment, preparation and training of foster carers have a strong focus on keeping children safe. The agency promotes safe care, makes unannounced visits to foster carers at least annually and ensures that children have regular opportunities to speak to a trusted professional adult without their foster carers.

Agency staff and foster carers know and follow procedures for responding to concerns about the safety of a child. Any child protection concerns are immediately shared with the placing and/or host local authority as required and a record of that referral is retained.

There is evidence that the agency follows up the outcome of the referral quickly and that appropriate action has been taken to protect the child from further harm. If the agency is not satisfied with the response from either the local authority where the placement is located or the placing authority, it escalates its concerns appropriately, including by writing to the director of children's services (DCS) in the local authority placing the child.

Allegations or suspicion of harm are shared with the appropriate agencies and are handled fairly, quickly and in accordance with statutory guidance. Children are supported and protected. Support is given both to the person making the allegation and the person who is the subject of the allegation. The agency makes sensitive and carefully assessed decisions if children need to be removed from carers if a carer is subject to an allegation.

Staff have effective links with local authorities, designated officers and other safeguarding agencies. There is good communication about safeguarding issues, such as any injuries sustained during restraints or allegations against foster carers. Staff have good relationships with relevant local voluntary sector organisations that may be able to offer specialist support to children in keeping themselves safe.

Foster homes are safe and secure and protect children from harm or the risk of harm. They provide a comfortable environment for children. All necessary adaptations and equipment are provided.

Recruitment, assessment and support of foster carers have a very strong focus on child protection, including help to ensure that children living in foster homes are safe and feel

safe. The agency helps prepare foster carers for the potential impact of abuse and neglect on the behaviour and needs of children, and for the developing needs of any children placed.

### **Requires improvement to be good**

The help and protection offered to children are likely to be judged requires improvement to be good if there is evidence of the following:

Children are not yet receiving good help and protection, but there are no serious failures that leave them either being harmed or at risk of harm.

### **Inadequate**

The help and protection offered to children are likely to be judged inadequate if there is evidence of the following:

There are serious or widespread failures that leave children being harmed, at risk of harm or with their welfare not being safeguarded.

### **Outstanding**

The help and protection offered to children are likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following:

Professional practice results in sustained improvement to the lives of children. Highly effective planning manages and minimises risks to children. When children are new in placement, any risks are well understood and are significantly reducing.

Proactive and creative safeguarding practice means that all children, including the most vulnerable, have a strong sense of safety and well-being and they are unlikely to be missing from care on a regular basis. Children are involved in creating ways to de-escalate situations and finding creative alternative strategies that are effective.

Research-informed practice, some of which may be innovative, continues to develop from a strong and confident base, making an exceptional difference to the lives and experiences of children.

## The effectiveness of leaders and managers

Areas of required evidence are:

- whether leaders and managers show an ambitious vision, have high expectations for what all children can achieve and ensure high standards of care
- how well leaders and managers prioritise the needs of children
- the extent to which carers are supported to ensure that children continually make progress from their starting points across all aspects of their development, because leaders and managers have a clear understanding of the progress that children are making in respect of the plan for them
- whether leaders and managers provide the right supportive environment for staff through effective supervision and appraisal and high-quality induction and training programmes, tailored to the specific needs of the children
- how well leaders and managers know and understand the agency's strengths and weaknesses, prevent shortfalls, identify weaknesses and take decisive and effective action
- whether the agency is achieving its stated aims and objectives
- the quality of professional relationships to ensure the best possible all-round support to children in all areas of their development
- whether leaders and managers actively challenge when the responses from other services are not effective
- the extent to which leaders and managers actively promote tolerance, equality and diversity

### Good

The effectiveness of leaders and managers is likely to be judged good if there is evidence of the following:

The agency is managed effectively and efficiently by a permanent, suitably experienced and qualified registered manager. Urgent action is taken to address any vacancy of the registered manager post.

The agency is properly staffed and resourced to meet the needs of foster carers and children. Staff and panel members are suitably vetted and qualified and are able to deliver high-quality services to foster carers and children. Arrangements for recruitment and appraisals are robust.

Leaders and managers actively and regularly monitor the quality of care provided. They



use learning from practice and feedback to improve the experiences and care of children. This includes, for example, direct testimony from children, parents, carers, other professionals and other stakeholders. They learn from complaints, staff feedback, placement successes and breakdowns, and any serious events. They identify strengths and areas for improvement and implement clear development plans that continually improve the experiences of children.

Action is taken to address all issues of concern, including any concerns or complaints from children and local residents. Proper investigations are carried out. Placing and host authorities are engaged as necessary. Effective action has been taken to address all requirements and recommendations from previous inspections. The agency's responses to recommendations from the [Independent Review Mechanism](#) are timely and appropriate.

Leaders and managers ensure that plans for individual children comprehensively address their needs. The agency works proactively and positively with other agencies and professionals. Leaders and managers seek to build effective working relationships with parents and social workers from placing authorities and with the local authority where they are located to secure positive outcomes for children.

If children are not settling into their placement, leaders and managers take steps to ensure that the plan is reviewed with the placing authority, the carers and parents (as appropriate) to consider the best steps to take next. They challenge effectively and take action when they are concerned that placing authorities are not making decisions that are in children's best interests, when the statutory requirements for looked-after children are not met, or when they cannot keep children safe.

Leaders and managers understand the plans for the children and drive the achievement of important milestones, goals and permanence for their futures. Leaders and managers monitor the progress that individual children make and can demonstrate the positive impact that a placement has had on individual children's progress and life chances.

Managers and staff receive regular and effective supervision that is focused on children's experiences, needs, plans and feedback. Supervision is recorded effectively.

Staff and leaders receive effective support and challenge, including through team and management meetings, to ensure that the professional development of staff and leaders results in the right environment for good practice to thrive.

Training, development and induction activities are effective and are focused on ensuring that the agency can meet the specific needs of the children it is responsible for. Activities are evaluated to ensure that they lead to effective practice. Leaders, managers and staff are up to date with current practice in their specialist area.

Staff work collaboratively to provide consistency and stability. There are clear responsibilities and accountabilities and staff have a sense of shared ownership about their practice. Staff report that they are well led and managed and there is other evidence to support this.

Leaders and managers make child-centred decisions when matching children with foster carers, including considering the needs of other children already living with the carers.

The statement of purpose and children's guide, which is kept under review, clearly set out the ethos and objectives of the fostering agency. If a statement of purpose sets out that the fostering agency provides specialist care to children, the specialist nature of the arrangements is clearly defined. This includes any additional training and support arrangements for foster carers and staff.

The registered provider is financially viable and can deliver high-quality, stable care for children.

Case records reflect children's lives and the work that is carried out with them. Case records reflect children's achievements and clearly relate to the plans for their futures. The style and clarity of records increase the understanding that children have about their histories, background and experiences. They are able to see them, challenge them or contribute to them as they wish, with appropriate support.

The registered person ensures that notifications of all significant events that relate to the welfare and protection of children placed with the agency's carers are made to the appropriate authorities. The registered person takes the necessary action following the incident to ensure that the child's needs are met and that they are safe and protected.

The culture of the agency is characterised by high expectations and aspirations for all children. This is demonstrated in practice.

Leaders and managers regularly review and act on any known risks to children in the community, taking advice and guidance from local partners and agencies.

Carers receive regular and effective supervision that is focused on children's experiences, needs, plans and feedback. Supervision is recorded. Carers receive a formal review annually. Early reviews are held when needed. There is effective support and challenge through the supervision and review processes to ensure that carers are providing high-quality care.

The agency recruits a range of foster carers who can meet the diverse needs of children who are looked after or who are receiving a short break service from the agency. Recruitment is in line with the agency's statement of purpose. The agency offers placements to children with complex needs and challenging behaviour and provides the necessary specialist support and help for as long as they are required. Managers review, and act on, the trends and patterns in the recruitment of foster carers.

Foster carers receive effective training and supervision in respect of the specific and complex needs of children. 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.

The fostering panel promotes safe, secure and stable placements through engaging 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. The panel has the necessary knowledge and expertise to support the agency to make effective child-centred decisions in relation to the cases brought before it.

Fostering for adoption is actively and effectively promoted whenever possible. The agency does all it can to ensure that the child-centred objectives of fostering for adoption are

properly understood and implemented by all involved. Leaders and managers have a good understanding of the impact of fostering for adoption arrangements.

### **Requires improvement to be good**

The effectiveness of leaders and managers is likely to be judged requires improvement to be good if there is evidence of the following:

The characteristics of good leadership and management are not in place. Where there are weaknesses in practice, leaders and managers have identified the issues. They have plans in place to address them or they are less serious and there is capacity to take the necessary action.

### **Inadequate**

The effectiveness of leaders and managers will be judged inadequate if there is evidence of the following:

The experiences, progress or protection of children are inadequate and leaders and managers do not know the strengths and weaknesses of the agency. They have been ineffective in prioritising, challenging and making improvements.

The agency fails to work effectively in partnership with others in the best interests of children.

The failure to appoint a manager after 26 weeks where there is no or limited evidence of attempts to recruit/appoint, will usually lead to an inadequate judgement for leadership but never more than requires improvement. Also, the overall judgement is unlikely to be better than good.

If a manager fails to apply to be registered, once appointed for more than 12 weeks, then the judgement for leadership and management will usually be inadequate.

### **Outstanding**

The effectiveness of leaders and managers is likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following:

Leaders and managers are inspirational, confident and ambitious for children and influential in changing the lives of those in the care of the agency.

Leaders and managers create a culture of aspiration and positivity and have high expectations of their staff to change and improve the lives of the children they are responsible for.

Leaders and managers lead by example, innovate and generate creative ideas to sustain the highest quality care for children.

Leaders and managers know their strengths and weaknesses well and can provide evidence of improvement over a sustained period.

Leaders and managers develop and maintain professional relationships between the agency and partner agencies to ensure the best possible care, experiences and futures for children.

## Legal context

Under the [Education and Inspections Act 2006](#), Ofsted carries out its work in ways that encourage the services it inspects and regulates to:

- improve
- be user-focused
- be efficient and effective in the use of resources

Section 5(1A) of the Care Standards Act 2000 provides that His Majesty's Chief Inspector (HMCI) is the registration authority for independent fostering agencies and other establishments and agencies to which Part 2 of that Act applies.

The Care Standards Act 2000 sets out Ofsted's powers to register and inspect independent fostering agencies and, when necessary, enforce compliance with the Act and the relevant regulations. Section 4 of the Act defines an independent fostering agency.

When inspecting independent fostering agencies, Ofsted considers the knowledge and understanding gained from previous inspections and the:

- [Care Standards Act 2000](#)

## [Fostering Services \(England\) Regulations 2011](#)

- [Care Standards Act \(Registration\)\(England\) Regulations 2010](#)
- [fostering services national minimum standards](#)
- [Children Act 1989 Guidance and Regulations, Volume 4: Fostering Services](#) (referred to as statutory guidance)
- [Fostering services: assessment and approval of foster carers](#)

## How inspectors use national minimum standards

Independent fostering agencies must meet the requirements of the regulations. If they do not, inspectors identify clearly what they must do by setting out requirements or compliance or enforcement action.

The Department for Education (DfE) has published [national minimum standards \(NMS\)](#). If providers do not meet these, it may indicate a failure to meet the regulations. This may influence the inspection judgement and may result in requirements being imposed and/or enforcement action being taken.

Inspectors consider:

- the impact on children and other service users
- how it should influence the judgements and outcome of the inspection, including any enforcement action

A failure to meet a regulation does not automatically lead to a judgement of requires improvement to be good.

Requirements may still be made when providers are judged to be good.

We use recommendations to indicate where practice can improve. These are always related to the relevant NMS and regulation/s.

## Notice of inspection

Independent fostering agencies are notified of an inspection 2 working days before the inspection. Notice will usually be given on a Thursday before the fieldwork starts on the next Monday morning.

We email the [letter of notice](#) to the agency, usually by 9am. The lead inspector will follow up the next morning with a telephone call to the agency. The letter sets out practical arrangements for the inspection, including the information requirements. The inspector's follow-up telephone call (and other calls between the agency and inspector that may be necessary during the period of notice) will provide the opportunity to discuss further the plans for the inspection, including the inspection

timetable.

We ask agencies to give the inspector access to premises, records and space for the inspector to work. Inspectors may need some help to navigate the system if records are electronic. Agencies do not need to provide files in hard copy unless these are already used, although the inspector may ask for specific reports or documents to be printed.

## Request for information at an inspection

When notification of an inspection is given, inspectors request the following information from the agency:

- details of meetings that will take place during the inspection that the inspector may be able to attend
- information about the agency's current approved carers and applicants, those being assessed and those who have applied, so that the inspector can choose which records and cases to track and sample
- details of children and young people placed with the fostering agency
- the last 3 sets of fostering panel minutes

The agency may choose to update any data previously given to Ofsted.

This information is requested under [section 31 of the Care Standards Act 2000](#). It supports the inspection process and informs the inspection findings. It may generate additional lines of enquiry.

All information should be returned to the inspector by 4pm on the day that notice is given. Some of the information is stored by Ofsted for data analysis purposes. No personal data is stored.

The inspector will provide 2 letters for the provider/manager to email/send out. The first is for all staff who work at the agency. The second is for all foster carers and prospective foster carers. The letters provide contact details of the inspector(s) should people wish to contact them during the inspection.

## Scheduling and the inspection team

### Frequency of inspection

We inspect independent fostering agencies at least once in a 3-year inspection cycle as set out in [\(Her Majesty's Chief Inspector of Education, Children's Services and Skills \(Fees and Frequency of Inspections\) \(Children's Homes etc.\) Regulations 2007 \(SI 2015/551\)](#) as amended.

We operate a rolling 3-year programme of inspection for each independent fostering agency. This means that, rather than a static 3-year cycle where all agencies are inspected within each 3-year window, each agency will usually be inspected in the 3-year period following its individual inspection. The 3-year period begins on the 1 April in the year following its individual inspection. For example, for agencies inspected between April 2021 and March 2022, a new 3-year cycle begins on 1 April 2022.

We usually reinspect agencies that are inadequate within 6 to 12 months of their previous inspection. We usually return to inspect agencies that require improvement within 12 to 18 months.

We normally inspect all independent fostering agencies for the first time between 7 and 12 months from the date of registration, unless there are no children being considered for placement or placed with the agency.

## Scheduling

The scheduling of inspections takes into account:

- legal requirements
- previous inspection findings
- complaints and concerns about the service
- questionnaire responses from children, foster carers, social workers and other stakeholders
- notifications
- monitoring reports given to Ofsted by independent fostering agencies under [regulation 35 of the Fostering Services \(England\) Regulations 2011](#)

If possible, the same inspectors will not inspect an agency for more than 3 consecutive inspection cycles. However, in certain instances, for example, if Ofsted is taking enforcement action, it may be important for continuity purposes to retain the same inspectors until the enforcement action has finished.

## Length of inspection

For a full inspection of a fostering agency, one inspector usually spends a maximum of 5 days on site within one working week.

The inspector and the regulatory inspection manager (RIM) should determine how best to allocate resources for inspections. If it is necessary, the RIM should agree to either the inspector spending additional days on site or additional inspectors being deployed on the inspection.

Inspectors should determine whether:

- the amount of time on site should be reduced for inspections of small agencies



- additional resources, such as more inspectors or more time, or both, should be deployed for inspections of larger agencies, for agencies with a wide geographical spread or when there are specific issues, such as a serious incident, to consider

## Deferrals

While it is important that we carry out our planned inspections wherever possible, we understand that sometimes there may be reasons that this is not possible. A provider may request a deferral of an inspection during the initial notification phone call. We will decide whether to grant the deferral in line with our [deferral policy](#). We make these decisions on a case-by-case basis.

## Timeframe

### Day Full inspection activity

1	Notice of inspection
2	Inspector preparation
3	Site visit
4	Site visit
5	Site visit
6	Site visit
7	Site visit
8 to 12	Report writing; inspection evidence and report submitted for quality assurance
25	Draft report sent to the registered provider within 18 working days from the end of the inspection. The provider then has up to 5 working days to send in comments on the draft report or submit a formal complaint.
30	Provider returns the report with comments or submits a formal complaint within 5 working days
37	Final report sent to the registered provider within 30 working days of the end of the visit (longer if there has been a complaint)
42	The final report published on the <a href="#">Ofsted reports website</a> 5 days after it is sent to the provider

## Figure 1: Ofsted's post-inspection and complaints procedure



[View this information in an accessible format.](#)

# Preparing for an inspection

## Analysis and planning

Inspectors are allocated one full day to prepare for an inspection of an independent fostering agency. They should use this time to review the information held by Ofsted and to ensure that the fieldwork is properly focused and used to best effect in collecting first-hand evidence.

Inspectors will look at the information that Ofsted already holds about the agency, including:

- previous inspection reports
- completed questionnaires from children, foster carers, parents, placing social workers and other stakeholders and associated summary reports
- the agency's statement of purpose and children's guide
- any concerns and complaints received
- notifications of serious events
- annual quality and data forms submitted to Ofsted
- data analysis by Ofsted
- updated data and details from the foster carers' register provided by the agency following notice of the inspection to enable the selection of files for case sampling
- 3 sets of panel minutes provided by the agency following notice of inspection
- any changes to registration, including change of manager or the responsible individual
- any enforcement activity that has happened within the last inspection year

Some of this information is drawn together in the provider information portal and in the pre-inspection briefing.

In addition, the inspector takes account of relevant background and context information, such as the most recent inspection of the local authority and review of the local safeguarding children board where the agency is situated.

If we have received information that indicates potential non-compliance with regulatory requirements, we may use the information as a line of enquiry during the inspection. The inspector usually outlines the concern to the registered person(s) or person in charge of the agency at the

beginning of the inspection. There may be circumstances when it is not appropriate to share all the information about a concern: for example, when the allegation is about the registered person or person in charge themselves, or when sharing the information could compromise an investigation being carried out by another agency, such as the police.

The inspector carries out an analysis of the available evidence and information and must record their planning notes on the inspection database.

The plan for the inspection should identify:

- lines of enquiry
- any areas of apparent weakness or significant strength
- areas where further evidence needs to be gathered

The focus of the inspection may change during its course as further evidence emerges.

## Questionnaires

Each year, Ofsted uses [online questionnaires](#) to gather a range of views about different types of setting. Where relevant, this includes the views of:

- children
- parents and carers
- staff
- foster carers
- adopters
- adult service users
- other interested parties such as placing social workers and independent reviewing officers

We send links to the questionnaires annually to each provider by email and ask them to distribute those links on our behalf. The responses are submitted directly to Ofsted.

We share responses with the inspector for the service or setting and are used to inform the planning and scheduling of inspections.

If there are no responses for a service or setting, this also forms a line of enquiry for the inspection.

## Notifications and reports made under regulation 35 and national minimum standard 25

Inspectors must regularly review notifications and reports under [regulation 35](#) and [NMS 25](#). This is important activity. Inspectors must focus on both the content and quality of the reports to ensure

that there is effective monitoring of the agency and that these activities support improvement in the experiences and progress of children.

Information from any of these sources may lead to:

- further activity, such as speaking to the registered manager and/or responsible individual or other stakeholders
- inspections being rescheduled, based on either identified concerns within reports and/or notifications, or a failure to submit reports or notifications
- lines of enquiry for the next inspection; emerging lines of enquiry must be noted in the inspection database and inform pre-inspection planning

## Notifications

Registered persons (providers and managers) must [notify Ofsted without delay about specific events and incidents](#) as set out in regulation 36 of the [Fostering Services \(England\) Regulations 2011, Schedule 7](#) lists the specific events.

Agencies should always seek advice from their link inspector about individual cases if they are uncertain how to proceed.

If the inspector identifies issues that give them cause for concern about the welfare of children, they should ask for evidence that shows what has been done to help and protect the child.

If notifications are incomplete, the inspector should always contact the agency to ask for more information.

Whenever there are concerns about the safety or welfare of a child, the inspector must contact the registered manager so that Ofsted is fully aware of the actions being taken by the agency, the placing authority and other relevant parties, such as the host authority and police to promote and safeguard the welfare of the child.

Managers and staff should take into account the appropriate parts of the statutory guidance outlined in [Working together to safeguard children](#).

If the inspector has any concern about the practice of either the placing or the host local authority, this is managed in line with [Ofsted's safeguarding policy](#).

The DCS must be notified immediately of the concerns so that they can review the situation. This information will also inform planning for any forthcoming local authority inspection.

Inspectors monitor closely whether Ofsted is informed of the outcome of any child protection enquiry in line with regulations and statutory guidance. If this has not been received promptly, the inspector should contact the agency. Inspectors must always follow up any failure to notify Ofsted of the outcome.

## Reports made under regulation 35 and national minimum standard 25

Regulation 35 of the Fostering services (England) regulations 2011 requires independent fostering agencies to 'maintain a system for (a) monitoring the matters set out in Schedule 6 at appropriate intervals and (b) improving the quality of foster care provided by the fostering agency'. Agencies

are required by the regulations to submit regulation 35 reports to Ofsted.

The [fostering national minimum standards](#) requires the provider to provide quarterly reports on the management, outcomes and financial state of the fostering service to the agency's management (NMS 25.7). Ofsted requests NMS reports to be provided under [section 31 of the Care Standards Act](#).

Completing and submitting these reports does not necessarily meet the requirement, set out in Part 1(b) of regulation 35, to maintain a system for improving the quality of foster care. Agencies should be able to demonstrate during the inspection the impact of their planned improvements to the service.

Timely sharing of the reports helps inspectors to prepare effectively for their visits to independent fostering agencies and helps agencies to provide evidence of how they have contributed to improving children's outcomes.

We expect independent fostering agencies to submit reports made under regulation 35 and NMS 25 to Ofsted at least annually, although agencies may choose to submit these reports more frequently.

Agencies can submit reports by email to [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk). They must include Ofsted's unique reference number (URN) and the date on which the visit occurred.

## The on-site inspection

Inspectors will prioritise carrying out inspections on site wherever possible.

Inspectors will plan for inspections to be on site. However, agencies' ways of working (for example, staff working from home and/or offices being temporarily closed) are likely to lead to some off-site inspection activity. This may include conversations with staff, children and foster carers.

The timing and the proportion of off-site and on-site activity are determined by the agency's working arrangements and by the information we already hold about the agency. Whatever the working arrangements may be, inspectors will arrange face-to-face meetings when this is necessary to secure the best evidence.

## The start of the inspection

At the heart of our inspections is a constructive, respectful and empathetic dialogue between inspectors and providers.

At the start of all inspections, the inspector confirms their identity by producing their Ofsted inspector identification. They do not need to carry paper copies of Disclosure and Barring Service (DBS) checks.

The inspector will always meet with the registered manager/person in charge at the beginning of the inspection to:

- outline the plan for the inspection
- arrange to interview the registered manager during the course of the inspection; if the registered manager is unavailable and the responsible individual also unavailable to attend the inspection, the responsible individual should identify a representative
- outline any lines of enquiry for the inspection, including those generated through reading the statement of purpose
- provide the person in charge with the opportunity to share any current information or personal issues relating to any of the children, carers or members of staff that the inspector needs to be aware of during the inspection
- ensure that Ofsted holds the correct details on the inspection database, including email address and contact telephone numbers for the manager, registered provider and/or responsible individual, any other partners, or directors or trustees
- arrange the approximate time that verbal feedback will be given and who is to receive this; feedback is normally given to the registered manager or senior member of staff present and the responsible individual; additional senior staff linked to the agency may also attend at the discretion of the inspector if agreed in advance
- check the registered manager's/person in charge's welfare, and whether any steps need to be taken to ensure their well-being. The inspector should ascertain how to contact whoever is responsible for the registered manager's/person in charge's welfare on a day-to-day basis, so that they can pass on well-being concerns when appropriate and necessary
- provide the opportunity to raise any issues or concerns, or to seek clarification about the inspection and explain how the provider can raise any matters during the inspection itself
- provide an opportunity for the registered manager to discuss and/or give us information on potential equalities duties, including reasonable adjustments for individuals

Inspectors will agree a process for keeping managers informed of progress throughout the inspection. This will normally mean regular meetings with managers to enable them to raise concerns or seek clarification. Inspectors will inform managers if there is evidence that the service may be judged inadequate. They will emphasise that final judgements are not made until the feedback meeting at the end of the inspection.

If the inspection has been prompted by our receiving information about a concern or allegations, the inspector should explain to the registered manager or person in charge of the agency the nature of that information. This is so that the manager is fully aware of the concerns. This also provides an opportunity for the manager to provide additional information and for the inspector to be as open with them about the information as possible. If the information is from a whistle-blower or from someone who wishes to remain anonymous, then the inspector must take the utmost care to ensure that the person's identity is not revealed.

## **Case tracking and sampling**

Evaluating the experiences and progress of children is a core inspection activity. This will be

largely based on evidence from case tracking and sampling.

For tracked cases, inspectors take an in-depth look at the quality of the help, care and protection that individual children have experienced. For sampled cases, inspectors look at areas of practice within individual cases, usually to follow lines of enquiry.

We take into account individual children's starting points and circumstances during inspections. We recognise that even slight progress in a particular aspect of their lives may represent a significant improvement for some children. We also recognise that for some children, because of their experiences of trauma, abuse or neglect, progress is not always straightforward. Progress in one area may result in deterioration in another as they work through the impact of their past experiences.

Children's overall experiences and progress are, in part, a result of how well they are helped and protected and the effectiveness of leaders and managers. Inspectors consider the 'help and protection' and 'leadership and management' judgements first so they can take these into account when reaching the 'overall experiences and progress' judgement.

Inspectors track the experiences and progress of at least 4 children. This can be reduced to 2 in an agency with fewer than 10 children placed or increased to at least 6 in larger agencies.

Inspectors also sample elements of other cases to follow specific lines of enquiry.

The size of the agency and the nature of any lines of enquiry determine how many cases are sampled.

Tracked and sampled cases should be selected by the inspector from the case list provided and usually includes, where relevant:

- children who have recently been placed with new carers
- children who are in long-term placements and have been living with their carers for at least 12 months
- children who are regularly missing from their foster home
- children at risk of, or subject to, child sexual exploitation or child criminal exploitation
- children who live a considerable distance from their placing authority
- in agencies that offer short breaks only, any child who is subject to a child protection plan
- children who are nearing their 18th birthday, to look at the arrangements for their future, including any 'staying put' arrangements
- parent and child placements
- fostering for adoption placements

Inspectors also assess, where relevant, the management of a recent serious incident. This is so that they can understand how the agency has responded to complex and difficult circumstances, and whether the actions and responses of leaders, managers and staff are focused on promoting and safeguarding the welfare of children.

When tracking cases, the inspector usually reviews:

- the assessment of the carer (if carried out in the last 12 months)



- how the decision was taken to approve the carer/s (if taken in the last 12 months)
- the matching report or recorded matching decision taken to place the child with the respective carers
- the local authority care plan, if available
- any documents that show children's progress, including school or health reports
- minutes/reports from the last 2 statutory looked-after children reviews
- the most recent foster carer review
- notes of the supervision of the carer from the last 3 months
- minutes of any professional meetings
- training records of the carer
- the foster care agreement
- for providers that are registered as a trust, children placed with connected carers

Case files (either electronic or paper-based) are usually discussed with the allocated supervising social worker (unless on leave), using their knowledge of the case, file structure and recording systems. In the absence of the allocated worker, a suitable colleague will be asked to assist.

Case files are only one aspect of tracking the child's journey. Inspectors increase their understanding of the child's experience through evidence from other sources, such as observation of practice and discussions with individuals involved.

Inspectors examine, discuss and evaluate cases in line with the evaluation criteria. Inspectors look for evidence that the agency has had a positive impact on the experiences and progress of children and that managers, staff and carers know they are making a difference to children's lives.

The detail of activities carried out and discussions held varies depending on the lines of enquiry for each individual inspection.

Inspectors must record the initials of children, professionals or carers who have been tracked, sampled and/or interviewed as part of an inspection within the evidence base.

## **Listening and talking to children**

The views of children provide important evidence of their experiences and progress.

Inspectors assess how well the agency consults with children. Children's views gathered by the agency are taken into account as part of the inspection evidence.

Inspectors always try to meet with children during the inspection. Inspectors may make alternative arrangements to speak to children, such as telephone calls at a pre-arranged time. Sometimes, inspectors will spend time observing activities and situations where children are present rather than engaging in direct communication with them. This is to limit any stress caused to children. These approaches will be discussed throughout the inspection as necessary.

Many of the experiences of children take place after the normal school day and it is essential that inspectors are able to speak to children at this time.



Inspectors should involve children in inspection activity where possible.

Opportunities to gather the views and experiences of children may include:

- meeting them during pre-arranged meetings, such as review meetings or placement agreement meetings
- speaking to children on the telephone or at their foster home
- attending children's groups that may run during the inspection

### **Communication methods**

Inspectors should bear in mind the limits of verbal consultation with some children, particularly those who are disabled or have complex health care needs, and they should take this into account in their evaluation. In these cases, they would expect to see the agency using appropriate alternative means of gathering children's views and providing them with feedback about the impact of their consultation.

Inspectors must take into account the specific communication needs of individual children. For some children, the inspectors may request the assistance of staff, carers or an independent person who know and understand the child's preferred means of communication, particularly if this is unique to the child. In other instances, it may also be appropriate for inspectors to spend time observing children and how they interact with carers and professionals and respond to their environment.

Inspectors can request the services of an interpreter to join the inspection. This is helpful when the children are fluent in British Sign Language. Inspectors request this service through the inspection support team and give 2 weeks' notice where possible.

Children, including those with limited or no verbal communication, may wish to share their views in a letter to the inspector.

### **Practice when gathering the views of children**

Inspectors demonstrate safe and sensitive practice by:

- telling staff and carers when and where conversations with children are taking place and who is involved
- being sensitive to the fact that some children may not want to be involved in the inspection
- explaining to children that they will not include comments that will identify them in the inspection report or in feedback to staff without their permission
- ensuring that staff are aware of any arranged meetings between inspectors and children, and that children may leave the meeting at any time
- where appropriate, explaining to children that information suggesting that they or another child is at risk of harm will be passed by the inspector to an appropriate person able to take necessary action about that concern

Inspectors respect the privacy and confidentiality of personal information at all times. They always involve staff in any decisions about children's involvement in the inspection.

## Observing activities

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

- foster carer support meetings
- placement planning meetings
- fostering panel meetings (inspectors may, by negotiation, attend part of these meetings)

Inspectors always try to strike a balance between the time it takes to observe an activity and the significance of the likely evidence to be gained.

## Gathering views of other professionals

Inspectors consult with a range of professionals to inform the inspection findings. This is usually through a telephone call during the inspection and may not take place on site. These professionals may include:

- social workers
- independent reviewing officers
- school staff
- local police
- designated officer/s
- youth offending teams
- independent visitors
- advocates
- the panel chair and/or vice chair
- the agency decision-maker

Inspectors ask providers for the relevant contact details (see the [notice of inspection letter](#)).

Inspectors should always take account of privacy and confidentiality when talking to stakeholders on the telephone during the inspection.

## Discussions with managers and staff

Individual interviews are held with the registered manager (or in their absence, a nominated representative from the agency) and other staff. The number of staff interviewed depends on the size of the agency, but will include a sample of staff working in the agency at the time of inspection.

The inspector always asks to interview the responsible individual where:

- there is no registered manager in post
- there are concerns about the quality of care and/or the effectiveness of monitoring arrangements or the quality of the leadership and management of the agency
- evidence indicates that the agency is failing to protect children
- there are concerns about staffing, the premises or resources to manage and run the provision

During the inspection, the inspector shares emerging findings about the agency's key strengths and weaknesses with the registered person (usually the registered manager) so that they fully understand the issues.

The inspector usually meets with the registered person at an agreed point in the inspection to share emerging findings. The inspector normally sets out for the manager what they intend to consider later in the inspection. The manager then has the opportunity to prepare and direct inspectors to any specific information or evidence required.

To help managers understand how the inspection is progressing, and to continue the constructive professional dialogue where meetings are held to keep them informed of emerging findings, the manager can be accompanied by a colleague, where appropriate. This will allow them to raise any issues or concerns or to seek clarification, including related to the conduct of the inspection.

If the registered manager is not present, inspectors will agree a process with the responsible individual (if available) for keeping other people informed of progress throughout the inspection.

Shortfalls that could have an immediate impact on the safety of staff or children are brought to the attention of the manager or the senior person in charge as soon as the inspector has identified the problem.

In most cases inspectors will want to have confidential conversations with staff and will usually ask to speak to them alone so that staff can express their views freely. However, individuals may ask to have a colleague present to support them if they prefer.

If inspectors see that a staff member is upset or distressed at any point during the inspection, inspectors will respond sensitively. Where appropriate, inspectors will consider suitable adjustments to enable the staff member to continue. Where appropriate, inspectors will inform those responsible for the person's well-being. The inspector will also contact their manager/regional duty manager to take advice.

There may be exceptional occasions when we need to consider pausing an inspection. We will consider these on a case-by-case basis according to our published [guidance on pausing inspections](#).

## Listening and talking to foster carers

Inspectors may have the opportunity to meet with a group of foster carers during the inspection. This meeting is time-limited. If a group meeting is not possible, inspectors will ask to speak to

several foster carers by telephone.

Examples of topics for discussion include:

- the quality of support, training and supervision they receive from the agency
- their contribution to matching decisions
- the quality of foster carer reviews
- the opportunity to contribute to the development of the agency
- the ease and facility for the children and carers to make a complaint or raise concerns
- the additional support provided to meet children's needs, such as health, education and behaviour, and advocating arrangements with the placing authority
- how effective the agency is in gathering children's views
- any matters they wish to raise with the inspector

## Assessing financial viability

The fostering services regulations state that the 'registered provider must carry on the fostering agency in such a manner as is likely to ensure that it is financially viable for the purpose of achieving the aims and objectives set out in its statement of purpose' ([regulation 37\(1\) of the Fostering Services \(England\) Regulations 2011](#)).

Inspectors are only expected to carry out a lay person's assessment of the financial information. Where, during the course of a routine inspection, the inspector has concerns about the financial viability of a provider due to, for example, lack of payments to foster carers, they should follow the guidance set out in [Ofsted's social care registration handbook](#).

The financial information Ofsted can request ranges from professionally produced business plans to a collection of accounts and balance sheets ([regulation 37\(3\) of the Fostering Services \(England\) Regulations 2011](#)).

## Examining records, policies and procedures

The fostering agency's statement of purpose and children's guide should be available on their website and form part of the pre-inspection data. We should also hold copies in our database because agencies are required to submit these documents to Ofsted whenever they are changed.

Inspectors do not routinely examine all policies and procedures. Inspectors examine documents when they may inform a line of enquiry for that individual inspection.

Inspectors will focus on the impact of documents such as risk assessments and how they work in practice, rather than the format. What matters is that they are fit for purpose and provide enough information to all relevant people so that they can care for the children safely and appropriately.

If the agency uses the [DBS update service](#) to check the status of an individual's DBS certificate,

the agency should be able to demonstrate how it manages and records details of any check it carries out. If any lines of enquiry require additional information, then the inspector may request that a small sample of full personnel records are made available at the inspection visit.

Where members of staff are subject to transfer of undertakings (protection of employment) (TUPE) arrangements, we recognise that the new employer is reliant on the previous employer for all recruitment records relating to those staff. In some instances, the new employer may not be able to access all the information including documents required by the regulations. If this is the case, we still expect the new employer to hold enough relevant information to make sure staff are suitable, including DBS checks or vetting records. If there are any gaps in requirements, the new employer should have taken steps to assure themselves that the person is suitable to work in their role. This should include reference to employment records such as appraisals.

## Finding evidence of possible offences

If, during the course of the inspection, the inspector thinks that an offence may have been committed, they should contact a social care compliance inspector or RIM immediately to discuss whether the inspection (or monitoring visit) should continue and to take advice. If, during the course of the inspection, the inspector finds evidence of an unregistered children's home or any other unregistered provision being operated elsewhere, they should record the details, including the provider's name, the address and any other evidence that indicates there is an unregistered service operating. The inspector should inform the provider/manager that they have recorded this information and will pass this on to their regional team to investigate. The inspector should make it clear that any information they gather on unregistered provision being operated elsewhere will not form any part in determining the outcome of the inspection or inspection judgement.

Further guidance is available in the [social care enforcement policy](#).

## Implications of the Equality Act

The [Equality Act 2010](#) came into effect on 1 October 2010. 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.

Social care providers must comply with both the Equality Act and the remit-specific regulations that require them to employ people who are fit, both physically and mentally, for the work.

To comply with both laws, providers may give conditional offers of employment to potential employees after the recruitment process, subject to appropriate medical and health checks.

There are a number of exemptions to the provisions in the Act. If a provider believes that an exemption applies to its recruitment of staff, it should take its own legal advice on the matter.

Inspectors will assess whether providers have a rigorous recruitment and vetting process in place, including ensuring that their employees are mentally and physically fit before they begin work as

part of their inspection.

## **How inspectors record the evidence**

Inspectors must analyse the information they gather on inspection and use their professional judgement to assess the impact on the experiences and progress of children and other service users.

Inspectors' evidence should be clear, evaluative and sufficient to support the judgements.

The evidence should tell the story of the experiences and progress of children and other service users, as appropriate. Evidence should not include information that could identify individuals unless it is necessary to protect a child or to support further action. In these instances, inspectors can use individuals' initials.

Inspectors can record direct quotes from children, adult service users and other interested parties in evidence to support judgements.

The record should clearly indicate the source of the evidence (for example, whether the evidence is from observation, a written record or a face-to-face interview). If evidence comes from an interview, the record must indicate the time of the interview and the interviewee's job title or relationship to the child.

Throughout the inspection, inspectors maintain a record of their evidence. Electronic evidence is recorded within the inspection database. Summarised evidence must be sufficient to support the judgements and any recommendations or requirements. Inspectors must ensure that the provider understands the evidence that the judgements are based on and any requirements that stem from the judgements.

After the summarised evidence has been placed in the inspection database, inspectors should not destroy any duplicate handwritten evidence until after the inspection report is published. In some circumstances, inspectors will be required to keep any handwritten notes they have made during the inspection for longer. This may, for example, be necessary when legal action or a complaint about the judgement is being considered.

All handwritten evidence should be legible and dated. Handwritten evidence that has not been summarised forms part of the inspection evidence base, and should therefore be scanned and added into the inspection database within 5 working days of the end of the on-site visit.

Evidence may be scrutinised for quality assurance and will be considered in the event of any complaint.

## **End of the inspection and feedback**

The inspector will give verbal feedback of the main findings and provisional judgements. This

feedback will usually be given to the responsible individual (as appropriate). Additional senior staff from the provider may also attend, if agreed in advance with the inspector. In some circumstances, an inspector may need extra time after the inspection fieldwork to take advice before giving feedback. The day of feedback is counted as the last day of the inspection.

If the feedback is likely to be challenging or is likely to raise sensitive issues, the inspector will be sympathetic to the implications of this feedback. The inspector will discuss with the provider which other people should attend to ensure the necessary support is given. Attendance at the feedback meeting is voluntary and any attendee may leave at any time.

The inspector should:

- cover the main findings of the inspection, including both strengths and weaknesses
- clearly communicate the likely judgements
- indicate likely recommendations, with clear reference to the relevant NMS or quality standard (where relevant), providing a clear direction for improvement
- use the grade descriptors and the evidence to clearly indicate how the judgements have been reached
- ensure that the provider has the opportunity to raise any issues or concerns, or to seek clarification about the inspection, and can contact Ofsted on the working day after the end of the inspection, if necessary
- confirm [when the draft report](#) will be sent to the manager for comments

Inspectors will not provide a written summary of the inspection or written feedback in advance of the inspection report being sent. Providers may choose to take their own notes at feedback.

Managers may share the provisional inspection outcome and findings with whoever they deem appropriate, though providers may need to be cautious/sensitive to the risk of provisional outcomes that may be subject to change potentially being shared with children when this could create uncertainty for them. Provisional inspection outcomes may also be shared, in confidence, with others who are not involved with the setting. This may include the managers' colleagues, family members, medical advisers and/or wider support group. However, the information should not be made public.

## Making requirements and recommendations

### Requirements

Inspectors impose requirements when there has been a breach of a regulation.

When imposing a requirement, inspectors must ensure that there is sufficient evidence to support the breach and that they are able to show that this is having an impact, or is likely to have an impact, on children's experiences and progress. They must weigh up and balance evidence from more than one source to support making a requirement.



The requirement should refer to the specific regulation and should be detailed enough for the registered person to be clear about what they need to do to correct the breach of regulation and a date by which they should achieve this.

In deciding whether to impose a requirement, the inspector must assess the extent of the impact, or potential impact, on the experiences and progress of children, and whether the matter could be dealt with more appropriately by making a recommendation.

The inspector will always impose requirements when there are significant concerns for the welfare, safety and quality of care for children.

Sometimes, the registered person needs to take action to meet a requirement that they can complete quickly. Inspectors can impose a requirement with a date that is likely to be before the registered person will receive their inspection report. Here, the inspector must be clear at the inspection feedback what the requirement and its deadline is.

## Recommendations

Inspectors make recommendations when necessary to improve practice.

In making a recommendation, inspectors should refer to the NMS for fostering services. They should always give enough detail for the manager in charge to be clear what they need to do. The relevant part of NMS should be summarised. Inspectors may also make recommendations in relation to other relevant statutory guidance such as:

- [Working together to safeguard children](#)
- [Statutory guidance for children who run away or go missing from home or care](#)

If, during an inspection, the registered person rectifies a minor administrative error that has minimal impact on the experiences and progress of children, the inspector may not need to make a requirement or recommendation about that matter. However, they may refer to it in the leadership and management section of the report.

Where the registered person has failed to comply with a requirement within the timescale set by the inspector, we consider carefully whether it is necessary to take any enforcement action to address the breach and the associated risks to children. Enforcement action may include, but is not limited to, issuing a compliance notice.

If the agency has not acted on recommendations made at a previous inspection, the inspector considers carefully the impact of this on children and may impose a requirement.

## Compliance notices and enforcement action

Ofsted's compliance powers are set out in the [Care Standards Act 2000](#) and associated



regulations. The [social care enforcement policy](#) has the details.

We serve a compliance notice following an inspection if:

- we consider that this is the most appropriate way to promote the welfare of children or we believe that they are at risk of harm or being harmed or
- a registered provider has failed to comply with a requirement made at an inspection and we consider this to be the best way to deal with it

## Inadequate judgements: next steps

When an independent fostering agency is judged inadequate for the 'overall experiences and progress of children' at a full inspection, this leads to a post-inspection debrief as soon as possible, and then a case review. The timing of the case review should be proportionate to the risk and certainly no later than 5 working days following the inspection.

The inspector and their manager have the post-inspection debrief. It provides an opportunity for them to discuss the inspection and the quality of the evidence, and to consider a recommendation for further action to take to the case review. The recommendation of further action should include the scheduling of future inspections and/or compliance action. The [social care enforcement policy](#) has detailed information about the enforcement options available and the arrangements for following up enforcement activity.

The case review considers the recommended future action and allows the manager to decide what action to take.

We usually carry out a full inspection of agencies that have been judged as inadequate within 6 to 12 months of the previous inspection. The timing and nature of subsequent inspection and monitoring visits following an inadequate judgement, however, are set on a case-by-case basis.

If the concerns are serious, we are likely to return to carry out a monitoring visit to check that the manager and responsible person have taken sufficient steps to safeguard and protect the welfare of children. Any monitoring visit usually results in a published report, although RIMs can decide not to publish monitoring reports in exceptional circumstances.

An inspection visit takes place sooner if any further significant concerns arise during this period or if an earlier inspection is necessary to make statutory requirements to safeguard and protect the welfare of children.

## Feedback to local authorities

Whenever children are at immediate risk, inspectors must follow [Ofsted's safeguarding policy](#). In addition, whenever an independent fostering agency is judged inadequate at inspection, the inspector must alert the placing authority for any child currently placed with foster carers approved by the agency. The inspector must also notify the local authority where the agency is based

because it has a duty to safeguard the welfare of all children living in its area.

The region sends an email to the directors of children's services in the relevant local authorities after the case review when we have decided what further action to take. We follow this email up with a telephone call to ensure receipt. When there are a large number of placing authorities, the region should discuss arrangements for contacting them with relevant managers. The inspector should also ensure that the email to local authorities is forwarded to the agency.

The inspector gives feedback to the relevant local authorities in line with feedback given to the provider and that will appear in the report. This must include a summary of the main concerns so that relevant local authorities understand these and can make their own decisions. The inspector must make clear that the agency has not at this point had an opportunity to challenge the findings.

The details of the email and any phone calls must be recorded on the inspection database for future reference and the email or letter should be shared with the provider.

We contact placing authorities to follow HMCI's powers detailed in paragraph 8 of schedule 13 of the [Education and Inspections Act 2006](#), 'to provide assistance to other public authorities in the exercise of the placing authorities' functions'.

## The inspection report

The report should be succinct and evaluative. Inspectors' analysis must include clear evidence for their professional judgements.

Published reports will usually be between 10 to 12 pages long but may be shorter. Reports for agencies that have several weaknesses or that are found to be outstanding may require more detailed explanations for the judgements. Inspectors should ensure that the reports are long enough to say what needs to be said and no longer.

You can find full details of how we inspect and report on independent fostering agencies that carry out fostering for adoption work as their only fostering activity in the [fostering for adoption section](#).

## Content of the SCCIF report

Section of report	Details
Information about this service	Brief contextual information about the service
Date and judgement of last inspection	The date and overall judgement of the last inspection
Enforcement action since the last inspection (registered providers only)	A brief summary of any enforcement activity we have taken since the last inspection

Inspection judgements	The judgements made and accompanying text
Areas for improvement	Any recommendations and statutory requirements (where relevant)
Information about this inspection	What we have looked at and information about the legal basis for the inspection
Service details	Information on the provider running the service

## Child-friendly summary reports

Inspectors complete a child-friendly summary following every inspection of an independent fostering agency. Where children need an adapted form of summary, the report should be sent to the provider with a request for the document to be adapted into a suitable format.

When we know that children use individual, alternative systems of communication to verbal communication, or children have limited receptive and expressive language skills, we still provide a child-friendly summary. It can be short, include pictures and be set in simple, concrete sentences.

It is anticipated that agency staff will translate the child-friendly summary, if necessary, for those children who speak English as an additional language and for those who use alternative systems of communication. The summary can set out an expectation that staff will support children to understand their letter from Ofsted.

## Quality assurance and arrangements for publishing the report

The inspector is responsible for the quality of the report. The inspector will check the completed draft report carefully before submitting to their manager for pre-publication quality checks before it is shared with the provider.

Any proposed change of judgement from the provisional judgement given at verbal feedback during the inspection will be discussed by the appropriate managers within Ofsted. 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.

We will send the draft inspection report to the provider within 18 working days of the end of the inspection.

The provider will have 5 working days to comment on the draft report, process and findings.

We will consider all comments and we will respond to the comments when we share the final report with the provider. This will be within a maximum of 30 working days after the inspection.

We expect managers to share the inspection outcome and findings with whoever they deem appropriate.

Following the inspection, we will ask providers for feedback about the inspection through a post-inspection survey. This is sent to the provider when it receives the final inspection report. We will use feedback from providers to improve the quality of inspections.

## Conduct during inspection

Ofsted's [code of conduct](#) sets out the expectations for both inspectors and providers. At the start of the inspection (usually during the preparatory conversations) the lead inspector will explain these expectations and will ask providers to read the code. Inspectors will work constructively with providers and staff, demonstrating professionalism, courtesy, empathy and respect at all times.

## Concerns or complaints about an inspection

### Concerns

Most of Ofsted's work is carried out smoothly and without incident. If concerns do arise during an inspection, they 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 raised, and actions taken, will be recorded in the inspection evidence.

If, during the inspection, the provider is unable to resolve the matter with the inspector, they should contact the inspector's RIM for further discussion.

If an issue remains unresolved, the provider can contact Ofsted on the working day after the end of the inspection. This will be an opportunity for the provider to raise informal concerns about the inspection process or outcomes, ask about next steps or highlight information that they feel was not fully considered during the inspection. This will be directed to a RIM separate to the inspection to discuss and to resolve, where appropriate, at the earliest opportunity.

Providers also have another opportunity to raise concerns about the draft inspection report, process and findings when they receive the draft report.

### Complaints

If it is not possible to resolve concerns during the inspection, shortly after the inspection or through

submitting comments in response to the draft report, the provider may wish to lodge a formal complaint when it receives the final report. The inspector will ensure that the provider is informed that it is able to make a formal complaint, and that [information about how to complain](#) is available on GOV.UK.

## Monitoring visits

Monitoring visits are carried out according to the general principles of the SCCIF.

Monitoring visits are usually carried out for any of the following reasons:

- to follow up concerns
- following an inadequate inspection
- to monitor compliance with a notice

## Timing and frequency

The decision to carry out a monitoring visit is usually taken at a case review. The frequency of monitoring visits is decided on a case by case basis and may be as frequent as weekly if that is what is needed. Timing and frequency are determined by any dates included in compliance notices and the nature of the concerns.

Monitoring visits will usually take place following enforcement action or may take place after an inadequate inspection judgement. Monitoring visits are usually unannounced.

## Monitoring compliance notices

When we have issued a compliance notice, we will carry out a monitoring visit or inspection to assess compliance with the notice. This will be within 5 working days of the date set in the notice for compliance with the requirement. A registered person must fully comply with the requirement within the timeframe specified. Partial action will not be sufficient, although we may take it into account in deciding the next steps.

If we have served multiple compliance notices with different completion dates, we will schedule follow-up visits for each completion date. These visits can be combined if the dates are close together and if we do not exceed 5 working days from the date of any notice.

We will decide whether the monitoring visit will be announced or unannounced on a case-by-case basis. The decision will usually be made as part of the case review, in which we should explore how best to gather evidence to assess compliance with a notice. When we decide that there should be a notice period, this should always be as short as is practically possible.

During a monitoring visit, inspectors must:

- check that there any risks to children or vulnerable adults have been addressed
- check that the requirements for any compliance notices of which the completion timescales have passed have been met

Inspectors may also find evidence that a registered person is failing to meet requirements other than those specified in our compliance notice(s). They should discuss this with the provider and make any requirements or recommendations they consider necessary to remedy the problem.

If the case review decision is that the compliance notice has been met, we confirm this in the monitoring or inspection report. We then consider whether to close the compliance case.

If the case review decision is that a compliance notice has not been met, the case review must consider what further action we will take. Failure to comply is a ground for cancellation. If a provider fails to comply with a notice, we should either take steps to cancel its registration or issue a further notice. Although an offence has been committed under section 22A(4) of the Care Standards Act 2000, the case review must consider whether pursuing prosecution is the most appropriate action.

If the registered person has complied with the requirements set out in the notice but we observe a different failure during a visit, this does not constitute a failure to comply with the notice. The case review should consider whether this breach can be resolved by a requirement or a further compliance notice.

## **Monitoring for any other reason**

The inspector must notify either the registered provider or registered manager of the purpose of the visit or inspection when they arrive on site.

We inform them that we are looking at a concern, and of any information we have that suggests non-compliance. They can then provide additional information. If we relay our concerns to the person in charge instead of the registered person, we ask and record how they will inform the registered person of what we have said.

We will share as much information about the concerns as possible. We may not do so if there is an allegation about an individual linked to the setting or where sharing the information could compromise another agency's investigation. We will always follow our whistle-blowing policy.

If the information is from a whistle-blower or from someone who wishes to remain anonymous, then we must take the utmost care to ensure that the person's identity is not revealed. We may tell the registered person(s) or person in charge the information came from a whistle-blower or someone who wishes to remain anonymous, but we should give them as much information as possible in the interests of openness. However, inspectors should avoid giving information, for example names, dates, time periods and locations, that might lead the registered person or person in charge to identify the source of the information. Information that is not relevant to the concern should not be provided.

The inspector should not confirm, deny or comment on any attempt by the registered person or person in charge to guess the name or other personal details of the source of the information. The inspector should be clear with the manager that they cannot comment in this regard.

Inspectors will summarise the information at appropriate times during the inspection or visit. They will share this with the registered person or person in charge. This allows the registered person to consider matters as they emerge. Inspectors will ensure that they fully understand and note any responses correctly. This also helps the registered person to consider any other evidence they wish us to know about.

We will use all the information we have gathered to determine whether the registered person:

- is complying with the relevant requirements
- is meeting statutory requirements and remains suitable for registration
- has committed an offence

## **Monitoring with other statutory agencies**

Ofsted is committed to cooperation and joint working with other agencies. Generally, we do not carry out joint visits unless there is good reason to do so. If an inspector believes that a joint visit is required, then they should make representations in favour of the visit, with support from their RIM, to their regional director.

Regional directors should seek a view from the Ofsted legal services team before authorising any joint visit. When carrying out a visit at the same time as another agency, both parties must be clear about their respective roles at the visit. This must be discussed in advance with the representative of the other agency. The inspector must explain to the registered provider, at the outset of the visit with another agency, the respective roles of Ofsted and the other agency or agencies.

In any visit with another agency, our responsibility is to determine whether the provider continues to meet the requirements for registration. The inspector must gather their own evidence to help them reach that decision. The inspector must not take evidence on behalf of the other party or use their evidence instead of collecting our own.

## **Finding further concerns during monitoring visits**

If it becomes clear that there are new or further issues of concern, or that in tackling the actions from the last inspection the provider has let other aspects slip so that children and/or vulnerable adults are at risk of harm or are not making sufficient progress, then the inspector should decide what further action needs to be taken. This includes new requirements and/or recommendations and compliance notices or other enforcement action such as restriction of accommodation or imposing of conditions.

If the inspector is concerned or unsure about any aspect of the visit, they can contact their RIM or



a social care compliance inspector.

## Feedback at the end of the monitoring visit

The inspector must summarise the information at appropriate times during the visit and share this with the provider or manager. The inspector should consider other matters as they emerge, pursue other lines of questioning and ensure that they have fully understood and noted the responses correctly.

The inspector will provide verbal feedback to the provider at the end of the visit. The inspector should:

- explain the decisions clearly and with examples
- explain the options for further action, non-statutory and statutory, if there is evidence that the provider is failing or has failed to meet statutory requirements – or the conditions of its registration – which may result in enforcement action
- ensure that what they say to the provider is fully consistent with the evidence
- be proportionate and fair, in line with our enforcement policy

## Monitoring visit reports

Ofsted will publish all monitoring reports on its [reports website](#). In exceptional circumstances, a regional director may decide not to publish a monitoring visit report.

At the beginning of the report, inspectors should provide a concise, clear explanation of the issues that we monitored at the visit. This explanation should accurately reflect the message given to the registered manager/person-in-charge when we announced the visit. We should set out when we last visited the agency and for what purpose, for example whether it was an assurance inspection or full inspection.

The report must:

- set out the reason(s) for and purpose of the visit (if the visit is to follow up enforcement activity, the letter should clearly set this out, for example, ‘This agency is subject to a restriction of accommodation order. We are concerned that... In order to evaluate the progress the agency has made in addressing these concerns, we carried out a monitoring visit on....’; where this relates to compliance notices, there should be a short summary of the number of notices and an overview of the areas for concern)
- outline any significant developments and clearly explain the action the provider has taken to address the requirements and the impact
- evaluate where progress has been made and where progress has not been made
- clearly state the impact of continued concerns on children, alongside any action that Ofsted will be taking to notify placing local authorities and/or to protect children
- set out clearly where and what further action is needed



Inspectors must use clear language to indicate the level of concern, for example, ‘this visit has raised serious concerns about care and practice in [the agency]’.

Inspectors can clearly state that the provider is likely to be subject to further enforcement action where this is the case. The details of intended action cannot be included as this may prejudice any action we are likely to take and be seen to impede the provider’s right of appeal, where relevant.

## **Review of the monitoring report and evidence base**

The monitoring visit report and evidence base will be reviewed by the inspector’s manager before the draft report is sent to the provider for comment. This is to ensure that they accurately reflect the improvements made and that the evidence base supports any further enforcement action we may wish to take.

The draft monitoring report is then shared with the provider and finalised using the same process and timescales as a standard inspection report (see the [‘Quality assurance and arrangements for publishing the report’ section](#)).

## **Agencies with no children placed with foster carers**

We usually inspect an agency that has started operation within 7 to 12 months of its registration. If, when the first inspection after registration is due to take place, no child has been placed with an agency since its registration, inspectors should seek to delay the inspection until the agency has begun to accept placements. The first inspection of a fostering agency must occur within 3 years of its registration date.

If no child is placed with the agency at the time of inspection, the inspector should decide whether a planned inspection should be postponed.

If there are no placements at the time of the inspection and children have been placed since the last inspection, it may be possible to use information about their placements as evidence.

Inspectors should consider the likely evidence that can be collected to support the inspection judgements.

Where a fostering agency has had no children placed with foster carers for more than 3 months and the agency has indicated that it does not intend to operate in the near future, reports must contain the following statement:

“ [Insert name of fostering agency] has been closed for [insert length of time]. The registered provider has indicated that it will not be operational for [state length of time from the date of inspection]. Should the agency decide to accept placements, it is required to inform Ofsted of its intention before it does so.”

A condition of registration for the provider to notify Ofsted when a child, or children, are placed with a foster carer should be imposed. The condition must be worded as follows:

“ [Insert name of fostering agency] must inform Ofsted of its intention to place children with foster carers one week before a child’s placement begins.”

The timing of when best to carry out the first inspection should be kept under regular review. Once completed, the condition of registration should be removed (the removal will need to be imposed and follow the notice of proposal/notice of decision process).

## Checks on responsible individuals

[The Fostering Services Regulations \(2011\)](#) require fostering agencies to have a responsible individual.

A provider must demonstrate to Ofsted that the responsible individual they appoint is able to meet the requirements of regulation. Ofsted’s inspectors scrutinise the steps providers have taken to determine that a responsible individual who has been appointed to a registered establishment or agency is fit to supervise the management of an establishment or agency.

For further information, see [Changes to children’s social care services that are registered and/or inspected by Ofsted](#).

## Agencies with no registered manager

The [Care Standards Act 2000](#) requires any person who carries on or manages an independent fostering agency to be registered with Ofsted. It is a criminal offence to operate or manage an independent fostering agency without registering with Ofsted [section 11 of the Care Standards Act 2000](#).

The [Fostering Services \(England\) Regulations 2011](#) (regulation 38) require the provider to notify Ofsted if the manager is to be absent for 28 days or more, or if they leave. Providers must do this at least one month before a known absence of the manager and, in an emergency, within one week of the absence.

Any failure to notify Ofsted of the absence or change of a manager, or failure to put in place satisfactory management arrangements, will be taken into account when planning and carrying out inspections. For more information, see [Changes to children’s social care services that are registered and/or inspected by Ofsted](#).

Actions to be taken may include, but are not limited to, bringing the date of the inspection forward and using this information to inform our judgement about the leadership and management of the agency. If a provider fails to notify Ofsted of a change of manager, this may also influence our assessment of its fitness to manage. For more information about what regulatory action Ofsted

can take, you should refer to the [social care enforcement policy](#).

## Incomplete inspections

We will apply [Ofsted's policy on incomplete inspections](#) where appropriate.

## Fostering for adoption

Registered voluntary adoption agencies carrying out fostering for adoption services and seeking to approve carers as both adopters and foster carers are also required under the Care Standards Act 2000 to register as an independent fostering agency. Ofsted is required to inspect these agencies both as an independent fostering agency and as a voluntary adoption agency.

This guidance also applies to agencies that provide concurrent planning services. Fostering for adoption and concurrent planning are both examples of early permanence services that enable children to live with foster carers who later go on to adopt them, if the court decides that is in their best interests.

### **How we inspect voluntary adoption agencies and independent fostering agencies that provide fostering for adoption services**

In line with our strategy and principles for inspection, we try to minimise the burden of inspection on agencies. We also want to make the best use of our inspection time and resources.

Some agencies provide fostering for adoption services as their only fostering activity. For these, we usually inspect the voluntary adoption agency and the independent fostering agency at the same time rather than as 2 separate inspections.

After these simultaneous inspections, we publish one combined inspection report.

We make judgements on the voluntary adoption agency using the 4-point scale and covering the overall experiences and progress of children and adults, taking into account:

- how well children and adults are helped and protected
- the effectiveness of leaders and managers

The combined report will include a narrative judgement on the independent fostering agency.

For these inspections, inspectors follow the SCCIF guidance for voluntary adoption agencies and independent fostering agencies. We notify agencies that they are going to be inspected 2 working days before the combined inspection. We will usually give this notice on a Thursday before the

fieldwork starts on the next Monday morning. The overall timeline for voluntary adoption agency inspections usually applies.

If it is necessary (for example, because of the size of the agency), the RIM can agree to either the inspector spending additional days on site or additional inspectors being deployed on the inspection. To ensure that the selection of tracked or sampled cases is representative of agencies' work, inspectors always include some fostering for adoption cases.

Inspectors use the evaluation criteria, including specific criteria relating to fostering for adoption, to help them reach their judgements.

Ofsted imposes a condition on the registration of independent fostering agencies that provide fostering for adoption services as their only fostering activity. Agencies must apply for the condition to be lifted if they wish to expand their fostering activity.

Independent fostering agencies that are not subject to the fostering for adoption condition will receive a separate full inspection, not a combined one.

We always report our findings on the quality of fostering for adoption arrangements, either:

- as a narrative judgement for the independent fostering agency as part of a combined report
- in the separate inspection report for independent fostering agencies that carry out a wider range of fostering activities

Although we have the ability to carry out combined inspections of voluntary adoption agencies and independent fostering agencies that provide fostering for adoption, this does not prevent us carrying out separate inspections of individual agencies. We will do this if it is the most effective way of addressing matters that are only relevant to an individual voluntary adoption agency or independent fostering agency.

If there is a need for a monitoring visit of an independent fostering agency with a fostering for adoption condition, we will carry this out independently if there is no need to do a monitoring visit of the voluntary adoption agency.

If agencies have any questions about how we inspect fostering for adoption services, they should contact their allocated inspector.

## Safeguarding and child protection concerns

If serious issues of concern arise during the inspection, such as a failure to follow child protection procedures or if a child is discovered to be at immediate risk of harm, the inspector must notify the responsible individual (where relevant) or the person in charge as soon as possible. If that may compromise a child or adult's safety, the inspector must ensure that the appropriate authorities are notified immediately.

Inspectors should always follow [Ofsted's safeguarding policy](#).

Inspectors should contact their manager or regional social care compliance inspector if they need

advice. The inspector ensures that the referral is made to the relevant local authority children's services and the child's allocated social worker and/or the relevant local authority adults' services and, where appropriate, the vulnerable adult's allocated social worker. You can find further guidance in [Safeguarding concerns: guidance for inspectors](#). If the concerns relate to allegations against staff, they are referred to the designated officer.

Inspectors must ensure that concerns about the safety and welfare of a child are communicated immediately to the DCS for the responsible placing local authority, where this is relevant. A record that this has been done must be kept. The regional Senior HMI should follow up the action that has been taken by the local authority.

## The 'Prevent' duty

Extremism is unlikely to be a routine line of enquiry during SCCIF inspections. Inspectors should, however, be alert to signs of risks of extremism, such as literature, posters, videos or DVDs, or regular visitors to the setting where the purpose of their visit is not clear. Initial enquiries about the possibility of extremism must be directed to the manager or person in charge.

Inspectors should note the detail of any relevant concerns or referrals made by the responsible individual and how effective the multi-agency response has been. The DfE has published [advice for schools and childcare providers on the 'Prevent' duty](#), and inspectors should note where this applies to the type of setting inspected.

Inspectors can contact their RIM, who may seek specialist advice. If inspectors are unable to contact their RIM and remain concerned, they should follow [Ofsted's safeguarding policy](#).

## Female genital mutilation: the duty to notify police

Since 31 October 2015, when [section 74 of the Serious Crime Act 2015](#) inserted new section 5B into the [Female Genital Mutilation Act 2003](#), specified regulated professionals (including social workers) must report to the police any cases of female genital mutilation in girls under 18 that they come across in their work.

The duty applies where the professional either:

- is informed by the girl that an act of female genital mutilation has been carried out on her
- observes physical signs that appear to show an act of female genital mutilation has carried out and has no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth

If a child discloses information regarding female genital mutilation to an inspector, the inspector should follow [Safeguarding concerns: guidance for inspectors](#).

## Reporting concerns about the administration and management of controlled drugs

Providers must report incidents related to controlled drugs (including loss or theft) to their local NHS controlled drugs accountable officer at NHS England. They should also report incidents to the police, if necessary.

If inspectors become aware of an incident related to controlled drugs that the provider has not reported to the appropriate authority, they should convene a case review to consider next steps. Actions may include the Ofsted region making the referral. This action is in addition to any regulatory action or recommendations made because of the concern. Inspectors should make a referral even when there are no requirements or recommendations to be made.

## Use of personal data

As part of our inspection activities under the SCCIF, we may gather personal data that is necessary to help us evaluate children's social care services.

Our [personal information charter](#) sets out the standards you can expect from Ofsted when we collect, hold or use personal information, and that we will follow all applicable data protection legislation in how we treat personal information.

Our [privacy notice for social care](#) sets out in more detail what data we collect and our powers to do so, what we do with it, how long we keep it for and people's rights under data protection legislation.

## Annex for figures

### Ofsted's post-inspection and complaints procedure

Steps	Description
Step 1	The provider should raise any concerns during an inspection with the lead inspector in the first instance
Step 2	If an issue remains unresolved, the provider can ring Ofsted during the inspection or on the working day after
Step 3	We will normally send a draft report to the provider within 18 working days of the end of the inspection
Step	Within 5 working days of us sending a draft report, the provider can raise minor points

4 about the report or submit a formal complaint

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Step 5a We will consider minor points of clarity or factual accuracy quickly so that the report can be published promptly

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Step 5b We will respond to any formal complaint before we finalise and send the report to the provider

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Step 6 We will normally send the final report to the provider within 30 working days of the end of the inspection (longer if there has been a complaint). The report will be published on our website 5 working days later

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[See Figure 1.](#)

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