Inspection of children’s homes

Consultation response

Introduction

The Children’s Society is a leading charity committed to improving the lives of thousands of children and young people every year. We work across the country with the most disadvantaged children through our specialist services and children's centres. Our direct work with vulnerable groups including disabled children, children in or leaving care, refugee, migrant and trafficked children, means that we can place the voices of children at the centre of our work.

We run 11 projects supporting young people in care and 13 specialist projects working with children who run away or go missing and/or are at risk or victims of sexual exploitation. These children are often looked after by their local authority.

We welcome the new inspection framework based on the recent government reforms to children’s homes regulations. Children’s homes have a huge responsibility in improving outcomes for looked after children, which across the board are worse than those of their contemporaries. Looked after children are some of the most vulnerable in our society and they deserve outstanding provision. It is our hope that these inspections will help raise standards.

Our response to the consultation follows and we also attach an additional document showing, in tracked changes, the amendments we would make to the inspection framework as it was presented for this consultation.

Summary of key points

- To improve the descriptors for “The overall experiences and progress of children and young people living in the home” we make recommendations around:
  - helping young people make choices about education,
  - preventing further neglect in adolescence,
  - challenging the placing authority to make comprehensive plans for care leavers,
  - addressing mental health needs and measuring wellbeing,
  - and mapping out children and young people’s social networks.

- To improve the descriptors for “How well children and young people are helped and protected” we make recommendations around:
  - Working with children and young people to co-design a personal plan to respond to missing or absent incidents,
  - understanding the causes of running away or going missing,
  - working with the police around missing episodes,
  - recording of ‘absences without authorisation’ as well as responses to children recorded by the police as ‘absent’
  - the identifications of relationships that place children and young people at risk,
  - and employment by the staff of de-escalation and the positive behaviour management techniques to encourage good behaviour.
• To improve the descriptors for “The impact and effectiveness of leaders and managers” we make recommendations around:
  o The need for staff training to be a continuous endeavour that extends beyond the new minimum requirements,
  o the need to effectively plan arrivals and departures into and out of the home,
  o and strengthening the role of the children’s home in the leaving care process,
  o effective communication between a children’s home, its local authority and the placing authorities in instances of cross-boundary placements to ensure effective safeguarding and provision.

Question 1a:
Is the way we have described making judgements and using the grade criteria in a ‘best fit’ model clear?

Question 1b:
If not, what further clarification is needed?
The ‘best fit’ model is clear.

Question 2a:
Is the way that we have explained the relationship between the regulations, the government guide and the inspection framework clear?

Question 2b:
If not, what further clarification is needed?
The relationship between the regulations, the government guide and the inspection framework is clear.

Question 3
Do you agree with the way that we have described what ‘good’ looks like for “the overall experiences and progress of children and young people living in the home” descriptors?

If you disagree, are there any criteria you think we should amend in and if so, how? Please provide the reference and the amendment.

Are there any additional criteria you think we should include in and if so, what are they? Please provide the judgement area and the addition.

Section 28.e)
In our work with young people in care, whether through the provision of advocacy services, services for care leavers, or independent visitors, our staff and volunteers report that children and young people rely on the advice of adults they trust. The advice and input of children’s home staff into the education of the children and young people they care for is therefore, vitally important. As such we recommend that this informal advice function is included within the inspection framework. The staff in children’s homes should be able to signpost children and young people to relevant provision available locally and should encourage them to explore subjects that interest them. The attainment gap between looked after children and the rest of the population currently stands at over 40% when comparing A*-C outcomes in GCSE Maths
and English\(^1\). Children and young people we work with tell us again and again how important it is for them to have adults in their lives who are ambitious for them. Children’s home’s staff have a very important role helping young people develop ambitions for the future and the confidence they need to achieve their goals. As such, this addition to the inspection framework could prove crucial as being on the right course, and having ambitious support at home could lead to a significant improvement in outcomes.

Our independent visitors, particularly, also report that whilst children’s home staff often know about each child’s achievement at school they are not necessarily aware of the extent to which they are an active participant in their learning. Participating in classes is so important if looked after children are going to have self-confidence and good social skills and as such we would also see this included in the framework.

**Amendment 1:** Include a reference to educational advice in section 28.e) as follows:

“Children and young people receive good support from the home to attend school. Staff know how well children and young people are achieving and participating at school, are ambitious for them and are able to offer effective educational advice about relevant courses. Staff liaise effectively with the school and they take appropriate action where progress is not satisfactory or school is becoming difficult…”

**Section 28.g)**

The ONS has found that the number of 20-34 year olds living with their parents has increased from 21% to 26% over the last seven years\(^2\) and yet the state is often having the conversations necessary to begin the leaving care process well before a young person’s 18\(^{th}\) birthday and in some cases before they are 16. Too many young people leave care too early to be placed into supported accommodation that is often unsuitable and failing to provide high quality support and safeguarding. Young people in children’s homes are probably in the worst situation as they are unable to “stay put” until they are 21 like some of their contemporaries. The role of the children’s home in the leaving care process cannot be overstated. The new guidance for children’s homes\(^3\) charges them with the responsibility to challenge the decisions of placing authorities that they disagree with. As such, we would like to see the explicit inclusion of the ‘challenging’ role in this section referring to preparations for independence. We also believe that children’s homes need to develop the capacity necessary to be able to welcome back young people who have left home to try and live independently but decide to return when faced with the realities of surviving on their own. Leaving care should not just be a one-way process.

**Amendment 2a:** Include a reference to the scrutiny of the care leavers pathway plan and the responsibility to challenge inappropriate decisions surrounding the leaving care process as follows:

“Independence is promoted and planned in accordance with the needs and maturity of each child. **As young people prepare to leave care, staff scrutinise their pathway plan and challenge the placing authority when they feel young people are being moved out of care before they are ready…”

\(^1\) Department for Education (2012) ‘Impact indicators 10 and 11’

\(^2\) ONS Release (2014) ‘Large increase in 20 to 34-year-olds living with parents since 1996’

Amendment 2b: Include a reference requiring children’s homes to have suitable plans in place
to welcome back young people who need to return after attempting to live more independently
as follows:

“...Children’s Homes have provisions in place to enable them to welcome back young
people formerly in their care who need to return after having attempted independent
living.”

Section 28.h)
We consulted with children, including looked after children, concerning their health needs
around the ‘Liberating the NHS: Greater choice and control’ consultation in 2011 and our key
recommendation was around giving children and young people a better voice in their
healthcare. For looked after children this can prove particularly difficult and so we recommend
changes that increase participation and crucially allow unimpeded access to medical records.
We also wish to include a reference to mental health. A national survey undertaken by Meltzer
and colleagues for the Office for National Statistics (ONS) found that forty-five per cent of
looked after children were assessed as having a mental health disorder, rising to 72% of those
in residential care. As such we would also encourage the inclusion of mental health in this
section.

Amendment 3: Include references to participation in healthcare decisions, access to medical
records and to mental health as follows:

“Children and young people are in good health or are being helped to improve their health or to
manage lifelong conditions. Their health needs are identified, including their mental health and
their sexual health, where this is appropriate for their age and understanding. They have access
to local health services when they need them. Arrangements for managing medication are safe
and effective and promote independence wherever possible. Managers and staff develop
effective relationships with health professionals to promote good health. Children and young
people understand their health needs and participate in decisions around treatment. They also have access to their medical records.”

Section 28.l)
The arrival and departure of children and young people into and out of a children’s home has
consequences on everyone associated with the home. Whilst decisions must always be made
in the best interest of the child in question, homes should also consider how they will tell the
other children and young people. They should also consider how the arrival or departure of a
child may change the home’s dynamic, the behaviour of the children and the demands placed
on the staff.

Amendment 4: Include reference to transition planning for both the home and the child who is
being moved as follows:

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4 The Children’s Society (2011) ‘Response to Liberating the NHS: Greater choice and control. A consultation on
TSO, page xiii
“Where endings are unplanned, then the welfare and well-being of the child remains paramount, and staff act at all times with this in mind. Consideration is also given to the other children in the home so that they can understand the transition and adapt to change.”

Section 28.n)
The ways in which professionals perceive young people and their attitudes towards them are not always positive. Our staff come across judgemental and negative attitudes towards the vulnerable young people we work with frequently. For example a practitioner working with children and young people in one children’s home told of how children were told by the home’s staff that they were ‘lucky and spoiled’. Attitudes like this prevent young people from seeking help for the fear of being judged. Staff in children’s homes are usually aware of the neglect and problems the young people they care for have faced in the past but the need to be mindful that as young people approach adulthood, all of these problems and experiences do not just disappear. Neglect has a long lasting impact on development and continued neglect in adolescence has been found to have worse impacts on adulthood than neglect confined to childhood. As such professionals need to be extremely careful that as the young people they care for grow up they do not begin treating them like adults before they have overcome the problems they have faced. This concept of adolescent neglect should form part of the Ofsted inspection in order to raise awareness and standards.

Amendment 5: Include the following:

“The care helps them to develop a positive self-view, overcome any previous experience of neglect and trauma and to form and sustain attachments”

Section 28.o)
Measuring wellbeing can give useful insights into what children and young people think about where they live, their relationships and their hopes and fears for the future. At The Children’s Society we have been measuring the subjective wellbeing of children and young people in the UK for over 8 years. Children who do not live with their parents tend to have slightly lower wellbeing than those that do, with much of this variation being explained by poor quality relationships with their parents or carers. Whilst we recognise that children’s social care measure wellbeing for children under the age of 16 through the ‘strengths and difficulties questionnaire’, we would recommend that children’s homes establish a variety of methods to measure the wellbeing of all the children in the home, including those aged 16 and 17. This information should be used, in conjunction with the ‘strengths and difficulties questionnaire’ to improve the care offered to these vulnerable children and young people.

Amendment 6: Include the following:

“Staff place the well-being of individual children and young people at the centre of their practice, irrespective of any challenges they may present. They measure the wellbeing of the children

in their care regularly and make changes to the home in line with the findings. All the achievements of the children and young people are celebrated and appropriately rewarded. Staff meet their day-to-day needs for routine…”

Section 28.p)
Contact with family, friends and other important people in their lives is very important for the long term wellbeing of children and young people in care. In addition to increased wellbeing in the present, it also accrues advantages for the future. In our response to the recent consultation in care options for those over 168 we stressed the importance placed on these networks of people outside the care system when young people become care leavers. Often the only people care leavers can turn to in times of crisis are those who they have managed to maintain some kind of positive relationship with throughout their time in care. If contact is not maintained and carefully supported the results could leave a young person with nowhere to turn. As such these networks must be recorded in detail so that if a child moves to another placement or becomes a care leaver the information can be easily included in their new placement plan or pathway plan.

Amendment 7: Include the following:

“The social networks of children and young people are recorded in detail and they have appropriate, carefully assessed…”

Question 4
Do you agree with the way that we have described what ‘good’ looks like for “how well children and young people are helped and protected” descriptors?

If you disagree, are there any criteria you think we should amend in and if so, how? Please provide the reference and the amendment.

Are there any additional criteria you think we should include in and if so, what are they? Please provide the judgement area and the addition.

Section 32.c)
Going missing from home can put children and young people at serious risk of harm. Our research shows that a quarter of young people who run away are at serious risk of becoming sexually or physically abused, becoming involved in substance misuse or resorting to begging or stealing to survive9.

We welcome the inclusion of the statutory guidance for children and young people who are missing10 as the standard by which children’s homes will be judged. We believe that the descriptor should explicitly include the police as another body that must be included when concerns are escalated after the safety plan in place for the child who is missing has been followed. Children’s homes must primarily act with the police in order to find and safeguard the young person but another important role must be the passing on of information about the

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missing incident so that the police can look for patterns, connect the names of individuals common to different missing cases in the area and work to disrupt grooming.

In order to do this effectively, staff must understand the differences between the police categorisation of ‘absent’ and their own category of ‘missing without authorisation’ and how to escalate matters if they disagree with an ‘absent’ categorisation. Unauthorised absences must be recorded and shared with all the interested parties so that when a risk assessment is made for the young person in question, there is as full a picture as possible of the risks they might be exposing themselves to.

The well-coordinated response and strategies put in place to respond to missing incidents by the Children’s Home should be designed individually with the child in question. Young people should be well informed of what will happen if they go missing. Purely punitive behaviour management strategies should be avoided when dealing with missing incidences and a more balanced approach adopted. For example in one case, a young person who was persistently going missing was sanctioned by losing access to his mobile phone. Not only did this not stop him from going missing, but he was put at more risk by not having any means to call for help when he went missing and when not missing he circumvented the sanction by using his friend’s mobile phones.

**Amendment 8a:** Include the following:

“Children and young people who go missing from the home receive well-coordinated responses that reduce the harm or risk of harm to them. They should be well informed of what happens if they go missing and should have participated directly in the creation of the response, which should be balanced and not overly punitive.”

**Amendment 8b:** Include the following:

“They take appropriate steps to escalate concerns, including with the placing and host local authorities, the police and the child or young person’s allocated social worker. Parents and carers…”

**Amendment 8c:** Include the following:

“The home responds to, and accurately records, children and young people who are absent without authorisation as well as children and young people who are missing…”

**Amendment 8d:** Include the following:

“…They understand how the police responds to and categorises episodes of absence and missing.”

**Section 32.d)**

Every year some 10,000 children go missing from care\(^\text{11}\) and within a particular locality they may run to similar places and take part in the same activities. As such children who are missing from care are extremely vulnerable to grooming for child sexual exploitation (CSE) or other forms of exploitation. The efficacy of return interviews for reducing incidents of going missing

\(^{11}\) UK Missing Persons Bureau (2012) Children Missing from Care NPIA page 2
and targeting the perpetrators of CSE has been well established. In a trial in Worcestershire, before the updated guidance, there was a 30% reduction in missing incidents over the year following the introduction of return interviews\(^\text{12}\) as such we would require staff to challenge the placing authority directly if an independent return interview is not conducted.

The current descriptor only requires staff to “try to understand what has happened”\(^\text{13}\) but we feel this needs to be a little bit more specific. Firstly the staff need to try to understand why the child ran away in the first place as there may be easy steps they could take within the home to reduce this risky behaviour. Secondly they must try to find out where the child went and thirdly, what happened to them whilst they were away from the home. Having this complete picture should assist in reducing incidents of running away and in identifying any risks of CSE within the local area. We recognise that these conversations may be particularly difficult to have with a young person and would recommend that staff rely on trusted adults with which the young person has an established relationship if they cannot uncover what has happened themselves.

**Amendment 9a:** Include the following:

“…they are welcomed back. **Staff challenge the placing authority if an independent return interview is not provided.** Staff try to understand…”

**Amendment 9b:** Include the following:

“**Staff try to understand why the young person went missing, where they went and what happened whilst they were away. They record this information and use it to inform the plans and action for that young person**…”

**Section 32.e)**

The risks identified in section 32.e) are all important risks to recognise for vulnerable young people but the section does not highlight that most of the time it is other individuals who introduce young people to these kinds of risk. Identifying risky relationships is an important way of safeguarding young people. In our work with young people at risk of CSE, our practitioners spend a lot of time getting to know the young people using the service and the relationships that are important in their lives. Often when our practitioners discuss the grooming cycle young people recognise similar events in their own lives and practitioners report it to be one of the most effective ways of altering the way young people think about their relationships. As such we recommend that children’s homes pay careful attention to the risks found in the relationships of the young people in their care.

**Amendment 10:** Include the following:

“All risks associated with children and young people offending, misusing drugs or alcohol, self-harming, going missing or being sexually exploited are known by the adults who care for them in addition to any relationships children and young people have that might also place them at risk. There are plans and help in place that are reducing the risk…”

\(^{12}\) The Children’s Society (2013) ‘Here to Listen’

\(^{13}\) Ofsted (2014) Inspections of children’s homes, Consultation Document, page 17
Section 32.f)
When a child or young person arrives at a new children’s home that it is not in the same local authority area as the child’s placing authority the home’s local authority must be notified of the placement along with other safeguarding partners in the area. The report of the All Parliamentary Party Group for Runaway and Missing Children and Adults and the group for Looked After Children and Care Leavers outlined the additional safeguarding concerns that arise when a child is placed out of their area\(^{14}\) and children’s homes should work to proactively address these safeguarding concerns by raising this cross-boundary status with the various agencies involved in safeguarding as soon as is possible.

**Amendment 11:** Include the following:

“about how to treat others with respect. **The local authority in which the home is situated is always notified of any out of area placements arriving at the home.**”

Section 32.i)
Throughout the inspection framework we welcome the various references to children and young people’s voice and participation. We note however that in this particular section concerning behaviour management the voice of young children is not necessarily included and so would recommend an explicit statement about it. Not only do children have a right to participate in decisions made about them, as enshrined in the UN Convention on the Rights of the Child 1989, but behaviour management will be so much more effective if children and young people have had a role to play in deciding how good behaviour is rewarded and how sanctions are made.

**Amendment 12:** Include the following:

“**Positive behaviour is consistently promoted. Staff use effective de-escalation techniques and creative alternative strategies that are specific to the needs of each child and young person and designed in consultation with them.** Any restraint or restriction of liberty…”

Question 5
Do you agree with the way that we have described what ‘good’ looks like for “the impact and effectiveness of leaders and managers” descriptors?
If you disagree, are there any criteria you think we should amend in and if so, how? Please provide the reference and the amendment.
Are there any additional criteria you think we should include in and if so, what are they? Please provide the judgement area and the addition.

Section 36.h)

The Children’s Society has been advocating for better trained staff in children’s homes for many years and we are pleased that the government has introduced minimum qualification standards for people working in these important environments. Looking to the future we feel Ofsted could have a great role in raising standards if, as part of the inspection framework, managers were asked to provide proof of the continuous training and development of their staff. Continuous professional development is the norm in every other category of professionals working with children and young people and we think this inspection framework is an excellent opportunity to encourage excellence by making managers think about how they can continually develop their staff rather than merely ensuring that they meet the minimum requirements.

Amendment 13: Include the following:

“Training and development activities are effective and continuous. They are focused on ensuring…”

Section 36.l)
See comments on Section 28.l) detailing the importance of people arriving at, and leaving the home and Section 28.g) looking at the difficulties face by care leavers.

Amendment 14: Include the following:

“Priority is given to the safety and stability of the group environment and admissions and departures take account of all the needs of children and young people living there, including…”

Amendment 15: Include the following:

“There are effective plans in place to ensure good transitions for children and young people moving in or out of the home, including care leavers…”

Section36.r)
The Children’s Society is very concerned about the risks faced for Looked After Children who are put in out of area placements by their own local authority. Those placed out of area are more likely to runaway from home and face additional challenges as they must adopt to new schools, make new friends and get used to new geographies.

Amendment 16: Include the following:

“the plan is also reviewed with the placing authority and the family (where this is appropriate) to consider next best steps. Additional planning is evident for those young people placed outside of their local authority area. There is effective working with Independent Reviewing Officers.”

Question 12a: Do you agree that we should take a risk-based approach in our follow-up to homes judged to be inadequate?

Question 12b: Do you agree that in some instances (where the criteria outlined in paragraph 45 are met) inspectors should be able to give an improved judgement without undertaking a further full inspection and where all requirements have been met?

We agree with the risk based approach and that in some instances inspectors should be able to give an improved judgement without undertaking a further full inspection where all requirements have been met AND if they are satisfied that no other problems have arisen since the previous judgement.
Amendment 17: Include a reference to the fact that no other problems should have arisen during the intervening period since the original inspection in Section 44, as follows:

“In these instances, and as long as no further concerns have arisen, the inspector may determine that an improved inspection judgement can be awarded…”

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