

Inspections of children's homes

Consultation document

This is a consultation document on proposals to inspect children's homes. Ofsted seeks the widest possible range of views from those who have an interest in, or expertise relating to, children's homes and provision for children looked after in order to ensure that the changes proposed take proper account of the needs and circumstances of all interested parties.

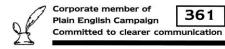
The closing date for the consultation is 21 February 2014.

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

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About Ofsted

1. The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages.

Purpose and background to the consultation

- 2. This consultation seeks your views on the proposed new arrangements for inspecting children's homes. Your contribution will help to refine and develop the framework for inspecting these services.
- 3. The document sets out our proposals for the judgements that inspectors will make and report when inspecting children's homes under section 148 of the Education and Inspections Act 2006.¹ It will be used to inspect children's homes registered² by Ofsted under the Care Standards Act 2000,³ including:
 - refuges under section 51 of the Children Act 1989⁴
 - short breaks services
 - secure children's homes
 - boarding schools and residential special schools registered as children's homes under section 1(6) of the Care Standards Act 2000.
- 4. Following this consultation, we propose to implement the changes from 1 April 2014. We will use the information gathered from the consultation to finalise the revised arrangements for inspection.
- 5. This framework will continue to be revised in light of any future changes to legislation.
- 6. We will evaluate the responses received from this consultation and in April 2014 we will publish the main findings from the consultation on our website.

How we will inspect

- 7. All children's homes will be inspected at least twice per year. This is determined by legislation. All inspections will be unannounced. In most instances, one inspection will be a full inspection and the other inspection will be an interim inspection.
- 8. Where a home is judged inadequate for overall effectiveness, a further full inspection will usually take place within six to eight weeks.

¹ Education and Inspections Act 2006; www.legislation.gov.uk/ukpga/2006/40/section/148.

² It is the providers and managers that are registered with Ofsted.

³ Care Standards Act 2000; www.legislation.gov.uk/ukpga/2000/14/contents.

⁴ Children Act 1989; www.legislation.gov.uk/ukpga/1989/41/section/51.



- 9. We will publish a report on our website within 20 working days of the end of the on-site inspection.
- 10. Inspectors will track the experiences of children and young people⁵ in order to evaluate the quality of practice, care and management and the difference this makes to the lives of children and young people. Inspectors will take into account children and young people's starting points and the length of time they have been living in the home.⁶ However, they will still want to see ambition for children and young people and the development of secure and permanent plans for their futures. Where children and young people have recently moved from the home inspectors will want to understand the progress these children and young people had made, the reasons for their move and the contribution of the home to that transition and their future home. Where children and young people are new to the home they will expect to see effective planning for their arrival and a rapid response to meeting all of their needs.

11. Inspectors will:

- meet with children and young people
- contact parents (where appropriate) and key professionals such as the child or young person's allocated social worker, the independent reviewing officer, police, teachers and health professionals during the inspection to hear their views about the children's home and specifically the quality of care and practice
- interview the registered manager, care staff and, where appropriate, the responsible individual ⁷ the inspector is likely to interview the responsible individual where:
 - there are concerns about the quality and effectiveness of monitoring arrangements; or
 - evidence indicates that the home is failing to protect children and young people; or
 - there are concerns about resourcing
- contact other professionals working with the child or young person/other professionals working with the home
- observe staff in their day-to-day work, including mealtimes, evening routines and when children and young people return home from school

⁵ In small children's homes, inspectors will track all children and young people; in larger homes they will track a sample. Where any children and young people have been missing from the home, inspectors will always track their experiences and the response of the home and local authority responsible for the child or young person.

⁶ Inspectors will also take into account the frequency of stay for children and young people using short breaks services.

⁷ This will include the proprietor if this is an individual.



- observe practice in meetings such as 'house' meetings, staff handovers, team meetings and children's reviews if they are happening at the time of the inspection
- request a range of information (including records of incidents where children and young people have gone missing, critical incidents, handover reports, records of restraint and children's case files) at the start of the inspection to inform the inspection process
- develop initial lines of enquiry before they arrive on-site based on regulation 33 reports, regulation 34 reports, previous inspections, notifications, complaints and survey responses.

Changes to inspection

- 12. From 1 April 2014, the inspection framework will include:
 - a judgement grade of 'requires improvement' that replaces the current judgement of 'adequate'
 - evaluation criteria to describe the characteristics of 'good' in each of the following judgement areas: the overall experiences and progress of children and young people living in the home taking into account:
 - how well children and young people are helped and protected (key judgement)
 - the impact and effectiveness of leaders and managers (graded judgement)
 - working in partnership with others to improve the outcomes for children and young people (graded judgement)
 - evaluation criteria for 'outstanding', 'requires improvement' and 'inadequate' that are derived from 'good' as the minimum benchmark.
- 13. The judgement of how well children and young people are helped and protected will be a limiting judgement. If inspectors judge this area of provision and care to be inadequate, then the overall 'experiences and progress of children and young people' judgement will always be inadequate. A judgement of inadequate in either of the other two graded judgements is also likely to lead to an overall 'experiences and progress' judgement of inadequate and certainly no better than 'requires improvement'.
- 14. Interim inspections will focus on the progress that the home has made in continuing to improve the care, planning and experiences of children and young people since the last inspection.



Making judgements and using the grade descriptors

- 15. The experiences and progress of children and young people in all areas of their lives are at the centre of the inspection. Inspectors will use their professional judgement to determine the weight and significance of their findings in this respect.
- 16. Inspectors will make their judgements on a four-point scale:
 - outstanding
 - good
 - requires improvement
 - inadequate.
- 17. Inspectors will use the descriptors of 'good' as the benchmark against which to grade and judge performance. Inspectors are required to weigh up the evidence in a particular area and to consider it against the evaluation criteria for outstanding, good, requires improvement and inadequate before making a judgement at a full inspection. A judgement of 'good' will be made where the inspector concludes that the evidence overall sits most appropriately with a finding of 'good'. This is what Ofsted describes as 'best fit'.
- 18. In addition, inspectors will identify areas of outstanding practice and priorities for improvement. For all children and young people the expectation is that care and practice are sensitive and responsive to age, disability, ethnicity, faith or belief, gender, gender identity, language, race and sexual orientation.
- 19. Children's homes must meet the statutory requirements of the regulations and where they do not inspectors will clearly identify what they must do in the form of 'requirements'. The Department of Education also publishes national minimum standards⁸ and statutory guidance.⁹ Where providers do not take account of the national minimum standards, this may indicate a failure to comply with the regulations and is likely to indicate poor practice. This will influence the inspection judgement and may result in 'requirements' being imposed. Where appropriate we will always make recommendations for improvement.
- 20. The Ofsted inspection framework operates on the basis that only good is good enough for children and young people whether that is in respect of their care or education. The concept of a 'minimum' standard therefore is not applied in the evaluation criteria we set for the care of children and young people. This framework sets out what good looks like as the expectation for the care of all

⁸ Made under section 23 of the Care Standards Act 2000. Ofsted is required to take such standards into account when making decisions under the Care Standards Act 2000; www.legislation.gov.uk/ukpga/2000/14/contents.

⁹ Made under section 7 of the Local Authority Social Services Act 1970; www.legislation.gov.uk/ukpga/1970/42/contents.



- children and young people living in children's homes. Where a home is not yet good, we will judge it to require improvement and set out where we believe it needs to improve. Those improvements will be aligned with the relevant regulations, standards and guidance.
- 21. Meeting all regulatory requirements will not necessarily result in a judgement of good or outstanding. Meeting the requirements must equate to high-quality care, good planning, a safe and protective environment, positive experiences and tangible progress for children and young people. Nevertheless, the seriousness of any failure to meet regulations and the potential impact on the experiences and progress of children and young people will be considered carefully to determine how this should influence the judgements and the outcome of the inspection. Inspectors will use their professional judgement to assess the impact of any breach on the lives of children and young people and the quality of care afforded to them.

The proposals

- 22. We are seeking your views on four specific proposals.
- 23. **The first proposal** concerns the evaluation criteria for the judgement of 'outstanding,' 'good', 'requires improvement' and 'inadequate' in each of the judgement areas. These include the overall judgement, the key judgement[s] and two graded judgements. We would like to know:
 - if the characteristics of 'good', as they are set out, describe the help, care and protection that children and young people should experience and the progress they should make
 - if the characteristics of 'good', as they are set out, describe the impact and effectiveness that leaders and managers should have, and the quality of partnership working to improve outcomes that should be in place
 - if the 'outstanding' criteria capture well the effectiveness of those homes that are making an exceptional and enduring difference to the lives of children and young people
 - if the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that are failing to help, care for and protect children and young people and/or have inadequate leaders and managers.
- 24. **The second proposal** is that registered managers and care staff should meet the qualification requirements as set out in the current national minimum standards.¹⁰ Where either managers¹¹ or care staff¹² fail to achieve the required

¹⁰ We will revise the framework in light of any future legislative changes.

¹¹ Registered managers who do not have the management qualification as set out in the national minimum standards must enrol on a management training course within six months and obtain a relevant management qualification within three years of their appointment.



qualifications within the prescribed timeframe this will directly affect the leadership and management judgement. Failure will limit the judgement to either 'requires improvement' or 'inadequate'. Factors influencing the judgement will include the length of time that staff and/or managers have remained without the qualification, the reasons for the failure to meet the national minimum standards and the impact on the quality of care and professional practice. The impact on children and young people will be the most significant factor influencing the inspectors' assessment. In addition, we are proposing that we will only register managers who hold the professional qualification as outlined in the national minimum standards. We would like to know what you think about this.

- 25. **The third proposal** is that a judgement of 'inadequate' for 'how well children and young people are helped and protected' always limits the overall 'experiences and progress' judgement to 'inadequate.' A judgement of 'inadequate' for leadership and management or 'working in partnership with others' is likely to lead to an overall judgement of 'inadequate' and certainly no better than 'requires improvement'. We want to know what you think about this.
- 26. **The fourth proposal** is that interim inspections will have a much stronger focus on the progress and experiences of children and young people and the success of the home in maintaining high standards of care and protection, learning from experience and improving practice. We are proposing that the most important driver of the judgement on these inspections is the progress that children and young people are making and the quality of safety, care and protection that they experience.
- 27. Proposal (I) below sets out the evaluation criteria for each of the performance areas. This is followed by proposal (II) in relation to the qualification requirements, proposal (III) in relation to limiting judgements and proposal (IV) in relation to interim inspections.
- 28. You can read about the consultation process on page 25. The consultation questions that we would like you to answer start on page 26.

Proposal (I): That the evaluation criteria clearly describe the characteristics of each grade in each judgement area

- 29. We would like to know:
 - if the characteristics of 'good', as they are set out, describe the help, care and protection that children and young people should experience and the progress they should make

¹² All new staff who do not meet the qualification requirements on appointment must be working towards the required qualification in the national minimum standards within six months of confirmation of employment.



- if the characteristics of 'good' as they are set out describe the impact and effectiveness that leaders and managers should have and the quality of partnership working to improve outcomes that should be in place
- if the 'outstanding' criteria capture well the effectiveness of those children's homes that are making an exceptional and enduring difference to the lives of children and young people
- if the 'requires improvement' and 'inadequate' criteria clearly draw a distinction between those homes that are not yet good and those children's homes that are failing to help, care for and protect children and young people and/or have inadequate leaders and managers.

The overall experiences and progress of children and young people living in the home

Children and young people are safe, they are protected and they receive high-quality care. They make progress in all aspects of their development: health, emotional and psychological well-being, education, achievement and social development. All risks to their welfare or development are identified, understood and managed and the help and care provided to them reduces these risks. They are helped to develop their own strategies to keep themselves safe and to manage their feelings and behaviour. Unsafe situations and behaviour are well managed by staff; clear and consistent boundaries contribute to a feeling of well-being and security for children and young people.

Children and young people are accepted, they know what is expected of them and they know they can make mistakes and still be respected and valued without fear that their home environment will be disrupted.

Children and young people live in a physical environment that feels like a family home. Staff meet their day-to-day needs for routine, privacy, personal space and nutritious meals. Adults invest time in them on a daily basis; staff are available, they prioritise spending time with children and young people and are interested in and listen to their experiences.

Children and young people receive help and support tailored to their individual needs. They feel that they belong and this helps them to feel confident in moving forward and dealing with any earlier abusive and difficult experiences they may have had. The development of safe, stable and secure relationships with adults in the home is central to the ethos of the home and this supports the development of secure attachments that persist over time.¹³

Children and young people live in stable homes where their welfare is always paramount. The experiences and challenges of group living are always considered by leaders and managers in respect of the needs of individual children and young people and in the planning of short break stays, where relevant. Their views and experiences are central to the way the home operates and the decisions that are

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¹³ In short break services, children and young people know the staff, feel safe and feel welcomed into the home. There is continuity of care during their stays and there are systems in place to ensure that there is continuity between stays.



made. Children and young people feel this is their home and they are able to influence how the adults working there meet their needs.

Children and young people are provided with opportunities, support and help to enable them to prepare for, and move successfully to, adulthood. Professional relationships between the children's home, families, placing and host authorities, police, schools and health services are mature and well developed with the best interests of children and young people as the key consideration. The home works well with these key partners to ensure the best possible all-round support to children and young people in all areas of their development. The home actively challenges where there are any shortfalls from other services and is effective in making a difference.

Children and young people continually progress from their starting points across all aspects of their development as leadership is strong and there are high standards for all staff in the home.

The home is influential in ensuring that children and young people's experiences are at the heart of care planning and review, particularly if circumstances change. If the home is concerned that the current plan is not the right plan for the child/young person they will say so. The home facilitates smooth transitions for a return home or to a permanent alternative where that is in the child or young person's best interests.

Children and young people's experiences are at the centre of the home's learning and improvement strategy. Leaders and the manager know and understand the strengths and weaknesses of the children's home, they prevent shortfalls and identify weaknesses and take decisive and effective action. The home continues to learn from the experiences of children and young people and continually strives to improve.

- 30. The overall experiences and progress of children and young people living in the home are likely to be 'good' if:
 - Children and young people are able to build trusted and secure relationships with adults working at the home. They live in stable environments with consistency in their lives. Staff, who know the children well, develop positive relationships with them, protect them and promote their welfare. Children and young people are able to develop an appropriate sense of permanence and belonging in the home.
 - Children and young people understand how to complain, and have access to and are actively encouraged to involve an advocate and independent visitor. Children and young people understand what has happened because of their complaint. Their complaints are treated seriously and result in a clear response, urgent action and improved practice and/or services where that is required.
 - Children and young people are in good health or are being helped to improve their health. Their health needs are identified, including their sexual health where this is appropriate for their age and understanding, and they



have access to local health services when they need them. Arrangements for managing medication are safe and effective and promote independence wherever possible. Child and adolescent mental health provision, therapeutic help and services for learning or physically disabled children and young people are available as soon as they are needed and for as long as they are required.

- Children and young people attend school or other educational provision and there is evidence that they are learning and making good progress. Those who do not attend school have access to at least 25 hours per week of good-quality registered alternative provision. They receive good support from the home to attend school. Key workers liaise with the school, know the targets and levels of progress that children and young people should be making, support the completion of homework (including helping where help is needed) and regularly attend parents' evenings and other events at school. Staff know how well children and young people are achieving at school and take appropriate action where progress is not satisfactory or school is becoming difficult.
- Children and young people enjoy access to a range of social, educational and recreational opportunities and they are actively and positively involved in activities in the local community. They are able to participate in after school activities and school trips. They are able to see their friends.
- Children and young people live in a physical environment that feels like a family home. Staff meet their day-to-day needs for routine, privacy, personal space, nutritious meals, enjoyable mealtimes and a safe and secure attachment with an adult who knows them well.
- Adults invest time in children and young people on a daily basis; they prioritise spending time with them and are interested in and listen to their day-to-day experiences such as when they return home from school.
- Care plans for individual children and young people comprehensively address their needs and experiences, including their hopes for the future. The manager, keyworkers and the children and young people themselves participate in reviews, influencing decisions appropriately. Care plans equate to good-quality care, and the plan is regularly reviewed to make sure it continues to be right for the child. Where children and young people are not making progress or settling into the home, the plan is also reviewed with the placing authority and the family (where this is appropriate) to consider next best steps.
- Children and young people have appropriate, carefully assessed and supported contact with their family and friends and other people who are important to them.
- Case records reflect the work that is undertaken with children and young people and clearly relate to the plans for their futures. The style and clarity of records enhances the understanding that children and young people have about their histories, background and experiences. The records are available



to children and young people with the support of their keyworkers when they wish to see them.

- Children and young people experience care that is sensitive and responsive to age, disability, ethnicity, faith or belief, gender, gender identity, language, race and sexual orientation. That care helps them to develop a positive self-view, an ability to form and sustain attachments and to build emotional resilience.
- Children and young people, including those who do not communicate verbally, are able to actively participate in day-to-day and more complex decisions about their lives, as appropriate. They are helped to understand where it may not be possible to act upon their wishes. Independence is maximised and promoted in accordance with the needs and maturity of each child.
- Children and young people who receive short breaks are making progress in their development and acquiring skills because of the quality of the short breaks service. They are able to enjoy relationships with their peers and to access a wide range of stimulating opportunities to promote their development that may not otherwise be available to them.
- Children and young people develop skills and strategies to manage their own conflicts and difficult feelings, through developing positive relationships with the staff and in particular their keyworker. There are clear, consistent and appropriate boundaries for children and young people. Adults are able to be clear with children and young people about the consequences of difficult and unsafe behaviour and the help and support they may need. Children and young people report that adults are consistent, safe and clear about the management of all behaviour and expectations.
- Staff place the well-being of individual children and young people at the centre of their practice in the home, irrespective of any challenges they may present. All their achievements are celebrated and appropriately rewarded.
- Children and young people develop the skills and confidence they need to maximise their chances of successful maturity to adulthood. These include self-care skills, learning to budget, life experiences such as a Saturday job, learning to cook and learning to manage safe relationships. They are supported to develop their independence whilst protecting themselves from being in unsafe situations or with unsafe people.

Outstanding

■ The experiences and progress of children and young people are likely to be judged outstanding if, in addition to meeting the requirements of a 'good' judgement, there is evidence that professional practice consistently exceeds the standard of 'good' and results in sustained improvement to the lives of children and young people. There is significant evidence of change and improvement for children and young people because of the actions of the staff working at the home. The progress of children and young people exceeds expectations across all aspects of their development and the



experience of being looked after enhances their life chances. For children and young people with the most complex needs, staff are to evidence the sustained benefit they have had in making a difference to the lives of children and young people in their care.

- 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 and young people.
- In short break services, exceptional consistent care adds considerably to children and young people's experiences, progress and development. Their progress and development is achieved through the provision of a wide range of additional experiences and care, including interaction with their peers, opportunities to develop their independence and growth as young people and being able to participate in local community provision.

Requires improvement

■ The judgement on the experiences and progress of children and young people will be 'requires improvement' when there are no serious failures that result in the welfare of children and young people not being safeguarded and promoted. However, the children and young people do not yet receive good enough help, care and protection.

Inadequate

■ The judgement on 'the experiences and progress of children and young people' will be 'inadequate' if children and young people are not protected or their welfare is not promoted or safeguarded or if their care and experiences are poor and they are not making progress.

How well children and young people are helped and protected (key judgement)

- 31. The judgement on how well children and young people are helped and protected is likely to be 'good' if:
 - Children and young people are safe and feel safe. They feel protected and are protected from harm, including neglect, abuse, sexual exploitation, accidents and bullying. There is a strong, robust and proactive response that reduces the risk of harm or actual harm to any issues of concern. That response includes regular and effective contact and planning with the child's allocated local authority social worker and their family if this is appropriate and in accordance with plans for their future. Children and young people can identify a trusted adult with whom they can talk about any concerns. They report that adults listen to them and take their concerns seriously. Where children have been at risk, such a trusted adult has been instrumental in helping them to be safe.



- Children and young people who go missing from the home receive wellcoordinated responses that reduce the harm or risk of harm to them. Risks are well understood and minimised. The home is aware of, and implements in full, the requirements of the statutory guidance for children and young people who are missing. The home responds to children and young people who are absent as well as children and young people who are missing and takes appropriate steps to escalate concerns, including with the placing and host local authorities and the child or young person's allocated social worker. Parents and carers are made aware of incidents where the child has gone missing, where this is appropriate and relevant to the plans for that child or young person's future care. Comprehensive records are held and shared between the police, the home and local authorities to help and protect children and young people. The home takes steps to ensure that children and young people are safe and that for those who are missing, or often missing, there is a clear plan of urgent action in place to protect them and to reduce the risk of harm or further harm. Incidents of missing children and the associated risks are clearly reducing.
- Any risks associated with children and young people offending, misusing drugs or alcohol, going missing or being sexually exploited are known by the adults who care for them. There are plans and help in place that are reducing the risk of harm or actual harm and there is evidence that these risks are being minimised. These risks are kept under regular review and there is regular and effective liaison with the placing authority and other agencies such as the police, the host authority, school and family where appropriate.
- When children and young people are new to the home, the home plans well, anticipates issues and learns quickly from the experiences of the child and young person, and responds quickly to this learning.
- Children and young people are protected and helped to keep themselves safe from bullying, homophobic behaviour, racism, sexism and other forms of discrimination.
- Clear risk assessments, and a consistent response by staff, protect children and young people, while enabling them, appropriate to their age, to take reasonable risks as part of their growth and development.
- Children and young people feel secure living in the home and, where they may present risky behaviours, they experience positive support from all staff. Staff respond with clear boundaries about what is safe and acceptable and they seek to understand the triggers for children and young people's behaviour. They develop effective responses as a team and they review those responses to assess their impact, taking into account the views and experiences of the young person
- Positive behaviour is consistently promoted. Staff use effective de-escalation techniques and creative alternative strategies that are individual to children and young people. Restraint is only used in strict accordance with the



legislative framework¹⁴ to protect the child or young person and those around them. All incidents are reviewed, recorded and monitored and the views of the child or young person are sought and understood. Monitoring of the management of behaviour is effective, and the use of any restraint reduces or ceases over time.

■ In secure children's homes, any searches of young people, their rooms and possessions are carried out sensitively by appropriately trained staff with due consideration given to their need to feel safe and have their dignity and needs respected. All searches are appropriately recorded.

Outstanding

- 32. The judgement on how well children and young people are helped and protected is likely to be 'outstanding' if:
 - The home consistently exceeds the requirements of a 'good' judgement in the care of all children and young people. There is evidence that professional practice results in sustained improvement to the lives of children and young people. There is strong and robust evidence that the home is eliminating any risks to the safety of children and young people. Where they are new to the home, any risks are well understood and are significantly reducing. Proactive and creative safeguarding practice means that all children and young people, including the most vulnerable, have a strong sense of safety and well-being. 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 and young people.

Requires improvement

■ The judgement on how well children and young people are helped and protected will be 'requires improvement' if there are no serious failures that create or leave children and young people either being harmed or at risk of harm. However, children and young people do not yet experience good help and protection.

Inadequate

■ The judgement on how well children and young people are helped and protected will be 'inadequate' if there are failures which leave children and young people being harmed or at risk of harm or their welfare not being safeguarded.

¹⁴ The Children's Home Regulations 2001, regulation 17; www.legislation.gov.uk/uksi/2001/3967/made.



The impact and effectiveness of leaders and managers (graded judgement)¹⁵

- 33. Inspectors will take account of the graded and associated judgement about how well the home works in partnership with others to improve outcomes for children and young people when they make this judgement.
- 34. The impact and effectiveness of leaders and managers is likely to be judged 'good' if:
 - The home is effectively and efficiently managed by a permanent, suitably experienced and qualified registered manager.
 - The home is properly staffed and resourced. Staff are deployed to meet the individual needs of children and young people so that any conflict can be safely managed and so that all children and young people are protected.
 - Leaders and managers actively and regularly monitor¹⁶ the quality of care provided, including consulting with children and young people about their experiences and the promotion of their welfare. They identify strengths and areas for improvement, have clear development plans that are implemented and they take action to continually improve the experiences and care of children and young people.
 - Leaders and managers make and sustain good relationships with placing authorities and individual social workers responsible for children and young people living at the home. They understand the plans for the children and young people and actively drive the achievement of important milestones, goals and permanence for children and young people's futures.
 - Leaders and managers use learning from practice and feedback to improve the experiences and care of children and young people such as direct testimony from children and young people, parents, carers and other professionals and stakeholders in contact with the home. They learn from complaints, staff feedback, from placement breakdowns, and from any serious incidents.
 - Managers and staff receive regular and effective supervision that is focused on children and young people's experiences, needs, plans and feedback. Supervision is recorded. There is a training and development plan for the team of staff working at the home and staff report that supervision and training is provided consistently and is focused on meeting the needs of the children and young people that live in the home.
 - Succession planning is effective and results in a high-quality, experienced, qualified and stable workforce that is able to provide consistency and good care to children and young people.

 $^{^{15}}$ This includes the accountability, impact and effectiveness of responsible individuals.

¹⁶ Through regulation 33 visits and regulation 34 monitoring.



- Robust action is taken to address all issues of concern arising in the home, including any concerns or complaints from young people and local residents. Proper investigations are in evidence and placing and host authorities are engaged as necessary. The requirements and recommendations from the previous inspection are met in full.
- The staff team work collaboratively to provide consistency and stability. There are clear responsibilities and accountabilities and the staff team have a sense of shared ownership about their practice. They report that they are well led and managed and there is evidence to support that this is the case.
- Leaders and mangers make child-centred decisions about admissions. Priority is given to the safety and stability of the group environment and new admissions take account of all the children and people's needs and the likely impact of new children and young people joining the group. There are effective plans in place to ensure good transitions for children and young people.
- Leaders and managers monitor the progress that children and young people make and can demonstrate the impact and value that living at the home has had on children and young people's lives and life chances.
- The statement of purpose clearly sets out the ethos and objectives of the home. The manager and responsible individual ensure that the physical environment is maintained to a high standard, meets the needs of the children and young people and is sufficiently resourced. The home feels and looks like a family home for children and young people¹⁷ and any damage is quickly and regularly repaired. There is evidence that the registered provider is financially viable and so can deliver high-quality stable care for children and young people.
- The staff team is sufficient, stable, suitably vetted, qualified and competent to deliver high-quality services to children and young people and their families. There is effective support and challenge to ensure the professional development of staff and leaders provide the right environment for good practice to thrive.
- Where volunteers work with children and young people living in the home, they are trained, supervised and supported to fulfil their roles and provide a high-quality service that adds to the experiences of children and young people.
- All significant events relating to the welfare and protection of children and young people living in the home are notified by the registered person to the appropriate authorities, and the necessary action is taken following the incident to ensure that the child or young person's needs are met and they are safe and protected.

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¹⁷ Taking into account the need for adaptations for individual children and young people where required.



- The leaders and managers regularly review and act upon any locally known risks to children and young people, taking advice and guidance from key agencies, including the local authority and police.
- Staff and volunteers working with children and young people living in the home are carefully selected and vetted, and there is monitoring to prevent unsuitable people from being recruited and having the opportunity to harm children and young people or place them at risk.
- Any child protection and/or safeguarding concerns are immediately shared with the local authority for the child or young person concerned. Investigations into allegations or suspicion of harm are shared, and are handled fairly, quickly and in accordance with statutory guidance. ¹⁸ Children and young people are supported and protected, and support is afforded to the person making the allegation and the person who is the subject of the allegation.
- 35. The judgement on the impact and effectiveness of leaders and managers is likely to be 'outstanding' if:
 - In addition to meeting the requirements of a 'good' judgement, there is evidence that leaders and managers are inspirational, confident, ambitious for children and young people and influential in changing the lives of those in their care. They have high aspirations for children and young people and high expectations of their staff to change and improve the lives of those children and young people for whom they are responsible. They lead by example, innovate and generate creative ideas to sustain the highest quality care for children and young people. They know their strengths and weaknesses well and can provide evidence of improvement over a sustained period. Professional relationships between the home and partner agencies ensure the best possible care, experiences and futures for children and young people.
- 36. The judgement on the impact and effectiveness of leaders and managers is likely to be 'requires improvement' if:
 - The characteristics of good leadership and management are not in place. However, where there are weaknesses in practice, leaders and managers have identified the issues and have plans in place to address them.
- 37. The judgement on the impact and effectiveness of leaders and managers is likely to be 'inadequate' if:

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¹⁸ Working together to safeguard children, Department for Education, 2013.



■ There has been no registered manager for more than 26 weeks and/or the registered manager¹⁹ and/or residential care staff²⁰ do not meet the qualification requirements as set out in the national minimum standards.

and/or

■ The progress, experiences, care or protection of children and young people are inadequate and leaders and managers have not been able to demonstrate sufficient understanding of those failures. They do not know the strengths and weaknesses of the home and have been ineffective in prioritising, challenging and making improvements. The home fails to work in partnership with others in the best interests of children and young people.

and/or

■ The home has continued to 'require improvement' or to make 'inadequate progress' for two or more consecutive inspections.

Working in partnership to improve outcomes for children and young people (graded judgement)

- 38. The judgement on working in partnership with others to improve outcomes for children and young people is likely to be 'good' if:
 - Staff build effective working relationships with social workers and staff of placing authorities and with the local authority where they are located. They are active participants in children's reviews, championing their needs and assisting their contribution. They effectively challenge and secure change when they are concerned that placing authorities are not able to meet the needs of children and young people, where the statutory requirements for looked after children are not met, or where they cannot keep children and young people safe.
 - Staff consistently and effectively challenge the barriers to the full participation of children and young people at school, in their community and in wider society.
 - Staff work proactively and positively with other agencies and professionals to secure positive outcomes for children and young people, including education settings, health agencies and the police, and, in short break services, to ensure continuity of care. They effectively challenge any shortfalls in partner delivery to ensure that children and young people receive the support that they need.

¹⁹ Registered managers should hold a relevant professional qualification and those who do not have the management qualification as set out in the national minimum standards must enrol on a management training course within six months and obtain a relevant management qualification within three years of their appointment.

²⁰ All new staff who do not meet the qualification requirements must be working towards the required qualification within six months of confirmation of employment.



- Proactive and effective working relationships with the police help to support and protect children and young people. The adults working at the home protect the children and young people living there from any unnecessary involvement in the criminal justice system. Staff work proactively and positively with parents and former carers to promote meaningful and safe contact and continuity of care, where appropriate.
- Staff work proactively with the local community such as neighbours, faith groups, leisure organisations and local businesses to support children and young people to use the facilities and to develop a sense of belonging, security and purpose.
- Children's homes have strong links with the Local Safeguarding Children Board and the Local Authority Designated Officer and there is regular communication regarding key safeguarding issues, for example any injuries sustained during restraint or allegations against staff or other children and young people living at the home.



Proposal (II) (i) Registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no more than 'requires improvement' and is likely to lead to a judgement of 'inadequate'

Proposal (II) (ii) We will not register managers who at the point of registration do not hold the required professional qualification

- 39. High-quality, experienced and qualified managers and residential staff are vital in meeting the complex needs of looked after children living in residential children's homes. Our thematic report published in 2011 about homes that had maintained outstanding status²¹ showed how critical strong leadership and management are to homes maintaining outstanding status. We want to set high expectations for the care of children and young people and are pleased that the Department for Education will be making further revisions to the qualification requirements.
- 40. We are therefore proposing that registered managers and care staff should meet the qualifications requirements as set out in the current national minimum standards. Where either managers or care staff fail to achieve the required qualifications within the prescribed timeframe this will directly affect the leadership and management judgement, limiting it to either 'requires improvement' or 'inadequate' depending on the length of time, the reasons for the failure to meet the national minimum standard and the impact on children and young people. This impact will be critical to the inspectors' assessment.
- 41. We would like to know what you think about these two related proposals.

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²¹ Outstanding children's homes (100228), Ofsted, 2011; www.ofsted.gov.uk/resources/outstanding-childrens-homes.

²² We will revise the framework in light of any legislative changes.

²³ Registered managers should hold a relevant professional qualification and those who do not have the management qualification as set out in the national minimum standards must enrol on a management training course within six months and obtain a relevant management qualification within three years of their appointment.

²⁴ All new staff who do not meet the qualification requirements must be working towards the required qualification within six months of confirmation of employment.



Proposal (III): That a judgement of 'inadequate' in the key judgement will always limit the 'overall experiences and progress' judgement to 'inadequate'.

A judgement of 'inadequate' in any of the graded judgements is likely to limit the 'overall experiences and progress' judgement to 'inadequate' but to no more than 'requires improvement'

- 42. We think it is clear that where inspectors judge 'how well children and young people are helped and protected' as 'inadequate' then the 'overall experiences and progress' judgement would always be 'inadequate'.
- 43. We think that a judgement of 'inadequate' for either 'the impact and effectiveness of leaders and managers' or 'working in partnership with others to improve the quality of care and the progress children make' would be likely to lead to a judgement of 'inadequate' for the 'overall experiences and progress' judgement but certainly no more than 'requires improvement'. We think that in making that final decision, inspectors should take into account the impact of the failures on the experiences and progress of children and young people.
- 44. We welcome your views on this proposal.



Proposal IV: Making judgements at the interim inspection

- 45. Each home has one interim inspection per year. Since April 2011, interim inspections have focused on progress since the last inspection, with inspectors making a judgement of 'inadequate progress', 'satisfactory progress' or 'good progress'. While the principle of these inspections is right, they have focused too much on what the home has done in response to the requirements and recommendations from the last visit and less on the difference the home is making for children and young people and the effectiveness of the monitoring and improvement that leaders, the manager and responsible individual undertake.
- 46. We propose that these inspections should in future focus on four key areas:
 - Tracking the progress of children and young people since the last inspection and the difference the home is making. Where young people have left the home since the last inspection, inspectors must focus on the reasons the young person has left the home (well-planned and facilitated move or placement breakdown) and the home's contribution to the plans for their future. Where young people are newly resident in the home or the service is a short break service, the inspector must assess the quality of the planning and transition work, the knowledge and understanding of the needs of the young person and the ability of the home to effectively meet those needs.
 - The effectiveness of the leaders' and manager's monitoring of the home, their ability to identify where improvement can and should happen and, where they prioritise areas for development, the effectiveness and impact of their improvements.
 - An overview of the experiences of children and young people since the last inspection including significant incidents, notifications, complaints and incidents of restraint. Inspectors must assess whether children and young people are protected, how well the home has responded and how well the home has used opportunities for learning to improve the experiences for children and young people.
 - The home's response to the requirements and recommendations made at the last inspection.
- 47. We currently have a three-point judgement scale: 'inadequate progress', 'satisfactory progress' or 'good progress'. In practice this has equated to 'declined', 'stayed the same' and 'improved'. We certainly do not think that it is 'satisfactory' or acceptable for children and young people to make no progress. We want to set a much more challenging benchmark and therefore we propose to move to a three-point scale that we think is more explicit: 'inadequate progress and/or declined' or 'limited progress' or 'good progress.' In essence, either the home is failing to help children and young people to make progress; it has made some progress; or it has made good progress and children and young people's lives are improving or continuing to improve as a consequence of the work of the home.



- 48. Where we judge a home as having made 'inadequate progress', as we do now, we would always consider whether we need to hold a case review and take enforcement action. This home would certainly become a service of concern and as such inspectors would be closely monitoring the home's progress and the action they are taking.
- 49. We would like your views on this proposal.



The consultation process

We welcome your responses to this consultation paper. The consultation opens on 13 December 2013 and closes on 21 February 2014.

The information you provide us with will inform our consideration of changes to the inspection framework for the inspection of children's homes.

We will publish a response to the consultation at the same time that we intend to implement inspections in April 2014.

Sending back your response

There are three ways of completing and submitting your response.

Online electronic questionnaire

Visit our website to complete and submit an electronic version of the response form: https://www.surveymonkey.com/s/ofsted-ch2013

Download and email

Visit our website to download a Word version of the response form that you can complete on your computer: http://www.ofsted.gov.uk/resources/130247. When you have completed the form, please email it to socialcare@ofsted.gov.uk with the consultation name in the subject line.

Print and post

Visit our website to print a Word or PDF version of the response form that can be filled in by hand: http://www.ofsted.gov.uk/resources/130247. When you have completed it please post it to:

8th Floor Ofsted Aviation House 125 Kingsway London WC2B 6SE



Questionnaire for the inspection of children's homes Confidentiality

The information you provide will be held by us. It will only be used for the purposes of consultation and research to help us to become more effective, shape policies and inform inspection and regulatory practice.

We will treat your identity in confidence, if you disclose it to us. However, we may publish an organisation's views.

Are you responding on behalf of an organisation?						
es please complete Section 1						
No please complete Section 2						
Section 1						
,		behalf of an organisation and would likganisation, please indicate this below.				
Organisation:						
Section 2						
Which of the below best describes y	ou? Pl	ease tick one option.				
I am:						
a child or young person living in a children's home		the parent or carer of a child or young person living in a children's home				
the registered provider of a children's home		the registered manager of a children's home				
a social worker who places or is responsible for children and young people living in children's homes		local authority Chief Executive				
local authority Director of Children's Services		Local Safeguarding Children Board Chair				
practitioner in social care		other (please specify)				
prefer not to say						



Section 3

Proposal (I): That the evaluation criteria clearly describe the characteristics of each grade in each judgement area

The overall experiences and progress of children and young people living in the home

Q1. Do the characteristics of 'good', as they are set out, describe the help, care and protection that children and young people should experience and the progress they should make?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					



Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					
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How well children and young people are helped and protected

Q4. Do the characteristics of 'good', as they are set out, describe the help, care and protection that children and young people should experience?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know		
Comments:							
Q5 . Do the 'ou are making an people?							
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know		
Comments:	Comments:						



Q6. Do the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that are failing to help, care for and protect children and young people?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know		
Comments:							
The impact	and effect	iveness of	leaders and	l managers			
	aracteristics of			lescribe the im	pact and		
errectiveness t	:hat leaders and	a managers sn	ouid nave?				
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know		
Comments:	Comments:						



	itstanding' crite exceptional ar				
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					
listinction bet	quires improve ween those ho iders and mana	mes that are n			
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					



Working in partnership to improve outcomes for children and young people

Q10. Do the characteristics of 'good', as they are set out, describe the quality of partnership working to improve outcomes that should be in place?

Comments:						
Q11 . Do the 'outstanding' criteria capture well that are making an exceptional and enduring differen people?						
Strongly Agree Neither Dis		rongly sagree	Don't know			
Comments:						



Q12. Do the 'requires improvement' and 'inadequate' criteria clearly draw the distinction between those homes that are not yet good and those homes that are failing to work effectively with others?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					



Proposal (II) (i) Registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no more than 'requires improvement' and is likely to lead to a judgement of 'inadequate'

Proposal (II) (ii) We will not register managers who at the point of registration do not hold the required professional qualification

Q13. To what extent do you agree that registered managers and residential staff must meet the qualification requirements set out in the national minimum standards and, where there is failure to do so, the judgement on leadership and management will be limited to no more than 'requires improvement' and is likely to lead to a judgement of 'inadequate'?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					



Q14. To what extent do you agree that we should only register managers who at the point of registration hold the required professional qualification?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					



Proposal (III): That a judgement of 'inadequate' in the key judgement will always limit the 'overall progress and experiences' judgement to 'inadequate'. A judgement of 'inadequate' in any of the graded judgements is likely to limit the 'overall experiences and progress' judgement to 'inadequate' but to no more than 'requires improvement'

Q15. To what extent do you agree that a judgement of 'inadequate' in the key judgement should always limit the 'overall progress and experiences' judgement to inadequate?

inadequate?					
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					
	extent do you				
	nents is likely t ut to no more t				ment to
Character	A	Ni a tida a co	Diagram a	Charach	Day /h lassay
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know



Comments:					
Proposal IV	/: Making j	udgements	at the inte	rim inspect	tion
Q17 . To what key areas we h			erim inspection	ıs should focus	on the four
Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					



Q18. To what extent do you agree that we should move to a three-point judgement scale of 'inadequate progress and/or declined', 'limited progress' or 'good progress'?

Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Comments:					
Q19. Do yo	u have any fu	ırther comme	ents? Please	write them h	ere.



What did you think of this consultation?

One of the commitments in our strategic plan is to monitor whether our consultations are accessible to those wishing to take part.

Please tell us what you thought of this consultation by answering the questions below.

	Agree	Neither agree or disagree	Disagree	Don't know				
I found the consultation information clear and easy to understand.								
I found the consultation easy to find on the Ofsted website.								
I had enough information about the consultation topic.								
I would take part in a future Ofsted consultation.								
How did you hear ab	out this	consultati	on?					
Ofsted website	Ofsted website							
Ofsted News								
Ofsted email alerts service								
Ofsted conference								
☐ Another organisation (pleas	se specify, if k	nown)						
☐ Other (please specify)								
Is there anything you would like consultations? If so, please tel		ve on or do di	fferently for fu	iture				
Thenk you for talking most in a								
Thank you for taking part in or	ur consultation	1.						



Additional questions about you

Your answers to the following questions will help us to evaluate how successfully we are communicating messages from inspection to all sections of society. **We would like to assure you that all responses are confidential and you do not have to answer every question**.

Please tick t	he appro	priate box.							
1. Gender									
Female	Male								
2. Age									
Under 14	14–18	19-24	25-	-34]	35–44	45–54	55–64	65+	
3. Ethnic o	rigin								
a) How wou	ıld you de	escribe your	natio	onal g	group?				
British or m	ixed Britis	h			English				
Irish					Northern Irish				
Scottish					Welsh				
Other (spec	ify if you v	wish)							
How would	you desc	ribe your et	hnic	group)?				
Asian				M	ixed ethnic	origin			
Bangladeshi				As	Asian and White				
Indian				Bla	Black African and White				
Pakistani				Bla	Black Caribbean and White				
Any other Asian background (specify if you wish)					Any other mixed ethnic background (specify if you wish)				



				White	
African			Any White background (specify if you wish) 🗆	
Caribbean				Any other ethnic background	
Any other E (specify if y		ground		Any other background (specify if you wish	
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(specify if you wish)					
4. Sexual	orientat	ion			
Heterosexual Lesb		bian	Gay Bisexual		
5. Religio	n/Belief				
5. Religio Buddhist	n/Belief	Muslim			
	n/Belief	T			
Buddhist	n/Belief	Muslim			
Buddhist Christian	n/Belief	Muslim Sikh	please s	tate:	
Buddhist Christian Hindu		Muslim Sikh None	please s	tate:	