



HM Government

18 December 2023

Dear His Majesty's Chief Inspector at Ofsted and Chief Executive at the Care Quality Commission,

National Review – Children with disabilities and complex health needs placed in residential settings.

In April 2023, the Child Safeguarding Practice Review Panel (the Panel) published their [Phase 2 report](#) reviewing safeguarding children with disabilities and complex needs in residential settings. The report set out several recommendations for central and local government for changes to policy and practice to improve the safety, support and outcomes for children with disabilities and complex health needs.

We would like to thank you for your work to date with both the Panel and central Government departments, feeding in to both the review and to our response. Please find attached to this letter the Government response to the Panel's review.

In the last two years we understand that Ofsted, you have:

- Embedded training on 'closed cultures' – places that carry inherent risks because of the complex needs of children, the nature of the service and/or their geographical isolation – into inspectors' induction and training.
- Improved training on inspecting services for disabled children and children who do not communicate verbally.
- Increased expectations for inspectors to scrutinise notifications and other incoming information, looking for patterns of concern.
- Made changes to risk assessment processes to more clearly identify homes (and other social care services) that are particularly high risk either because of inherent risks or because of performance.
- Made it clearer to Ofsted inspectors that whistle-blowing information is a strong indicator of risk and requires urgent review.
- Recognised that your systems need to improve to support this work. You are currently scoping a significant rebuild of your casework system. In the meantime, you are committed to improving the system you currently have.

Both inspectorates have improved information sharing and joint working where there are concerns about regulated providers, recognising the challenges of overseeing the activities of these complex organisations. These are positive steps forward.

Preventing, identifying and tackling institutional abuse is of paramount importance, but also inherently complex given the number of agencies and workers responsible for these children. We are sure you will agree that creating the most robust regulatory and accountability frameworks possible is an area requiring further ongoing work.

We are therefore writing to request that you work together, alongside the Department for Education and the Department of Health and Social Care, to identify where we can go further to better protect disabled children in residential settings. This further work should cover the Panel's recommendation for joint inspection and, more broadly, assess how far the actions your organisations have taken to date go towards addressing the issues identified by the Panel's review, and where we should go further.

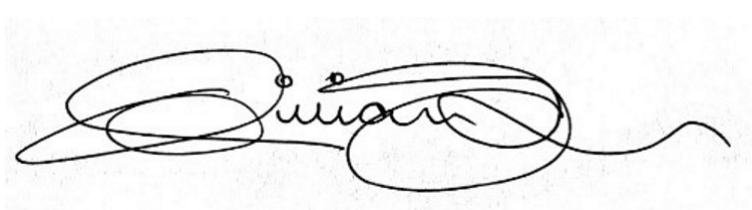
In particular, we are asking you to work together and with us:

- i. To review what changes to regulations may be required to enable better overall regulation of residential settings for children with disabilities and complex needs.
- ii. To address the Panel's recommendation for joint inspection and develop options for delivering this and improving inspection of residential settings providing for disabled children with complex health needs. Each option will need to include estimated costs and any funding will be agreed jointly with the Department for Education and the Department of Health and Social Care.
- iii. To consider any further changes to inspection or regulation practice that could be made to better protect children in residential settings with complex needs and disabilities. This includes building on the work Ofsted have started on whistle-blowing information being a strong indicator of risk.

We believe it is in the public interest that we, collectively, are transparent about how regulatory bodies of both children's social care and healthcare are carrying out such functions. Therefore, we would like Ofsted and CQC to work together to produce a report, from a single and joint perspective, on what could change. This would then be shared with Government and the public, covering points i-iii above by June 2024. Any changes will be fully costed prior to decisions being made and agreed jointly with both the Department for Education and the Department of Health and Social Care, where relevant.

We know that you care deeply about the safety and well-being of disabled children with complex health needs. We look forward to working closely with you on this next phase of reform.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gillian Keegan', with a long, flowing tail extending to the right.

The Rt Hon Gillian Keegan MP
Secretary of State for Education

A handwritten signature in blue ink, reading "Victoria Atkins". The signature is written in a cursive style with a large initial 'V' and a stylized 'A'.

Rt Hon Victoria Atkins MP
Secretary of State for Health and Social Care