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

Guidance about how independent fostering agencies are inspected.

Our first principle of inspection is to focus on the things that matter most to children’s lives. The SCCIF is not a ‘one-size-fits-all’ framework. The evaluation criteria are broadly consistent across the different types of children’s social care services but they reflect the unique nature of each type of service.

Please make sure you refer to the published version of the independent fostering agency SCCIF for updates or amendments.
<table>
<thead>
<tr>
<th>Contents</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Introduction</td>
<td>3</td>
</tr>
<tr>
<td>2. The inspection principles</td>
<td>3</td>
</tr>
<tr>
<td>3. The focus of inspections</td>
<td>4</td>
</tr>
<tr>
<td>4. How inspectors make judgements under the SCCIF</td>
<td>5</td>
</tr>
<tr>
<td>5. Evaluation criteria</td>
<td>6</td>
</tr>
<tr>
<td>6. Legal context</td>
<td>16</td>
</tr>
<tr>
<td>7. The regulations, the government guide and the SCCIF</td>
<td>17</td>
</tr>
<tr>
<td>8. Notice</td>
<td>17</td>
</tr>
<tr>
<td>9. Scheduling and the inspection team</td>
<td>18</td>
</tr>
<tr>
<td>10. Timeframe</td>
<td>20</td>
</tr>
<tr>
<td>11. Preparing for an inspection</td>
<td>20</td>
</tr>
<tr>
<td>12. The on-site inspection</td>
<td>24</td>
</tr>
<tr>
<td>13. Making requirements and recommendations</td>
<td>33</td>
</tr>
<tr>
<td>14. Inadequate judgements: next steps</td>
<td>35</td>
</tr>
<tr>
<td>15. The inspection report</td>
<td>36</td>
</tr>
<tr>
<td>16. Conduct during inspection</td>
<td>37</td>
</tr>
<tr>
<td>17. Concerns or complaints about an inspection</td>
<td>38</td>
</tr>
<tr>
<td>18. Monitoring visits</td>
<td>39</td>
</tr>
<tr>
<td>19. Agencies where there are no children placed with foster carers</td>
<td>44</td>
</tr>
<tr>
<td>20. Checks on responsible individuals</td>
<td>45</td>
</tr>
<tr>
<td>21. Agencies where there is no registered manager</td>
<td>46</td>
</tr>
<tr>
<td>22. Incomplete inspections</td>
<td>46</td>
</tr>
<tr>
<td>23. Safeguarding and child protection concerns</td>
<td>47</td>
</tr>
<tr>
<td>24. Use of personal data</td>
<td>49</td>
</tr>
</tbody>
</table>
1. Introduction

What the social care common inspection framework means

The social care common inspection framework (SCCIF), devised by Her Majesty’s Chief Inspector (HMCI) for use from April 2017, applies to inspections of:

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

The SCCIF means that:

- we apply the same judgement structure across the range of settings listed above
- the experiences and progress of children and other service users, wherever they live or receive help, are central to inspections
- there are key areas of evidence that we usually report on at each inspection

The SCCIF isn’t a ‘one-size-fits-all’ framework. When it’s necessary, the SCCIF reflects and addresses the unique and distinct aspects of each type of setting. However, the evaluation criteria we use to make judgements and the accompanying guidance are, wherever possible, consistent across settings.

2. The inspection principles

Focusing on children, being consistent and prioritising resources.

2.1 To focus on the things that matter most to children’s lives

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

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

2.2 To be consistent in our expectations of providers

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

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

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

2.3 To prioritise our work where improvement is needed most

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

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

3. The focus of inspections

Evaluating the impact of services on children and young people.

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

- inspectors spend less time looking at policies and procedures and more time looking at the impact of services on children’s lives
- we give the minimum notice of inspection, so that we can see settings as they are on a day-to-day basis, and so that the time providers may spend preparing for inspection is reduced as much as possible; we will be reviewing whether to reduce the notice period for settings that still have relatively lengthy notice arrangements
- we have set out as clearly as possible the details of the information required by inspectors to assist their inspection; this will enable providers to produce their best evidence whenever we give notice of inspection
4. How inspectors make judgements under the SCCIF

Information about the judgements inspectors make.

4.1 Judgement structure

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

All SCCIF inspections follow the 4-point scale (outstanding, good, requires improvement to be good, and inadequate) to make judgements on the overall experiences and progress of children and young people, taking into account:

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

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

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

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

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


4.2 How inspectors use the evaluation criteria

Inspectors will use the descriptions of what ‘good’ looks like as the benchmarks against which to grade and judge performance. The judgement, however, is not derived from a checklist. It is a professional evaluation of the effectiveness and impact of the care and support provided on the experiences and progress of children and young people. Failure to meet all of the criteria for ‘good’ will not automatically lead to a judgement of ‘requires improvement’.
Some criteria will have less relevance than others in some settings because of the nature of the setting and the needs of the children and young people.

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

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

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

4.3 Required evidence

Inspectors look at several areas of required evidence for each judgement. Some areas are common to all SCCIF inspections but others are specific to the specific type of provision. The areas of required evidence are set out in the bullet points at the beginning of the evaluation criteria for each judgement.

Inspectors always report on each of these areas unless there are exceptional reasons not to do so.

5. Evaluation criteria

The criteria that inspectors use to make judgements, including benchmarks of what good looks like.

5.1 The overall experiences and progress of children and young people

Areas of required evidence are:

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

<table>
<thead>
<tr>
<th>Good</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children are able to build trusted and secure relationships with their foster carers, who know them well, listen to them, spend time with them, protect them and promote their welfare. Children are able to develop an appropriate sense of permanence and belonging and are fully included in their foster carers’ family lives.</td>
</tr>
<tr>
<td>They make progress and have a range of positive experiences. Foster carers are provided with respite care only when it is in the child’s or young person’s best interests, including improved stability of the child’s or young person’s placement with the foster carers. Any respite care provided takes full account of the child’s or young person’s needs.</td>
</tr>
<tr>
<td>Children, including those who cannot communicate verbally, are supported to actively participate in day-to-day and more complex decisions about their lives, as appropriate. They are sensitively helped to understand where it may not be possible to act on their wishes and where other action is taken that is in their best interests. Children have access to, and are actively encouraged to involve, an independent advocate and, where appropriate, an independent visitor.</td>
</tr>
<tr>
<td>Children know how to complain. The agency’s complaints policy is easy to understand, accessible and child-focused. Children understand what has happened as a result of their complaint. Their complaints are treated seriously and responded to clearly. Urgent action is taken and practice and/or services improve accordingly.</td>
</tr>
<tr>
<td>Children attend school or other educational provision. They are learning and making good progress from their starting points. Foster carers are ambitious for children and support children to attend and do well in their education. There is effective liaison with the school/college and the virtual school head.</td>
</tr>
<tr>
<td>Children enjoy access to a range of social, educational and recreational opportunities, including activities in the local community, where appropriate. They are able to participate in after-school activities or community-based activities and school trips and holidays. They are supported to engage in faith-based activities if they wish.</td>
</tr>
<tr>
<td>Children are supported to develop their independence in line with their individual needs, while protecting themselves from being in unsafe situations or with unsafe people. The agency challenges the local authority when they have concerns about the future plans for the young person, including the timing of leaving care.</td>
</tr>
<tr>
<td>Young people are able to remain living with their carers as long as they need the care and help that are provided. ‘Staying put’ arrangements are considered and planned as early as possible.</td>
</tr>
<tr>
<td>Children are in good health or are being helped to improve their health or to manage lifelong conditions. Their health needs (including their mental and sexual health needs, as appropriate) are identified. They have access to local health services when they need them.</td>
</tr>
<tr>
<td>Arrangements for managing medication are safe and effective and promote independence wherever possible. Foster carers and agency staff develop effective relationships with health professionals to promote good health.</td>
</tr>
<tr>
<td>Specialist help is made available according to the individual needs of children, including</td>
</tr>
</tbody>
</table>
those who live away from their ‘home’ authority. The help is available as soon as it is
needed, at the intensity required and for as long as it is required.

Where specialist services from elsewhere are not available, or children are waiting for a long
time for help, the agency is proactive in challenging and escalating concerns with the placing
authority and/or other partners.

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

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

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

Children are treated with dignity and respect. They experience care that is sensitive and
responsive to their identity and family history, including age, disability, ethnicity, faith or
belief, gender, gender identity, language, race and sexual orientation.

The care and help assist them to develop a positive self-view and to increase their ability to
form and sustain attachments and build emotional resilience and a sense of their own
identity. The care and help also help them to overcome any previous experiences of neglect
and trauma.

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

The agency supports children to have appropriate and carefully assessed contact (direct
and/or indirect) with their family, friends and other people who are important to them, such
as previous carers.

There are no unnecessary restrictions in place. Staff work proactively and positively with
parents and former carers to promote meaningful and safe contact and continuity of care
where appropriate.

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

Assessments that identify foster carers as suitable for a child are informed by a clear
understanding of that child’s needs and of the skills necessary to help and support them.

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

Foster carers benefit from professional and supportive relationships with the agency, which
helps them to provide high quality care. They work very effectively together with children’s
social workers so that placements are appropriate, planned and meet the needs of children.
They are part of the team around the child, which is mutually supportive. They are actively involved in planning for the child or young person, and their views are valued by the fostering agency and positively influence children’s and young people’s progress.

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

Children who receive short breaks are making progress in their development and acquiring skills and/or new experiences because of the quality of the service.

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

### Requires improvement to be good

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

### Inadequate

The experiences and progress of children are likely to be judged inadequate if there are serious or widespread failures that mean that children are not protected or their welfare is not promoted or safeguarded or if their care, support and experiences are poor and they are not making progress.

### 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 of the following.

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

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

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

Research-informed practice, some of which may be innovative, continues to develop from a strong and confident base, making an exceptional difference to the lives and experiences of children.
5.2 How well children and young people are helped and protected

Areas of required evidence are:

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

<table>
<thead>
<tr>
<th>Good</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children feel protected and are protected from harm, including neglect, abuse, sexual exploitation, accidents, bullying and radicalisation. There is a strong, robust and proactive response from all those working with children that reduces harm or the risk of harm to them, including self-harm. That response includes regular and effective contact and planning with the child's allocated social worker and their family, if this is appropriate and in accordance with plans for their future.</td>
</tr>
<tr>
<td>Children can identify a trusted adult who they can talk to about any concerns. They report that adults listen to them, take their concerns seriously and respond appropriately.</td>
</tr>
<tr>
<td>Any risks associated with children offending, misusing drugs or alcohol, self-harming, going missing or being sexually exploited are known and understood by the adults who look after them.</td>
</tr>
<tr>
<td>Individual, up-to-date risk assessments address any known vulnerabilities for each child effectively and set out what action should be taken to address the risks. There are plans in place that are reducing harm or the risk of harm and there is evidence that these risks are being minimised.</td>
</tr>
<tr>
<td>Children who go missing experience well co-ordinated responses that reduce the harm or risk of harm to them. Risks are well understood and minimised. There is a clear plan of urgent action in place to protect them and to reduce further harm or risk of harm.</td>
</tr>
<tr>
<td>The agency is aware of, and implements as appropriate, the requirements of the statutory guidance for children who are missing. It challenges the local authority where an independent return home interview is not offered or arranged by the local authority and takes appropriate steps to escalate concerns. Parents, if it is appropriate, are made aware of incidents where the child has been or is missing.</td>
</tr>
<tr>
<td>Children are supported to take age-appropriate risks that are considered with carers, placing social workers (as appropriate) and the children themselves.</td>
</tr>
<tr>
<td>Children are protected, and helped to keep themselves safe, from bullying, homophobic</td>
</tr>
</tbody>
</table>
behaviour, racism, sexism, radicalisation and other forms of discrimination. Any discriminatory behaviours are challenged and help and support is given to children about how to treat others with respect.

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

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

Restraint is used only in strict accordance with the legislative framework and the agency policy to protect the child and those around them. All incidents are reviewed, recorded and monitored and the views of the child are sought, dependent on their age and understanding, and understood.

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

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

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

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

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

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

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

Investigations into allegations or suspicion of harm are shared with the appropriate agencies and are handled fairly, quickly and in accordance with statutory guidance. Children are supported and protected. Support is given both to the person making the allegation and the person who is the subject of the allegation. Sensitive and carefully assessed decisions are taken if removal of children from carers is necessary if a carer is subject to an allegation.

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

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

Recruitment, assessment and support of foster carers have a very strong focus on child protection, including help to ensure that children living in foster homes are safe and feel safe. Preparation of foster carers addresses the potential impact of abuse and neglect on the behaviour and needs of children and helps prepare them for the developing needs of any children placed.

**Requires improvement to be good**

The help and protection offered to children are likely to require improvement if children are not yet receiving good help and protection, but there are no serious failures that leave them either being harmed or at risk of harm.

**Inadequate**

The help and protection offered to children are likely to be inadequate if there are serious or widespread failures that leave children being harmed, at risk of harm or with their welfare not being safeguarded.

**Outstanding**

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

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

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

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

**5.3 The effectiveness of leaders and managers**

Areas of required evidence are:

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

### Good

<table>
<thead>
<tr>
<th>The agency is managed effectively and efficiently by a permanent, suitably experienced and qualified registered manager. Urgent action is taken to address any vacancy of the registered manager post.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The agency is properly staffed and resourced to meet the needs of foster carers and children. Staff and panel members are suitably vetted and qualified and are able to deliver high quality services to foster carers and children. Arrangements for recruitment and appraisals are robust.</td>
</tr>
<tr>
<td>Leaders and managers actively and regularly monitor the quality of care provided. They use learning from practice and feedback to improve the experiences and care of children. This includes, for example, direct testimony from children, young people, parents, carers, other professionals and other stakeholders.</td>
</tr>
<tr>
<td>They learn from complaints, staff feedback, placement successes and breakdowns, and any serious events. They identify strengths and areas for improvement and implement clear development plans that continually improve the experiences of children.</td>
</tr>
<tr>
<td>Robust action is taken to address all issues of concern, including any concerns or complaints from children, young people and local residents. Proper investigations are undertaken. Placing and host authorities are engaged as necessary. Effective action has been taken to address all requirements and recommendations from previous inspections. The agency’s responses to recommendations from the Independent Review Mechanism (IRM) are timely and appropriate.</td>
</tr>
</tbody>
</table>
Leaders and managers take steps to ensure that plans for individual children comprehensively address their needs. The agency works proactively and positively with other agencies and professionals. Leader and managers seek to build effective working relationships with parents and social workers from placing authorities and with the local authority where they are located to secure positive outcomes for children.

Where children are not settling into their placement, leaders and managers take steps to ensure that the plan is reviewed with the placing authority, the carers and parents (where this is appropriate) to consider the best steps to take next.

They challenge effectively and take action when they are concerned that placing authorities are not making decisions that are in children’s best interests, when the statutory requirements for looked-after children are not met, or when they cannot keep children safe.

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

Managers and staff receive regular and effective supervision that is focused on children’s experiences, needs, plans and feedback. Supervision is recorded effectively. There is effective support and challenge, including through team and management meetings, to ensure that the professional development of staff and leaders results in the right environment for good practice to thrive.

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

The staff team works collaboratively to provide consistency and stability. There are clear responsibilities and accountabilities and the staff team has a sense of shared ownership about its practice. Staff report that they are well led and managed and there is other evidence to support this.

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

The statement of purpose and children’s guide, which is kept under review, clearly sets out the ethos and objectives of the fostering agency.

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

Case records reflect children’s lives and the work that is undertaken with them. Case records reflect children’s achievements and clearly relate to the plans for their futures. The style and clarity of records increases the understanding that children have about their histories, background and experiences. The records are available to children who are able to see or contribute to them as they wish, with appropriate support.

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

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

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

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

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

Foster carers receive effective training and supervision in respect of the specific and complex needs of children and placements are more effective and stable as a result. Foster carers achieve the training, support and development standards in foster care within 1 year of approval, or within 18 months if they are family and friends carers.

The fostering panel promotes safe, secure and stable placements through active engagement with the fostering agency. It carries out a rigorous quality assurance function and promotes thorough assessments, support and training for foster carers. The panel members are recruited from a range of diverse backgrounds. It has the necessary knowledge and expertise to support the agency to make effective child-centred decisions in relation to the cases before them.

Requires improvement to be good

The effectiveness of leaders and managers is likely to require improvement if the characteristics of good leadership and management are not in place.

Where there are weaknesses in practice, leaders and managers have identified the issues and have plans in place to address them or they are less serious and there is capacity to take the necessary action.

Inadequate

The judgement on the effectiveness of leaders and managers will be inadequate if the experiences, progress or protection of children are inadequate and leaders and managers do not know the strengths and weaknesses of the agency. They have been ineffective in prioritising, challenging and making improvements. The agency fails to work effectively in partnership with others in the best interests of children.

Where there has been no registered manager for 26 weeks or more due to the agency’s failure to recruit, or the absence of a manager leads to a risk to the welfare of children, this is likely to lead to a judgement of inadequate.

Outstanding

The effectiveness of leaders and managers is likely to be judged outstanding if, in addition to meeting the requirements of a good judgement, there is evidence of the following.
Leaders and managers are inspirational, confident and ambitious for children and influential in changing the lives of those in their care of the agency.

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

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

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

They maintain professional relationships between the agency and partner agencies that ensure the best possible care, experiences and futures for children.

### 6. Legal context

*Independent fostering agencies inspections and the law.*

Under the Education and Inspections Act 2006 ([www.legislation.gov.uk/ukpga/2006/40/contents](http://www.legislation.gov.uk/ukpga/2006/40/contents)), Ofsted carries out its work in ways that encourage the services it inspects and regulates to:

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

Section 5(1A) of the Care Standards Act 2000 ([www.legislation.gov.uk/ukpga/2000/14/contents](http://www.legislation.gov.uk/ukpga/2000/14/contents)) provides that HMCI is the registration authority for independent fostering agencies and other establishments and agencies to which part 2 of that Act applies.

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

When inspecting independent fostering agencies, Ofsted takes into consideration the knowledge and understanding gained from previous inspections and to

Fostering services national minimum standards
(www.gov.uk/government/publications/fostering-services-national-minimum-standards)

the Children Act 1989 guidance and regulations, volume 4: fostering services (referred to as statutory guidance)

7. The regulations, the government guide and the SCCIF

How inspectors use the quality standards.

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

The Department for Education also publishes national minimum standards (NMS) (www.gov.uk/government/publications/fostering-services-national-minimum-standards). Failure by providers to meet the national minimum standards may indicate a failure to meet the regulations. This may influence the inspection judgement and may result in requirements being imposed and/or enforcement action being taken. Inspectors consider carefully the impact on children and other service users and how it should influence the judgements and outcome of the inspection, including any enforcement action.

A failure to meet a regulation does not automatically lead to a judgement of requires improvement to be good. We may still make requirements when providers are judged to be good.

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

8. Notice

The length of notice given before an inspection and the information we request.

8.1 Notice of an inspection

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

Ofsted will usually give notice by 9 am by email. The lead inspector will follow up the next morning with a telephone call to the agency. The email letter of notice (www.gov.uk/government/publications/independent-fostering-agencies-inspection-documents) sets out practical arrangements for the inspection, including the information requirements. The inspector's follow-up telephone call (and other calls between the agency and inspector that may be necessary during the period of
notice) will provide the opportunity to discuss further the plans for the inspection, including the inspection timetable.

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

8.2 Request for information at an inspection

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

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

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

This information is requested under section 31 of the Care Standards Act 2000 (www.legislation.gov.uk/ukpga/2000/14/section/31). It supports the inspection process and informs the inspection findings and it may generate supplementary lines of enquiry. All information should be returned to the inspector by 4pm on the day that notice is given.

Some of the information is stored by Ofsted for data analysis purposes. No personal data is stored.

9. Scheduling and the inspection team

How an inspection is scheduled and who makes up the team.

9.1 Frequency of inspection

We have a duty to inspect independent fostering agencies at least once in a 3-year inspection cycle (Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (fees and frequency of inspections) (children’s homes, etc.) (amendment) regulations SI 2015/551, as amended) (www.legislation.gov.uk/uksi/2007/694/regulation/19/made).

We are now introducing a rolling 3-year programme of inspection. This means that rather than a static 3-year cycle where all agencies are inspected within each 3-year window, each agency will usually be inspected in the 3-year period following its individual inspection. The 3-year period begins on the 1 April in the year following its
individual inspection. For example, for agencies inspected between April 2016 and March 2017, a new 3-year cycle begins on 1 April 2017. There are likely to be some variances as we move from one system to another.

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

9.2 Scheduling

The scheduling of inspections takes account of:

- legal requirements
- previous inspection findings
- complaints and concerns about the service
- returned questionnaires from children, young people, foster carers, social workers and other stakeholders
- notifications

9.3 Length of inspection

For a full inspection of a fostering agency, 1 inspector usually spends a maximum of 5 days on site within 1 working week.

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

Inspectors should consider:

- whether the amount of time on site should be reduced for inspections of small agencies
- whether additional resources, such as more inspectors or more time on site or both, should be deployed for:
  - inspections of larger agencies
  - agencies with a wide geographical spread
  - where there are specific issues, such as a serious incident, to consider

9.4 Deferrals

Inspections will not normally be deferred. Absence or unavailability of main staff members (unless the provider is a single person) or accommodation issues such as
refurbishment will not usually be reasons for deferral. If no staff are available, the inspector should contact the responsible individual or person in charge to arrange access.

An inspection will only be deferred when it might place children or others at risk if it goes ahead or if the ability to gather secure evidence is severely restricted. These conditions might include:

- serious weather conditions that make access to sites difficult or dangerous or both
- a serious incident where the presence of an inspector would have an adverse impact on the safety and well-being of children, young people or adults

Decisions about deferrals are agreed by the RIM.

**10. Timeframe**

*Timeframe for an inspection from planning to publication of the report.*

<table>
<thead>
<tr>
<th>Day</th>
<th>Full inspection activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Notice of inspection</td>
</tr>
<tr>
<td>2</td>
<td>Inspector preparation</td>
</tr>
<tr>
<td>3</td>
<td>Site visit</td>
</tr>
<tr>
<td>4</td>
<td>Site visit</td>
</tr>
<tr>
<td>5</td>
<td>Site visit</td>
</tr>
<tr>
<td>6</td>
<td>Site visit</td>
</tr>
<tr>
<td>7</td>
<td>Site visit</td>
</tr>
<tr>
<td>8 to 12</td>
<td>Report writing; inspection evidence and report submitted for quality assurance</td>
</tr>
<tr>
<td>25</td>
<td>Report sent to the registered provider for any comments on factual accuracy within a maximum of 18 working days of the end of the inspection</td>
</tr>
<tr>
<td>30</td>
<td>Provider returns the report within 5 working days with comments on factual accuracy</td>
</tr>
<tr>
<td>35</td>
<td>The final report published on the <a href="https://www.gov.uk/government/collections/ofsted-inspection-reports">Ofsted reports site</a> within a maximum of 28 working days of the end of the inspection</td>
</tr>
</tbody>
</table>

**11. Preparing for an inspection**

*What happens before an inspection.*
11.1 Analysis and planning

Pre-inspection analysis and planning are an important part of all SCCIF inspections.

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

The information Ofsted holds includes:

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

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

In addition, the inspector takes account of relevant background and context information such as the most recent inspection of the local authority and review of the local safeguarding children board where the agency is situated. The published reports are available on the Ofsted reports website and the link is included in the pre-inspection briefing.

If information has been received that indicates potential non-compliance with regulatory requirements, Ofsted may decide to investigate during the inspection. In these cases, the concern is a line of enquiry for the inspection. The inspector usually outlines the concern to the agency at the beginning of the inspection.

The inspector carries out an analysis of the available evidence and information and must record their planning notes on the inspection database.
The plan for the inspection sets out lines of enquiry, any areas of apparent weakness or significant strength, or areas where further evidence needs to be gathered. The focus of the inspection may change during its course as further evidence emerges.

11.2 Questionnaires

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

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

Ofsted sends links to the questionnaires annually to each provider by email and asks them to distribute those links on its behalf. The responses are submitted directly to Ofsted.

Responses are shared with the inspector for the service or setting and are used to inform the planning and scheduling of inspections. Where there are no responses for a service or setting, this also forms a line of enquiry for the inspection.

11.3 Notifications and reports made under regulation 35 and NMS 25

Introduction

Inspectors must regularly review notifications and reports under regulation 35 and NMS 25. This is important activity. Inspectors must focus on both the content and quality of the reports to ensure that there is effective monitoring of the agency and that these activities support improvement in the experiences and progress of children.

Information from any of these sources may lead to:

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

Registered persons (providers and managers) must notify Ofsted without delay about specific events and incidents as set out in regulation 36 of the Fostering services (England) regulations 2011. Schedule 7 lists the specific events.

Online forms and further guidance about notifications are available (https://www.gov.uk/government/publications/notify-ofsted-of-an-incident-form-for-childrens-social-care-providers). Providers should always seek advice from their link inspector about individual cases if they are uncertain how to proceed.

If the inspector identifies issues that give them cause for concern about the welfare of children, they should ask for evidence that shows what has been done to help and protect the child. If notifications are incomplete, the inspector should always contact the agency for ask for more information.

Whenever there are concerns about the safety or welfare of a child, the inspector must contact the registered manager so that Ofsted is fully aware of the actions being taken by the agency, the placing authority and other relevant parties (such as the host authority and police) to promote and safeguard the welfare of the child/young person. Managers and staff should take into account the appropriate parts of the statutory guidance outlined in ‘Working together to safeguard children’ (www.gov.uk/government/publications/working-together-to-safeguard-children--2).

If the inspector has any concern about the practice of either the placing or the host local authority, this is managed in line with the published policy ‘Management of cross-remit concerns about children’s welfare’ (www.ofsted.gov.uk/resources/management-of-cross-remit-concerns-about-childrens-welfare). The director of children’s services must be notified immediately of the concerns so that they can review the situation. This information will also inform planning for any forthcoming local authority inspection.

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

Reports made under regulation 35 and NMS 25

Regulation 35 of the Fostering services (England) regulations 2011 (www.legislation.gov.uk/uksi/2011/581/regulation/35/made) requires independent fostering agencies to “maintain a system for (a) monitoring the matters set out in Schedule 6 at appropriate intervals and (b) improving the quality of foster care provided by the fostering agency.” Agencies are required by the regulations to submit Regulation 35 reports to Ofsted.
The fostering national minimum standards (NMS) (www.gov.uk/government/publications/fostering-services-national-minimum-standards) requires the provider to provide quarterly reports on the management, outcomes and financial state of the fostering service to the agency’s management (NMS 25.7). Ofsted requests NMS reports to be provided under section 31 of the Care Standards Act (http://www.legislation.gov.uk/ukpga/2000/14/section/31).

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

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

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

Reports under regulation 35 and NMS 25 can be submitted using an online form https://ofstedonline.ofsted.gov.uk/ofsted/ofsted_scheduled_notification.ofml). This is the most secure, and our preferred, method of receiving notifications.

Reports under NMS 25 can also be emailed to enquiries@ofsted.gov.uk. However, information sent by email is not secure. Providers should be aware of the associated risks while operating within the information guidelines of their own organisation. If providers need to use email, they must include Ofsted’s unique reference number (URN).

If providers are unable to submit these reports online, they can post them to:

Document Handling Centre Manager
Ofsted
Applications, Regulatory and Contact Team
Piccadilly Gate
Store Street
Manchester
M1 2WD

12. The on-site inspection

What happens during an inspection.

12.1 The start of the inspection

At the start of all inspections, the inspector confirms their identity by producing their Ofsted inspector identification. They don’t need to carry paper copies of Disclosure and Barring Service (DBS) checks.
The inspector will always meet with the registered manager/person in charge at the beginning of the inspection to:

- outline the plan for the inspection
- make arrangements to interview the registered manager during the course of the inspection; if the registered manager is not available and the responsible individual is not able to attend the inspection, the responsible individual should identify who is to be their representative during the inspection
- outline any lines of enquiry for the inspection, including those generated through the reading of the statement of purpose
- provide the person in charge with the opportunity to share any current information or personal issues relating to any of the children, carers or members of staff that the inspector needs to be aware of during the inspection
- ensure that Ofsted holds the correct details on the inspection database (as required by regulations), including email address and contact telephone numbers for the manager, registered provider and/or responsible individual, any other partners, or directors or trustees
- arrange the approximate time that verbal feedback will be given and who is to receive this; feedback is normally given to the registered manager or senior member of staff present and the responsible individual; additional senior staff linked to the agency may also attend at the discretion of the inspector if agreed in advance

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

### 12.2 Case tracking and sampling

Evaluating the experiences and progress of children is a core inspection activity. This will be largely based on evidence from case tracking and sampling.

For tracked cases, inspectors take an in-depth look at the quality of the help, care and protection that individual children have experienced. For sampled cases, inspectors look at areas of practice within individual cases, usually to follow lines of enquiry.
We take into account individual children’s starting points and circumstances during inspections. We recognise that even slight progress in a particular aspect of their lives may represent a significant improvement for some children. We also recognise that for some children, because of their experiences of trauma, abuse or neglect, progress is not always straightforward. Progress in one area may result in deterioration in another as they work through the impact of their past experiences.

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

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

Inspectors also sample elements of other cases to follow specific lines of enquiry. The size of the agency and the nature of any line of enquiries determines how many cases are sampled.

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

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

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

When tracking cases, the inspector usually reviews:

- the assessment of the carer (if undertaken in the last 12 months)
how the decision was taken to approve the carer/s (if taken in the last 12 months)

the matching report or recorded matching decision taken to place the child with the respective carers

local authority care plan, if available

any documents that show young people’s progress, including school or health reports

minutes/reports from the last 2 statutory looked-after children reviews

the most recent foster carer review

notes of the supervision of the carer from the last 3 months

minutes of any professional meetings

training records of the carer

the foster care agreement

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

Case files are only 1 aspect of tracking the child’s journey. Inspectors increase their understanding of the child’s experience through evidence from other sources, such as observation of practice and discussions with individuals involved.

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

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

12.3 Listening and talking to children and young people

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

Inspectors assess how well the agency consults with children. The views of children that have been gathered by the agency will be taken into account as part of the inspection evidence. Inspectors should bear in mind the limits of verbal consultation with some children, particularly those who are disabled or have complex health care needs, and take this into account in their evaluation.

Inspectors always try to meet with children during the inspection. Inspectors may make alternative arrangements to speak to children, such as telephone calls at a pre-arranged time.
Inspectors must take into account the specific communication needs of individual children. For some children, the inspectors may request the assistance of staff or carers who know and understand the child’s preferred means of communication, particularly if this is unique to the child. In other instances, it may also be appropriate for inspectors to spend time observing children and how they interact with carers and professionals and respond to their environment.

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

Many of the experiences of children take place after the normal school day and it is essential that inspectors are able to speak to children at this time. Inspectors should involve children in inspection activity wherever they can. Opportunities to gather the views and experiences of children may include:

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

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

Inspectors demonstrate safe and sensitive practice by:

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

### 12.4 Observation of activities

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

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

The privacy and confidentiality of personal information are respected at all times by inspectors. The inspector always involves the agency in any decisions about children’s involvement in the inspection.

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

12.5 Gathering views of other professionals

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

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

Inspectors ask providers for the relevant contact details (see notice of inspection letter (www.gov.uk/government/publications/independent-fostering-agencies-inspection-documents). Inspectors should always take account of privacy and confidentiality when talking to stakeholders on the telephone during the inspection.

12.6 Discussions with managers and staff

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

The inspector always asks to interview the responsible individual where:

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

During the inspection, the inspector shares emerging findings about the agency’s key strengths and weaknesses with the registered person (usually the registered manager) so that they fully understand the issues. The inspector usually meets with the registered person at an agreed point in the inspection to share emerging findings. The inspector normally sets out for the manager what they intend to consider later in the inspection so that the manager can prepare or direct inspectors to any specific information or evidence required.

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

12.7 Listening and talking to foster carers

Inspectors may have the opportunity to meet with a group of foster carers during the inspection. This meeting is time-limited. If a group meeting is not possible, inspectors will ask to speak to several foster carers by telephone. Examples of likely items for discussion include:

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

12.8 Assessing financial viability

The fostering services regulations state that the ‘registered provider must carry on the fostering agency in such a manner as is likely to ensure that it is financially viable for the purpose of achieving the aims and objectives set out in its statement of purpose’ (regulation 37(1) of the Fostering services (England) regulations 2011) (www.legislation.gov.uk/uksi/2011/581/contents/made).

Inspectors are only expected to undertake a lay person’s assessment of the financial information. Where, during the course of a routine inspection, the inspector has concerns about the financial viability of a provider due to, for example, lack of

The financial information Ofsted can request ranges from professionally produced business plans to a collection of accounts and balance sheets (regulation 37(3) of the Fostering services (England) regulations 2011) (www.legislation.gov.uk/uksi/2011/581/contents/made).

12.9 Examining records, policies and procedures

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

Inspectors do not routinely examine all policies and procedures. Documents are examined where they are part of a line of enquiry for that individual inspection.

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

Where the agency uses the Disclosure and Barring Service (DBS) update service to check the status of an individual’s DBS certificate, the agency should be able to demonstrate how it manages and records details of any check it carries out. If any lines of enquiry require additional information, then the inspector may request that a small sample of full personnel records are made available at the inspection visit.

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

12.10 Implications of the Equality Act

The Equality Act 2010 (www.legislation.gov.uk/ukpga/2010/15/contents) came into effect on 1 October 2010. The Act makes it unlawful for an employer to ask a potential employee questions about their health or disability before they are offered employment, whether on a conditional or unconditional basis.

Social care providers must comply with both the Equality Act and the remit-specific regulations that require them to employ people who are fit, both physically and
mentally, for the work. In order to comply with both laws, this means that providers may give conditional offers of employment to potential employees after the recruitment process, subject to appropriate medical and health checks. However, there are a number of exemptions to the provisions in the Act. If a provider believes that an exemption applies to their recruitment of staff, they should take their own legal advice on the matter.

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

12.11 How inspectors record the evidence

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

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

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

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

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

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

After the summarised evidence has been placed in the inspection database, any duplicate handwritten evidence should not be destroyed by the inspector until at least 10 days after the inspection. In some circumstances, inspectors will be required to keep any handwritten notes they have made during the inspection for longer. This may, for example, be necessary when legal action or a complaint about the judgement is being considered.

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

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

12.12 Feedback at the end of the inspection

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

The inspector should:

- cover the main findings of the inspection, including both strengths and weaknesses
- clearly communicate the likely judgements
- indicate likely recommendations, with clear reference to the relevant national minimum standard or quality standard (where relevant), providing a clear direction for improvement
- use the grade descriptors and the evidence to clearly indicate how the judgements have been reached
- confirm when the report will be sent to the manager for comments on factual accuracy (see ‘timeframe’)

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

13. Making requirements and recommendations

What inspectors must do when imposing requirements and making recommendations.

13.1 Requirements

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

When imposing a requirement, inspectors must ensure that there is sufficient evidence to support the breach and that they are able to show that this is having an impact, or is likely to have an impact, on children’s experiences and progress. They must weigh up and balance evidence from more than one source to support making a requirement.
The requirement should refer to the specific regulation and should be detailed enough for the registered person to be clear about what they need to do to correct the breach of regulation and a date by which they should achieve this.

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

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

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

13.2 Recommendations

Inspectors make recommendations to improve practice.

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

- ‘Statutory guidance for children who run away or go missing from home or care’ (www.gov.uk/government/publications/children-who-run-away-or-go-missing-from-home-or-care)

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

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

Where the agency has not acted on recommendations made at a previous inspection, the inspector considers carefully the impact of this on children and may impose a requirement.
13.3 Compliance notices and enforcement action


We serve a compliance notice following an inspection if:

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

14. Inadequate judgements: next steps

*What happens following inadequate judgements, including case reviews.*

Any inspection judgement of inadequate for the overall experiences and progress of children and young people will lead to a post-inspection debrief as soon as possible, and then a case review. The timing of the case review should be proportionate to the risk and certainly no later than 5 working days following the inspection.

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

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

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

Where concerns are serious, we are likely to return to conduct a monitoring visit to check that the manager and responsible person have taken sufficient steps to safeguard and protect the welfare of children. Any monitoring visit usually results in a published report, although regulatory inspection managers (RIMs) can decide not to publish monitoring reports in exceptional circumstances.
An inspection visit takes place sooner if any further significant concerns arise during this period or if an earlier inspection is necessary to make statutory requirements to safeguard and protect the welfare of children.

15. The inspection report

*What is in the report and how the inspector checks and submits it.*

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

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

15.1 Content of the SCCIF report

<table>
<thead>
<tr>
<th>Information about this service</th>
<th>Brief contextual information about the service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date and judgement of last inspection</td>
<td>The date and overall judgement of the last inspection</td>
</tr>
<tr>
<td>Enforcement action since the last inspection (registered providers only)</td>
<td>A brief summary of any enforcement activity we have taken since the last inspection</td>
</tr>
<tr>
<td>Findings from this inspection</td>
<td>This includes any areas for development for a service judged outstanding or good and any strengths for those requiring improvement to be good or inadequate</td>
</tr>
<tr>
<td>Areas for improvement</td>
<td>Any recommendations and statutory requirements (where relevant)</td>
</tr>
<tr>
<td>Inspection judgements</td>
<td>The judgements made and accompanying text</td>
</tr>
<tr>
<td>Information about this inspection</td>
<td>What we have looked at and information about the legal basis for the inspection</td>
</tr>
<tr>
<td>Service details</td>
<td>Information on the provider running the service</td>
</tr>
</tbody>
</table>

15.2 Child-friendly reports

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

Where it is known that children placed with an agency use individual, alternative systems of communication to verbal communication, or where it is known that children have limited receptive and expressive language skills, we still provide a
child-friendly summary. It can be short, include pictures and be set in simple, concrete sentences.

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

15.3 Quality assurance

The inspector is responsible for the quality of the report. The inspector will check the completed report carefully before submitting to their manager for sign-off and publication.

Any proposed change of judgement from the provisional judgement given at verbal feedback during the inspection will be discussed by the appropriate managers within Ofsted. On these rare occasions, the inspector must inform the provider of the revised judgements and provide reasons for the changes before the provider receives the draft report.

Following each inspection, Ofsted will send an evaluation form to the provider. Feedback from providers will be used to improve the quality of inspections.

16. Conduct during inspection

How inspectors and agencies should work together.

16.1 Conduct of inspectors

Inspectors must uphold the highest professional standards in their work. The code of conduct requires inspectors to:

- evaluate objectively, be impartial and inspect without fear or favour
- evaluate provision in line with frameworks, regulations and standards
- base all evaluations on clear and robust evidence
- have no connection with the agency that could undermine their objectivity
- report honestly and clearly, ensuring that judgements are fair and reliable
- carry out their work with integrity, treating all those they meet with courtesy, respect and sensitivity
- endeavour to minimise the stress of inspection on those involved
- act in the best interests and well-being of service users
- maintain purposeful and productive dialogue with those being inspected and communicate judgements clearly and frankly
- respect the confidentiality of information, particularly about individuals and their work
- respond appropriately to reasonable requests
- take prompt and appropriate action on any safeguarding or health and safety issues

16.2 Expectations of agencies

For inspection and regulation to be productive and beneficial, inspectors and agency managers must establish and maintain a professional working relationship that is based on courtesy and professional behaviour. Inspectors are expected to uphold the code of conduct, but we also expect agency staff to:

- be courteous and professional
- apply their own codes of conduct in their dealings with inspectors
- allow inspectors to conduct their visit in an open and honest way
- allow inspectors to evaluate the provision objectively against the inspection evaluation criteria and relevant standards and regulations
- provide evidence that will enable the inspector to report honestly, fairly and reliably about their provision
- work with inspectors to minimise disruption, stress and bureaucracy
- ensure the health and safety of inspectors while on their premises
- maintain a purposeful dialogue with the inspector or the inspection team
- draw any concerns about the inspection to the attention of inspectors promptly and in an appropriate manner
- respect the fact that inspectors need to observe practice and talk to staff and users without the presence of a manager or responsible individual

17. Concerns or complaints about an inspection

How to raise a concern or complaint.

17.1 Concerns

Most of Ofsted’s work is carried out smoothly and without incident. If concerns do arise during an inspection, they should be raised with the inspector as soon as possible during the inspection visit. This provides an opportunity to resolve the matter before the inspection is completed.

Any concerns about the factual accuracy of the findings in the report can be raised after the inspection.
If the provider is unable to resolve the matter with the inspector, they should contact the inspector’s RIM for further discussion.

17.2 Complaints

If it has not been possible to resolve concerns, a formal complaint can be raised under Ofsted’s complaints procedure (www.gov.uk/government/publications/complaints-about-ofsted).

Complaints can be submitted to Ofsted at any stage during an inspection and should be submitted no more than 10 working days after publication or any report or letter. We do not normally withhold publication of an inspection report or withdraw a published inspection report while we investigate concerns.

Complainants must send their concerns using Ofsted’s online complaints form.

If there are special circumstances that prevent the submission of a complaint online, complaints can be sent in writing to:

Ofsted
National Complaints Team
Piccadilly Gate
Store Street
Manchester
M1 2WD

Email: enquiries@ofsted.gov.uk

18. Monitoring visits

Information about monitoring visits.

Monitoring visits are carried out according to the general principles of the SCCIF. Monitoring visits are usually undertaken for any of the following reasons:

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

18.1 Timing and frequency

The decision to carry out a monitoring visit is usually taken at a case review. The frequency of monitoring visits is decided on a case by case basis and may be as frequent as weekly if that is what is needed. Timing and frequency is determined by any dates included in compliance notices and the nature of the concerns.
A compliance notice sets out the actions a provider must take by a certain date to meet the relevant service-specific regulations for children’s social care providers. This is agreed and recorded at the case review.

The inspector will tell the provider that they are the subject of monitoring following enforcement action or an inadequate inspection judgement. Monitoring visits are usually unannounced.

18.2 Compliance notices

Where we establish a number of actions on a statutory notice, or serve multiple statutory notices with different completion dates, then we schedule follow-up visits for each date or notice to ensure that the provider has met each specified action within the prescribed timescale. We aim to complete follow-up visits the day after the required completion date for each notice or, at the very latest, within 5 working days of that date. In some instances, we may timetable the monitoring visit so that we can assess compliance with more than 1 notice.

We may decide, in exceptional circumstances, not to carry out a follow-up visit to check that the provider has met a specific requirement in a notice. In these cases, we will accept written confirmation that the provider has taken the required action if the written confirmation is accompanied by documentary evidence such as a photograph or a copy of a required procedure.

We make a note on the inspection database of the reasons why it was not necessary to visit, for example where a fire officer has conducted a visit and given written confirmation of action taken, copied to Ofsted.

Monitoring visits are also likely to be agreed as part of the plan for the provider once the notice of proposal to cancel has been issued.

Other circumstances where we might undertake monitoring visits include those where a ‘restriction of accommodation’ notice is in place or where we have suspended a provider from continuing to operate.

Following the monitoring visit, we will send a report detailing the outcome of the visit. This report will be published on our reports website alongside the inspection reports.

18.3 Preparing for the monitoring visit

When preparing for a monitoring visit, inspectors take into account:

- the last inspection report
- requirement(s) set out in the last inspection report
- requirement(s) set out in any compliance notice
- letters from previous monitoring inspections
- any notifications received since the last inspection
any action plan provided by the setting
any other information recorded on the inspection database, such as information from other agencies or complaints
any enforcement action that should be monitored (for example, restriction of accommodation)

18.4 How inspectors carry out monitoring visits

Where the monitoring visit is either conducted following an inadequate judgement or to monitor compliance notices or to determine whether requirements have been completed, it should:

- determine the impact of any completed requirements on the welfare and outcomes for children, young people and other service users
- identify whether any additional concerns exist
- determine the capacity of the registered manager to sustain the changes required
- consider any further action that may need to be taken
- review the evidence in order to determine whether a new inspection judgement can be made

Where the monitoring visit is to monitor other concerns or issues, it should:

- determine whether the effectiveness of the setting has declined or improved
- determine the impact of any improvement or decline in practice on the welfare and outcomes for children and young people
- set out any further action that may need to be taken

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

The inspector should judge how effective the improvement is and how, by tackling the requirements or issues, the setting has improved the experiences and progress of children, young people and other service users.

To demonstrate the necessary improvement, providers and managers need to show that their actions have had a significant impact in achieving clear and sustainable progress. Good intentions and an inspirational outlook or a recent change of manager following a period of poor leadership do not in themselves give enough proof of the ability of the provider to sustain improvement.

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

If the inspector is concerned or unsure about any aspect of the visit, they can contact their RIM or a social care compliance inspector.

If the inspector thinks that an offence may have been committed, they should contact a social care compliance inspector or RIM immediately to discuss whether the monitoring visit should continue and to take advice.

If during the course of the visit the inspector thinks that an offence has been committed, they have the power to caution the registered provider or registered manager. An inspector can only caution the provider or the registered manager.

If an inspector believes that an offence has been committed and that it is necessary to secure the evidence during the visit, they should contact their RIM, another manager or social care compliance inspector for advice, before administering the caution and carrying out the interview.

However, the preferred way of interviewing under caution is to withdraw and conduct the interview at a later date under the Police and Criminal Evidence Act 1984 (www.gov.uk/guidance/police-and-criminal-evidence-act-1984-pace-codes-of-practice).

18.5 How inspectors gather evidence in a monitoring visit

The key questions inspectors investigate are:

- How effective is the action taken by the provider to meet the requirements set at the last inspection?
- How effective is the action the provider has taken to improve the experiences and progress of children and young people?

Evidence should be recorded in the inspection database. The evidence should reflect the areas for improvement that were identified in the inspection report. This section should include evidence of the most significant strengths and weaknesses and any new areas of improvement or breaches of requirement that need to be taken forward. The inspector must decide whether the setting has let other aspects slip so there is now cause for concern in different areas.

Inspectors must decide whether the provider demonstrates their capacity to sustain any improvements they have made. Inspectors should also decide whether the improvements are having a marked and sustained impact on all areas of weakness.

18.6 Feedback at the end of the monitoring visit

The inspector provides verbal feedback to the provider at the end of the visit. The inspector must:
be clear about the evidence base that the judgement of improvement or continued concern is based on

make clear any new issue(s) to take forward

ensure that the provider is clear about the outcome of the visit and what the next step will be, especially if a new issue has arisen or improvement is inadequate

be clear with the provider when the next steps will be confirmed if the inspector requires further advice

explain that the outcome of a monitoring visit is published in the form of a report on the Ofsted reports website alongside the last report

make clear that the text of the report may differ slightly from the oral feedback, but that the substance of the issues will not change

ensure that the provider understands that the overall judgement of inadequate has not changed (where relevant), although progress and improvements may have been made

After any monitoring visit following an inadequate judgement, the inspector must contact the director of children’s services of the placing authorities (where relevant) to advise them:

- whether there has been a change of judgement and what that new judgement is and the nature and effectiveness of any improvements or
- that there has been no change of judgement and either the original concerns remain or new ones have emerged.

18.7 Monitoring report

Ofsted will publish all monitoring reports on its reports website, although RIMs can decide not to publish monitoring reports in exceptional circumstances. The summary of the reports should outline the significant developments and evidence of progress that has occurred since the last visit. The summary must clearly explain the action the provider has taken to address the requirements and the impact of any improvement, or not, on the care, experiences and progress of children, young people and any other service users.

The report must:

- set out the reason for the visit (if the visit is to follow up enforcement activity then the letter should clearly set this out, for example, ‘This home is subject to a restriction of accommodation order. There are concerns that... In order to evaluate the progress the home has made in addressing these concerns a monitoring visit was undertaken on....’; where this relates to compliance notices, there should be a short summary of the number of notices and an overview of the areas for concern)
- evaluate where progress has been made and where progress has not been made
- clearly state the impact of continued concerns on children and young people, alongside any action that Ofsted will be taking to notify placing local authorities and/or to protect children
- set out clearly where and what further action is needed

Inspectors must use clear language to indicate the level of concern; for example, ‘this visit has raised serious concerns about care and practice in the [setting]’. Inspectors can clearly state that the provider is likely to be subject to further enforcement action where this is the case. The details of intended action cannot be included as this may prejudice any action we are likely to take and be seen to impede the provider’s right of appeal, where relevant.

18.8 Review and factual accuracy check of the report

Monitoring toolkits will be reviewed by the RIMs before they are sent to the provider or published. This is to ensure that they accurately reflect the improvement made or support any further enforcement action we may wish to take.

The provider has an opportunity to check the factual accuracy of a monitoring report.

Monitoring reports should usually be published within 28 working days of the visit.

19. Agencies where there are no children placed with foster carers

Information about inspecting agencies where no children are placed with foster carers.

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

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

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

Inspectors should consider the likely evidence that can be collected to support the inspection judgements.
Where a fostering agency has had no children placed with foster carers for more than 3 months and the agency has indicated that it does not intend to operate in the near future, reports must contain the following statement:

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

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

[Insert name of fostering agency] must inform Ofsted of their intention to place children and young people with foster carers one week before a child or young person’s placement commences.

The timing of when best to undertake the first inspection should be kept under regular review. Once completed, the condition of registration should be removed (the removal will need to be imposed and follow the Notice of Proposal/Notice of Decision process).

20. Checks on responsible individuals

The responsible individual must meet the requirements of regulation.


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

This scrutiny applies in situations where:

- the identity of a responsible individual changes
- a person acting as responsible individual becomes responsible for the management of another registered establishment or agency that they did not supervise on 31 March 2014

For further information, see ‘Changes to children’s social care services that are registered and/or inspector by Ofsted’ (Annex A) (https://www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted).
21. Agencies where there is no registered manager

What must happen where there is no registered manager.

The Care Standards Act 2000 (www.legislation.gov.uk/ukpga/2000/14) requires any person who carries on or manages an independent fostering agency to be registered with Ofsted. It is a criminal offence to operate or manage an independent fostering agency without registering with Ofsted (Section 11 of the Care Standards Act 2000).

The Fostering Services (England) Regulations 2011 (regulation 38) (www.legislation.gov.uk/uksi/2011/581/contents/made) require the provider to notify Ofsted if the manager is to be absent for 28 days or more, or if they leave. Providers must do this at least 1 month before a known absence of the manager and, in an emergency, within 1 week of the absence.

Any failures to either notify Ofsted of the absence or change of a manager or a failure to put in place satisfactory management arrangements will be taken into account when planning and undertaking inspections. For more information, see: Changes to children’s social care services that are registered and/or inspected by Ofsted (www.gov.uk/government/publications/changes-to-childrens-social-care-services-that-are-registered-andor-inspected-by-ofsted).

Actions to be taken may include, but are not limited to, bringing the date of the inspection forward and using this information to inform our judgement about the leadership and management of the agency. If a provider fails to notify Ofsted of a change of manager, this may also influence our assessment of their fitness to manage. For more information about what regulatory action Ofsted can take, please refer to Ofsted’s Social care compliance handbook (www.gov.uk/government/publications/social-care-compliance-handbook-from-september-2014).

22. Incomplete inspections

What should happen if an inspection can’t be finished.

On rare occasions, a very significant or serious incident may occur, such as a death of a child or a child committing a very serious offence, after an inspection has been carried out but before the inspection report has been published. On these occasions, inspectors and managers should follow ‘Gathering additional evidence to secure an incomplete inspection – Ofsted protocol’ (www.gov.uk/government/publications/gathering-additional-evidence-to-secure-an-incomplete-inspection-ofsted-related-protocol).

This protocol sets out the arrangements for inspections that are deemed to be incomplete because there is a need to gather additional evidence in order to secure the inspection evidence base where the report has not been published. Further action to complete the inspection and revise and report the findings may be required.
23. Safeguarding and child protection concerns

*What an inspector must do if they have immediate concerns about a child protection issue.*

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

Inspectors should always follow Ofsted’s safeguarding policy (www.gov.uk/government/publications/ofsted-safeguarding-policy).

Inspectors should contact their manager or regional social care compliance inspector if they need advice. The inspector ensures that the referral is made to the relevant local authority children’s services and the child’s allocated social worker and/or the relevant local authority adults’ services and, where appropriate, the vulnerable adult’s allocated social worker. Further guidance can be found in ‘Safeguarding concerns: guidance for inspectors’ (www.gov.uk/government/publications/safeguarding-concerns-guidance-for-inspectors). If the concerns relate to allegations against staff, they are referred to the designated officer.

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

23.1 The Prevent duty

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

Inspectors should note the detail of any relevant concerns or referrals made by the responsible individual and how effective the multi-agency response has been. The Department for Education has published advice for schools and childcare providers on the ‘Prevent’ duty (www.gov.uk/government/publications/protecting-children-from-radicalisation-the-prevent-duty), and inspectors should note where this applies to the type of setting inspected.

Inspectors can contact their RIM, who may seek specialist advice. If inspectors are unable to contact their RIM and remain concerned, they should follow Ofsted’s
23.2 Female genital mutilation: the duty to notify police

Since 31 October 2015, when section 74 of the Serious Crime Act 2015 (www.legislation.gov.uk/ukpga/2015/9/section/74/enacted) inserted new section 5B into the Female Genital Mutilation Act 2003 (www.legislation.gov.uk/ukpga/2003/31), specified regulated professionals (including social workers) must report to the police any cases of female genital mutilation in girls under 18 that they come across in their work.

The duty applies where the professional either:

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

If a child or young person discloses information regarding female genital mutilation to an inspector, the inspector should follow Ofsted’s ‘Guidance for inspectors: what to do if a child or young person discloses a safeguarding concern’ (www.gov.uk/government/publications/safeguarding-concerns-guidance-for-inspectors).

23.3 Reporting concerns about the administration and management of controlled drugs

If inspectors come across concerns or incidents about the safe management of controlled drugs during their normal inspection duties, or receive information through any other source, an outline of the concern and action taken should be referred to the social care policy team using its central email address of socialcare@ofsted.gov.uk.

This action is in addition to any regulatory action or recommendations made as a result of the concern. Referrals should be made even where no requirements or recommendations are to be made. The social care policy team will collate all such referrals and share these with the Controlled Drugs National Group.

Detailed information about controlled drugs (examples include morphine, pethidine, methadone and Ritalin) is available from the Care Quality Commission (www.cqc.org.uk/content/law-and-guidance-managing-controlled-drugs).
24. Use of personal data

Information about how we handle personal data.

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

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

Our privacy notice for social care sets out in more detail what data we collect and our powers to do so, what we do with it, how long we keep it for and people’s rights under data protection legislation.
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. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, further education and skills, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for children looked after, safeguarding and child protection.

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

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence, write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gsi.gov.uk.

This publication is available at www.gov.uk/government/organisations/ofsted.

Interested in our work? You can subscribe to our monthly newsletter for more information and updates: http://eepurl.com/iTrDn.

Piccadilly Gate
Store Street
Manchester
M1 2WD

T: 0300 123 1231
Textphone: 0161 618 8524
E: enquiries@ofsted.gov.uk
W: www.gov.uk/ofsted

No. 170010

© Crown copyright 2019