



Department
for Education

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**Reforming children's homes care:
consultation on changes to The Children's
Homes Regulations 2001 (as amended) and
The Care Standards Act 2000 (Registration)
(England) Regulations 2010**

Reforming children's homes care: consultation on changes to The Children's Homes Regulations 2001 (as amended) and The Care Standards Act 2000 (Registration) (England) Regulations 2010

This consultation seeks views on proposals to amend the Children's Homes Regulations 2001 (as amended) ("the Children's Homes Regulations"), with a related amendment to the Care Standards Act 2000 (Registration) (England) Regulations 2010 ("the Registration Regulations"), and a minor amendment to the Fostering Services (England) Regulations 2011 (covered at paragraph 12) ("the Fostering Services Regulations"). The amendments are necessary to improve collaboration and partnership between children's homes and services in their local communities so that there are effective safeguards in place for the vulnerable group of children relying on residential care.

To Private Children's Homes Providers, Voluntary and Charitable Children's Homes Providers, Voluntary Children's Services Organisations, Police, Local Authority Provider of Children's Homes, Youth Justice organisations, Health Service organisations and LSCBs

Issued 25 June 2013

Enquiries To If your enquiry is related to the policy content of the consultation you can contact the Department on 0370 000 2288

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Contact Details

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the Ministerial and Public Communications Division by e-mail: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the Department's '[Contact Us](#)' page.

1 Introduction

- 1.1** This consultation seeks views on proposals to amend the Children's Homes Regulations 2001 (as amended) ("the Children's Homes Regulations"), with a related amendment to the Care Standards Act 2000 (Registration) (England) Regulations 2010 ("the Registration Regulations"), and a minor amendment to the Fostering Services (England) Regulations 2011 (covered at paragraph 12) ("the Fostering Services Regulations"). The amendments are necessary to improve collaboration and partnership between children's homes and services in their local communities so that there are effective safeguards in place for the vulnerable group of children relying on residential care.
- 1.2** These proposals take forward the recommendations in the report of the Expert Group on Children's Homes Quality, which included conclusions from the Out of Area Placement Task and Finish Group, published on 23 April 2013.
- 1.3** These groups were established in July 2012 following the conclusion of the high profile Rochdale child sexual exploitation trial and reports from the Office of the Children's Commissioner (OCC) and the Joint All Party Parliamentary Group (APPG) Inquiry on, respectively, child sexual exploitation in gangs and groups and children who go missing from care. These highlighted particular concerns about the care of children who were placed, often at short notice, in distant children's homes a long way from the authorities responsible for their care. Children in such circumstances were vulnerable to going missing from their placements and could be targeted for exploitation. They could be "out of sight, out of mind".

2 Executive Summary

- 2.1** This is a consultation by the Department for Education on proposals to amend the Children's Homes Regulations and the Registration Regulations. A minor amendment is also being made to the Fostering Services (England) Regulations 2011 (covered at section 12).

- 2.2** We want to strengthen children’s homes’ safeguarding systems so that they respond effectively whenever there are concerns about the protection of children in their care.
- 2.3** The Care Planning, Placement and Case Review Regulations 2010 (“the CPR”) already include requirements for responsible authorities to notify area authorities whenever children are placed out of authority. But, even where notification systems work well, there will always be a delay between a child being placed and an area authority being notified. For this reason, we want amendments to the Children’s Homes Regulations to mirror requirements in the CPR so that homes are required to notify the authority where they are located, whenever a child is admitted or leaves the home.
- 2.4** The Children’s Homes Regulations already include provisions for homes to be visited by persons/organisations who may not necessarily be directly concerned with the conduct of any individual home to report on how the home is managed and on the wellbeing of children in its care. Reports by the Office of the Children’s Commissioner and the Expert Group recommended that these visits should be more independent of the organisation providing the home and that, in future, the person/organisation responsible for these visits should be “approved” by the local authority where the home is located.
- 2.5** The reports also commented on concerns that children’s homes can be located in unsafe locations – e.g. in areas of high crime or in marginal districts associated with sex work. For this reason we wish to amend regulations to require that the registered manager of a children’s home should complete an annual “risk assessment” of the area where a home is located. This work would require liaison with the local police and with local authority children’s services responsible for safeguarding.
- 2.6** This amendment to the Children’s Homes Regulations would parallel a related proposed change to the Registration Regulations to require the potential provider of a children’s home to complete a “risk assessment” of the area in which they plan to operate. This process would mean that the provider would also have to liaise with the police and with the local authority as to whether there are any concerns that might impact on the welfare of children, relating to the area where it is proposed to open a children’s home.
- 2.7** The provision of good quality care to children in children’s homes will depend on homes having a well-trained and skilled workforce. Developing the skills base of

children's homes staff will require long term commitment. In the short term, in line with the recommendations of the Expert Group on Quality, we propose to introduce a requirement in regulations so that staff must complete the necessary qualification within two years of beginning employment in a children's home. We are proposing to regulate so that all existing staff, employed at the time that these regulations will come into effect, are required to achieve the necessary qualification by April 2017. Further, given the critical importance of leadership and management to the effective safe operation of children's homes, we are proposing to consult on the introduction of a new regulatory requirement so that by April 2018 all registered managers of children's homes must have attained the necessary qualification prior to being able to be appointed to that post.

- 2.8** In summary, we want to amend regulations to better ensure that looked after children are reliably and effectively safeguarded; and to make children's homes duties for safeguarding children more explicit. This will involve much stronger partnership and collaboration between children's homes and local services, particularly with local children's services and the police.
- 2.9** At the same time that we are consulting on the amendments to the Children's Homes Regulations and the Registration Regulations, we are also consulting on changes to the CPR. Respondents to this consultation, particularly local authorities responsible for looked after children who are in out of authority placements and placement providers, will have a strong interest in responding to both consultations.
- 2.10** In taking forward our programme to reform children's homes, we are reviewing the framework concerning the powers of Her Majesty's Chief Inspector of Education, Children's Services and Skills (HMCI) to regulate and inspect children's homes. We want to ensure that HMCI has the powers necessary to set high standards and to take vigorous enforcement action when children are being failed. As a first step, we plan to consult on amending regulations, so that, whenever a children's home is taken over as a going concern and is "re-registered" by a new provider, HMCI must inspect the quality of the new provider's care as soon as possible after re-registration. We will be consulting on introducing this change as part of our consultation on revising the "HMCI (Fees and Frequency of Inspections) (Children's Homes etc.) (Amendment) Regulations 2013" in October 2013; and respondents to the current consultation will wish to respond to this consultation too.

3 Background and Context

- 3.1** On 9 May 2012, following the child sexual exploitation trial in Rochdale, the Secretary of State asked the Deputy Children's Commissioner, Sue Berelowitz, to provide an accelerated report of her two year inquiry into Children Sexual Exploitation in Gangs and Groups. He asked her to focus in particular on the risks to children living in children's homes.
- 3.2** On 3 July 2012 her report was published and Department for Education (DfE) ministers announced urgent action to reform children's residential care in response to both that report and to the report of the APPG (published in June 2012).
- 3.3** Three DfE-chaired expert groups (one on data, one on out of area placements and one on overall quality), with wide-ranging representation and expertise (children's services leaders, the OCC, children's charities, providers, Ofsted and others) were established to develop proposals.
- 3.4** The report of the Expert Group on Children's Homes Quality was published in April 2013. Ministers made an announcement in the press to coincide with this that included a number of commitments to make regulatory changes.
- *"We will strengthen the requirements on children's homes to work with their local police forces to prevent children from going missing.*
 - *New rules will also be introduced for children's homes. These will include a duty on homes to notify local councils when children move in from other local authority areas and when they leave the home.*
 - *There will also be a requirement for children's homes providers to carry out a risk assessment of an area, with the police and local council, before opening a home, with registration being refused or suspended where the area is deemed unsafe. If the area isn't safe, children's homes shouldn't be there.*
 - *We will strengthen the current rules, requiring existing staff in homes to have completed minimum qualifications within a set period of time, so that they feel more confident and able to care for children with complex needs."*

Consultation Question

Q1: Do you accept that amendments are required to the Children's Homes Regulations and to the Registration Regulations, so that children are provided with effective, safe care, of consistent good quality, and homes are safely located?

4 The Childrens Homes Regulations - Regulation 11. Promotion of welfare and safeguarding

- 4.1** Whilst children's homes' duties to promote the welfare of children in their care must always include ensuring that children are effectively safeguarded, we are proposing to amend Regulation 11(1)(b) to include a specific reference to the responsibilities of the registered person responsible for a children's home to ensure that children in the home are safeguarded.

Consultation Question

Q2 Do you agree with our proposal to include a specific reference to safeguarding and support as part of the registered person's responsibilities set out in Regulation 11(1)(b)?

5 The Childrens Homes Regulations - Regulation 12A. Placement plan for looked after child

- 5.1** Reports by the OCC and the APPG identified considerable concerns about the vulnerability of children placed in out of authority placements.
- 5.2** The CPR already require that placing local authorities should notify "area authorities" when a child is placed outside of the area of the authority responsible for their care. There are weaknesses with this system. However, even where inter-authority notification arrangements work well, there will be a lag between the child being placed and the notification being received in the area where the child is living. Very vulnerable children may then be placed in other local authority areas, with the local authority responsible for safeguarding being unaware of their presence. In response to this difficulty, we are proposing to amend the Children's Homes Regulations to require the registered provider of a children's home to notify the authority in the area where the home is located whenever a child is admitted to the home and when a child is discharged from

the home's care.

Consultation Questions

Q3 Do you agree with our proposal to amend the Children's Homes Regulations to introduce a new duty on children's homes to notify the authority for the area where they are located every time a child is admitted to a placement and when they are discharged?

Q4 Would any of the proposals in Sections 4 and 5 of the consultation incur any new resource requirements for your organisation? If your answer is "yes" – please describe the additional resources involved.

6 The Childrens Homes Regulations Regulation 16. Arrangements for the protection of children

- 6.1** Currently, Regulation 16 (4)(b) requires that every home must have a procedure to be followed when any child accommodated in a children's home is absent without permission, and the procedure has to have regard to any relevant local authority or police protocols on missing children. We are now proposing to amend this regulation so that each home must have a written policy for the **prevention** of children going missing from the home, which shall include the procedures to be followed if a child goes missing.
- 6.2** We are also proposing to add a requirement that this policy must be agreed with the local police service.
- 6.3** In circumstances where a child placed in a children's home persistently goes missing, we are proposing to place an obligation on the home's registered person, to make contact with the child's local authority in order to formally request that a review of the child's care plan is convened.

Consultation Questions

Q5 Do you agree with our proposal that children's homes should be required to have explicit policies about how they prevent children going missing, that are agreed with the local police?

Q6 Do you agree that there should be a duty on the registered person of a children's home to communicate with the child's authority to formally request a review of the child's care plan, in cases where children are persistently missing from placement?

Q7 Would any of the proposals in Section 6 of the consultation incur any new resource requirements for your organisation? If your answer is "yes" – please describe the additional resources involved.

7 The Childrens Homes Regulations Regulation 31. Fitness of Premises

7.1 Currently, Regulation 31 describes very broad criteria for the fitness of premises for a children's home. The APPG and OCC reports raised concerns that some homes may be in unsafe locations, where children become targets for sexual exploitation. Children may also face other risks as a result of the area in which they are placed.

7.2 In response to this concern we are proposing to amend Regulation 31. We are proposing that there should be a specific requirement on the registered person to ensure that any premises used for the purposes of a children's home are appropriately located, so that children are effectively safeguarded and are able to access services specified to meet the needs identified in the care and placement plans of children using the home.

7.3 The characteristics of locations may change. For this reason, we are proposing that the registered person shall review the suitability of the premises annually. This annual risk assessment will require the registered person to consult with the local police service and the local authority in the area where the home is located.

Consultation Questions

Q8 Do you agree with our proposal that the registered person should conduct an annual assessment as to any risks resulting from the area where a children's home is located, that must involve consulting with the local police and with children's services responsible for safeguarding?

Q9 Would the proposal in Section 7 of the consultation incur any new

resource requirements for your organisation? If your answer is “yes” – please describe the additional resources involved.

8 The Childrens Homes Regulations - Regulations 26 and 8. Staffing and fitness of workers

- 8.1** In response to the recommendations of the Expert Group, we are proposing to amend the Children’s Homes Regulations, so that care staff in children’s homes attain the necessary qualifications within a specified timescale.
- 8.2** We are proposing to introduce new requirements into Regulation 26 to require that all care staff working in a children’s home must attain the necessary qualifications within two years of starting work. We are also regulating so that all care staff in employment at the time these regulations come into effect will be required to attain the necessary qualification by April 2017.
- 8.3** Similarly, we are proposing to introduce new qualification requirements for registered managers in Regulation 8, so that from April 2018 candidates for appointment to these crucial leadership posts must have the necessary management qualification prior to being eligible for appointment. We also intend to make a consequential change to Regulation 8 (Fitness of Manager) to make it clear that managers without the necessary qualification will not be eligible for registration. Alongside this we will amend Schedule 2(5), so that registered managers seeking to continue managing a children’s home must be able to provide documentary evidence that they have completed relevant “continuing professional development” (CPD).
- 8.4** The regulation will also include transitional arrangements, so that appointees to the role of registered manager who do not have the required management qualification must enrol on training to achieve the required qualification within six months, and obtain it within three years, of their appointment.
- 8.5** We are aware of serious concerns when homes have been able to operate for protracted periods without a registered manager. This is why we are proposing to include regulatory requirements that homes can only operate for as short a time as possible - without a registered manager (or locum) being appointed and HMCI being informed.

Consultation Questions

Q10 Do you agree that all care staff in children's homes should achieve the minimum necessary qualification, which is currently the Level 3 Children and Young People's Workforce Diploma with mandatory social care pathway, within two years of starting employment?

Q11 Do you agree that, as an interim measure, from 2014 up to 2018 candidates for registered manager positions must enrol on the required training to achieve the necessary qualification, currently the Level 5 Diploma in Leadership for Health and Social Care and Children and Young People's Services, within six months of commencing post and obtain the qualification within three years of employment?

Q12 Do you agree that from 2018 we should require candidates for registered manager posts to have achieved the necessary management qualification prior to appointment?

Q13 Do you agree that homes should only be able to operate for as shortest time as possible without a registered manager (or locum) being appointed and HMCI being informed?

Q14 Would the proposals in Section 8 of the consultation incur any new resource requirements for your organisation? If your answer is "yes" – please describe the additional resources involved.

9 The Childrens Homes Regulations - Regulation 6. Fitness of registered provider

- 9.1** We are proposing to amend Regulation 6 to require that as part of establishing their fitness to carry on a children's home that will undoubtedly be caring for highly vulnerable children and young people, potential registered providers must be interviewed by HMCI.

10 The Childrens Homes Regulations - Regulation 33. Independent Visits to monitor that children are effectively safeguarded and their welfare promoted by

the home; and fitness of premises

- 10.1** The reports by the APPG and the OCC raised concerns that the current arrangements for “Regulation 33” monthly monitoring visits to children’s homes may lack sufficient independence and rigor, with some visitors being too closely associated with the provider organisation to guarantee the necessary level of scrutiny required.
- 10.2** We are therefore proposing to amend Regulation 33 so that the registered provider must ensure that the home is visited (in accordance with the amended Regulation 33) by a person who is independent of the conduct of the home.
- 10.3** The registered provider must not appoint any of the following as the independent person:
- (a) a person involved in preparing the care plan of any child placed at the home; or a person responsible for managing that person;
 - (b) a person responsible for commissioning and financing services provided by the home;
 - (c) a person with a financial interest in the conduct of the home; or
 - (d) a person who may have a connection with the registered provider, and employee or a child accommodated at the home of such a kind as to give rise to doubts about their impartiality.
- 10.4** We also propose amending Regulation 33 so that the registered provider must consult with the authority for the area where the home is located and the authority must approve that the arrangements that have been proposed are sufficiently independent.
- 10.5** Monitoring visits shall take place at least once a month and should be unannounced. The independent person carrying out the visits would have to:
- (a) interview, with their consent and in private, children accommodated by the home, their parents, relatives, staff working in the home and any other persons they consider relevant, to reach a view as to whether children cared for by the home are effectively safeguarded and as to how far the conduct of the home

promotes the wellbeing of the children resident there; and

(b) inspect the premises of the home, and such of the home's records, as required by the independent person (apart from a child's case records, unless the child and the child's placing authority consent to the inspection of those records by the independent person).

10.6 It is proposed that the independent person would have to send a written report of each visit to:

- the registered provider and manager of the home;
- HMCI;
- placing authorities; and
- upon request, to the local authority responsible for the area in which the home is located.

10.7 The reports would have to include any details required by HMCI. Apart from any details required by HMCI, we are proposing that the independent person should make a judgement about how effectively the home safeguards children and promotes their welfare. For example -

- children's views about the quality of the home's safeguarding arrangements;
- children's views about the quality of their educational experience and their participation in leisure and community activities;
- staff views on the above;
- the homes relationship with the community where it is located;
- physical fabric, location and fitness of premises for caring for children.

11 The Childrens Homes Regulations Regulation 34. Reviews of quality of care by the registered provider

11.1 We are proposing to amend Schedule 6 to ensure that, in carrying out their functions under Regulation 34 to review the home's quality of care, the

registered person explicitly monitors the home's safeguarding arrangements; the effectiveness of home care and patterns of placement (referrals and disruptions); staff turnover and the homes relationship with the authority for the area where it is located. The reports that registered providers are required to complete under Regulation 34(2) must be submitted to HMCI quarterly.

Consultation Questions

Q15 Do you agree that the local authority in the area where the home is located must approve the registered provider's scheme for independent visits to monitor the quality of the home's care?

Q16a) How, apart from the details in paragraph 10.3, should independence of the people expected to carry out this significant monitoring role be defined?

Q16b) Do you consider that we should specify in Regulations more detailed requirements for the independent person to demonstrate ability to relate to vulnerable children - e.g resulting from their professional background or previous experience?

Q17 Is it possible to maintain the necessary independence where the Regulation 33 visitors work is commissioned and funded by the registered provider?

Q18 Do you agree that the Regulation 33 visitor should report on the issues outlined in paragraph 10.7, with reports always having to be sent to the persons or organisations listed in paragraph 10.6?

Q19 Would the proposals in Sections 10 and 11 of the consultation incur any new resource requirements for your organisation? If your answer is "yes" – please describe the additional resources involved.

12 The Childrens Homes Regulations - Schedule 1 Statement of Purpose (x-ref Reg.4(1))

12.1 Currently, Schedule 1 lists a very wide range of issues that should be included in each home's Statement of Purpose (SoP). We are proposing that for the future, each home's SoP must be much more specific giving a detailed account of the

home's ethos and the services provided by the home. Every home's SoP should be precise as to its approach to day to day care, in particular, the home's approach to safeguarding children; arrangements for education (where the home is dually registered as a school); and, arrangements to offer therapeutic services to children (where the home's SoP specifies that the home offers "therapeutic care").

- 12.2** We want to consult on revising Schedule 1. We are suggesting that for the future the SoP should include details on the issues in the table at Appendix 1.

Consultation Question

Q20 Do you agree with the details to be included in the Statement of Purpose as described in Appendix 1?

13 The Childrens Homes Regulations - Schedule 5; and the Fostering Services Regulations Schedule 7 Events and Notifications (x-ref Reg. 30(1) and 36(1) respectively)

- 13.1** In line with the recommendation of the Children's Commissioner, we are proposing to amend the reference to "prostitution" in Schedule 5 of the Children Homes Regulations and Schedule 7 of the Fostering Services Regulations and replace this with the term "sexual exploitation" – i.e. "Involvement or suspected involvement of a child accommodated at the home / placed with foster parents in child **sexual exploitation**" "In any case where a child is suspected of being involved in **sexual exploitation** then – HMCI; the placing authority; area authority and local police must be notified by the children's home".

Consultation Question

Q21 Do you agree that Schedule 5 of the Children's Homes Regulations and Schedule 7 of the Fostering Services Regulations should be amended to remove references to prostitution and replace these with the term "sexual exploitation"?

14 The Childrens Homes Regulations - Schedule 6. Matters to be Monitored by the Registered Person

- 14.1** Like Schedule 1, this Schedule provides a lengthy list, but does not indicate how the items listed ought to be weighted. Issues that are solely concerned with homes' management and administration are included alongside other issues having a crucial influence over the quality of a child's day to day care.
- 14.2** We want to consult on revising Schedule 6. We are suggesting that the registered person should monitor the issues set out in Appendix 2.

Consultation Question

Q22 Do you agree with the list of matters to be monitored by the Registered Person as described in Appendix 2?

15 The Registration Regulations - prospective provider risk assessment of location of new homes

- 15.1** The proposed amendment to Regulation 31 of the Children's Homes Regulations described in Section 7 of the consultation document, to provide for an annual risk assessment of the location of a children's home, also implies the necessity to make a related amendment to the Registration Regulations.
- 15.2** We are proposing to amend Schedule 1, Part 2, so that as part of the information to be supplied when applying to register a children's home, details must be provided about the needs of the children that the potential home is proposing to meet; and how the location is suitable as a site for responding to these, including whether the provider has considered whether there are any risks associated with the prospective location. [The needs will be the same as those described in the home's Statement of Purpose]. This assessment must include information about the services that were consulted about the suitability of the location.
- 15.3** We are proposing to amend Schedule 4 of these Regulations (x-ref Reg. 3(4) of the "Registration Regulations") so that the information that the potential provider supplies as part of the home's registration is compatible with information required for the home's Statement of Purpose included in Schedule 1 of the Children's Homes Regulations (as amended).
- 15.4** In considering whether a home should be registered and permitted to open, HMCI will need to assess the quality of the provider's appraisal as to the suitability of the site of the prospective children's home and how feedback

received from the services consulted has been taken into account. These services are likely to include: local authority children's services responsible for safeguarding children in the area where the potential provider plans to locate the home; local police and other community services where appropriate.

- 15.5** If the potential provider does identify risks associated with a proposed home's location, then the provider will need to stipulate the action intended to mitigate these, to ensure that children relying on the home's care in future are safeguarded and have their welfare promoted. HMCI may also consider setting requirements for the provider to meet, so as to limit any risks before the home can be registered.

Consultation Questions

Q23 Do you agree that, in parallel with our proposed changes to the Children's Homes Regulations, the Registration Regulations should be amended to require potential providers to provide information to HMCI about the suitability of the home's location which will involve consultation with relevant local services?

Q24 Would proposals in Section 15 of the consultation incur any new resource requirements for your organisation? If your answer is "yes" – please describe the additional resources involved.

16 The Registration Regulations Regulation 7. Publication of inspection reports

- 16.1** It is our view that information about the ownership and location of children's homes supports local collaboration to safeguard and promote the welfare of children. We are proposing to amend Regulation 7 to enable Ofsted to publish inspection reports that provide the details of the name of a home's registered provider and the responsible individual, provided that this does not jeopardise the welfare of children placed in a specific home.

Q25 Do you agree that Ofsted should be able to include details of the home's registered provider and responsible individual provided that this does not jeopardise the welfare of individual children when children's homes' inspection reports are published?

Q26 Do you have any final comments concerning the effectiveness of all the measures on which we are consulting to effectively safeguard and promote the welfare of children who rely on children's homes for their care?

Q27 In your view, will these proposals improve collaboration between children's homes, placing authorities and the services in the areas where homes are located, and therefore be in the children's best interests?

17 The Fostering Services (England) Regulations 2011

17.1 Consultation Question

Q28 Regarding the changes which we are proposing making to the Children's Homes Regulations 2001, are there any where you consider a similar change should be made to the Fostering Services (England) Regulations 2011? For example should fostering services be required to:

- have a policy (agreed with the local police and taking account of relevant police and local authority protocols) for the prevention of children going missing from their foster carer's homes?**
- inform the police, area local authority and the child's parents if a child goes missing from their foster carer's home (in addition to the current requirement to inform the responsible local authority)?**
- contact the local authority of any child who persistently goes missing to request a review of the child's care plan?**

If there are any such changes you think should be made to the Fostering Services (England) Regulations 2011, please give details.

18 How To Respond

18.1 Consultation responses can be completed online at www.education.gov.uk/consultations by emailing childrenshomesregulations2001.amendments@education.gsi.gov.uk

or by downloading a response form which should be completed and sent to:

Children in Care Division, Department for Education, Level 1, Sanctuary

Buildings, Great Smith Street, London SW1P 3BT.

19 Additional Copies

- 19.1** Additional copies are available electronically and can be downloaded from the Department for Education e-consultation website at:
www.education.gov.uk/consultations

20 Plans for making results public

- 20.1** The results of the consultation and the Department's response will be published on the Department for Education e-consultation website in Autumn 2013.

Appendix 1

1 Schedule 1 Statement of Purpose (SoP)

1.1 Matters to be Included in the SoP

1. Statement of the range of needs that the home is intended to meet and the characteristics of children to be cared for by the home. Details of the home's ethos, the outcomes the home seeks to achieve and its approach to achieving them.

- a. Requirement for the SoP to be published on the homes' website and made available to commissioners, parents and others.
- b. Name and address of the registered provider (including details of the company owning the home) and of the registered manager.

2. Details of qualifications and experience of staff working at the home – including any staff commissioned to provide education and health care. Details of arrangements for the professional supervision of staff employed at the home, including staff that provide education or health care.

- a. (Where the home is dually registered as a school). Details of the curriculum provided by the home and the structure and management of the arrangements for education. Details of provision to support children with special educational needs.
- b. (Where the home is not dually registered). Arrangements for children to attend local schools and the provision made by the home to promote the educational attainment of children.

3. Where the SoP involves the home providing therapeutic care. Details of the therapy provided, including details of the qualifications and clinical supervision of the staff involved. Information about the evidence referred to by the home to support its approach and where this can be accessed by commissioners or members of the public. Information about how the home measures the effectiveness of its approach and how this information is made available to commissioners, parents etc.

4. Details of the home's policies for protecting children and for prevention of missing person's incidents. A description of the home's approach to surveillance (existing Sch. 1(19))

5. Details of the home's approach to behavioural support – including any information about the home's approach to restraint; home staff are trained in the uses of physical intervention and how their competence is assessed.

6. Description of the accommodation - including, how accommodation has been adapted to the needs of children cared for by the home. Description of the location of the home, including details of any "risk assessment". (See above.)

7. Arrangements for supporting the religious, cultural and linguistic needs of children. Arrangements for promoting contact with the child's family and with their friends. Arrangements for enabling children to enjoy and achieve. A description about the home's approach to consulting children about the quality of their care.

Appendix 2

1 Schedule 6, Matters to be Monitored by the Registered Person

1.1 Matters to be Monitored by the Registered Person

1. Any safeguarding concerns or incidents in respect of children accommodated at the home occurring within the home or elsewhere. The measures taken by the home's staff to respond effectively to these to ensure the child's safety and welfare. Details of any serious incidents – including section 47 enquires or other action taken to safeguard children in the care of the home.

2. The number of missing/absent reports relating to children accommodated by the home. The measures taken by staff to prevent children from going missing and for responding whenever a child is missing/absent from the home. The effectiveness of arrangements agreed between the home, local police and the local authority for responding to missing persons incidents (under Regulation 16).

3. The effectiveness of the homes approach to behavioural support, including arrangements for commissioning training for staff in behaviour management and restraint. The number of times that children accommodated at the home are restrained and the steps taken by the home to minimise the use of restraint. The effectiveness of the home's procedures and guidance concerning police involvement in the home. The homes approach to "restorative justice"; whether there have been any occasions when children accommodated in the home have been charged and taken to court for offences committed within the home.

4. (a) (Where the home is dually registered as a school). The effectiveness of the homes arrangements for education. Educational outcomes of children accommodated by the home.

(b) Where the home is not dually registered). The effectiveness of the home in promoting the educational attainment of children in its care; the quality of relationships between the home and local schools.

5. (a) Where the SoP involves the home providing therapeutic care. Arrangements for commissioning therapeutic services appropriate to the needs of children accommodated by the home. The effectiveness of these arrangements in achieving clinical outcomes for the children accommodated by the home.

(b) Arrangements for children to be provided with GP and other primary health care services, including access to screening and preventive services in the local

community. Records of children requiring accident and emergency treatment and other hospital services.

6. The home's arrangements for recruitment, training and continuing professional development of staff employed by the home. Details of any disciplinary action concerning employees of the home and of any "grievances" taken by employees. Details on new staff and staff leaving. Any changes to the Registered manager post - reasons for staff ceasing employment.

7. The homes arrangements for assessing and accepting referrals for admission to the home services. Number of placement admission and placement endings (noting which placements have ended in an unplanned way (disruptions)). Arrangements for monitoring the quality of homes care, involving consultation with local authorities placing children in the home, the "area authority" (confirmation that area authorities have been notified of all children entering or leaving the home) and other community services used by children's accommodated at the home (e.g. schools) and other services. Co-operation with placing authorities care and placement plans (existing Sch.6 (1)).

8. Details of any complaints and how these have been resolved.

9. Arrangements for consulting children about the quality of homes care and for acting on the results of such consultation.