



HM Government

18 December 2023

Dear Chief Executives of Local Authorities, Chief Executives of the Integrated Care Boards, and Chief Constables of police forces (copied to all Directors of Children's Services),

National Review – Children with disabilities and complex health needs living 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 all agree that the abuse and neglect experienced by the children and young people at the three residential settings run by the Hesley Group in Doncaster was appalling. There were a series of failures in the current systems in private providers, children's social care, SEND, [the then] Clinical Commissioning Groups (CCGs) and education providers that led to the events that occurred in these homes. While no system, however robust, can fully eliminate all risk of harm and abuse, those risks were exacerbated by wider systemic failings arising from inadequate leadership and management, poor quality training, support and supervision of the workforce, weak compliance with legal requirements, and regulatory failings.

Following the Panel's [Phase 1 report](#) in October 2022, local authorities carried out urgent checks on the welfare of any children in their care who were placed in children's homes that are dual registered as special schools. The Secretary of State for Education, the Secretary of State for Health and Social Care, the Secretary of State for the Home Department and the Panel are extremely grateful for the responses. We appreciate the work that local authorities put into preparing these responses to the urgent actions set down by the Panel. This work contributed to and informed the phase 2 report.

Many of the failures identified by the Panel are parts of the children's social care and SEND systems that we are already beginning to reform. The events in these homes bring into even sharper focus the importance of reforms in our [SEND and alternative provision improvement plan](#), our strategy for children's social care, [Stable Homes, Built on Love](#), and in NHS England's [long-term plan](#) to improve the lives of disabled children. At the heart of the Government's reforms is the principle that children and families should receive the right support, in the right place and at the right time.

We have today published a government response to the Panel's recommendations. We have written four open letters to the Panel, yourselves, to Ofsted and CQC and

to providers of residential settings. These can be found on the [government website](#). We are clear that, to prevent further abuse and safeguard disabled children and children with complex needs, we need a concerted and joined-up effort. This must be driven by the senior leaders of local authorities, Integrated Care Boards and police. It must be a partnership between local and central Government, regulatory bodies and providers.

You will be aware of the nature of the abuse that took place at the residential settings, and the fact that the checks and balances designed to prevent this abuse failed. As the Panel found, limited professional curiosity and poorly exercised accountability contributed to delays in abuse being identified and addressed, which was compounded by failures in information sharing and communication between local authorities, (the then) CCGs and regulators. There were gaps in expected practice and there is further action required to bring this up to standard.

We recognise that statutory safeguarding partners will consider the effectiveness of their arrangements on a regular basis. In undertaking such reviews, we would like you to specifically consider:

Commissioning

- The duty that Integrated Care Boards and Local Authorities have to work together to commission the right care, education and support for disabled children in need, and the importance we have placed in our Stable Homes, Built on Love and our SEND and AP Improvement Plan of doing so as close to home as possible, so they can remain with their parents and in the community.
- The duty on Local Authorities and their partners to work together to ensure sufficiency of residential placements and education provision in your areas for children who require placements in residential settings or additional support in school.
- How you work together when a residential placement is being considered for a disabled child.
- How you assure yourselves that the provision you commission for disabled children (whether in a residential setting or at home and in the community) is of good quality and safe.
- How you work with leaders in education in your areas to ensure that disabled children receive a good and safe education.

Safeguarding

- That you collaborate across the Local Child Safeguarding Partnership to ensure that every Section 20 child in a residential education or care placement is uploaded onto the Child Protection Information System.
- How you monitor timely and thorough statutory visits from a child's social worker or other relevant education and health professionals when a child is placed in residential settings.
- That you have records of effective monitoring of care plans and Education, Health and Care (EHC) plans.
- That LADOs have access to information require to safeguard children and understand what to do when there are concerns about the safety of children as under Working Together to Safeguard Children.
- Ensuring information sharing protocols exist between neighbouring local

authorities and also between placing and host authorities.

- Ensuring local authorities and ICBs are clear about their duties to safeguard children living out of area and placed in their area.
- That your frontline staff across partner agencies have access to training on keeping children safe in 'closed culture' environments.

Listening to children and families

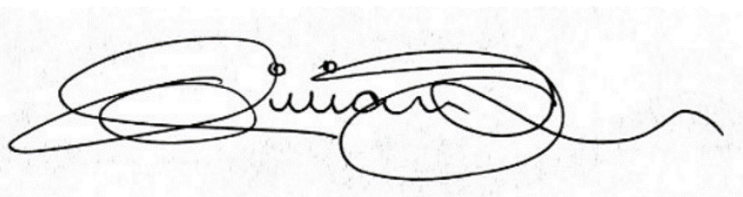
- How effectively you involve parents in decision-making and listen to them when they have concerns about the care and education their children are receiving.
- That you have clear support and guidance for parents so they can see and visit their children.
- The right to advocacy for disabled children and children with complex needs, including those who use alternative or augmentative communication methods is respected.
- Complaints handling and whistleblowing procedures for your own staff, children and for parents are effective.

Your Department for Education Regional Improvement Support Lead (RISL) and SEND regional lead will continue the regular discussions they have with local areas on these issues.

We are clear that to safeguard disabled children and children with complex needs, action cannot happen in silos. We want to support and encourage collaborative working at central government, local government and between strategic multi-agency partners.

We all want disabled children and children with complex needs to have the best possible start in life. This is a once in a generation reform to improve both children's social care, and special educational needs and disability support and provision. We are putting these children at the heart of our reform.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gillian Keegan', with a large, stylized flourish extending to the right.

The Rt Hon Gillian Keegan MP

Secretary of State for Education



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



The Rt Hon James Cleverly MP
Secretary of State for the Home Department