

# Report of the Assistant Director to the meeting of the Corporate Parenting Panel to be held on 8<sup>th</sup> July 2015.

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## Subject:

Quality Assurance Regulation 44

## Summary statement:

The report highlights changes to Children's Homes (England) Regulation 2015 including the Quality Standards Guide and the inspection framework for Ofsted, which came into force on the 1<sup>st</sup> April 2015.

The report aims to inform of the process of Independent Monitoring of Children's Homes (***Regulation 44 Independent person: visits and reports***) and recognise the role of Elected Member in visits to Residential Homes.

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## Portfolio:

Children's Services

## Overview & Scrutiny Area:

Children's Services

## 1. SUMMARY

- 1.1 The report highlights changes to Children's Homes (England) Regulation 2015 including the Quality Standards Guide and the inspection framework for Ofsted, which came into force on the 1<sup>st</sup> April 2015.
- 1.2 The report aims to inform of the process of Independent Monitoring of Children's Homes (**Regulation 44 Independent person: visits and reports**) and recognise the role of Elected Member in visits to Residential Homes.

## 2. BACKGROUND

- 2.1 Following:
- Completion of a trial in Rochdale
  - Publication of the Office of the Children's Commissioner (OCC) report (July 2012)
  - Publication of the Joint All Party Parliamentary Group (APPG) report (June 2012)
- 2.2 The DfE announced urgent action to reform children's residential care. This has resulted in the DfE reviewing regulatory requirements and implementing a series of change to the Children's Home Regulations (CHR) over the last two years.
- 2.2 The most recent change being brought into force in April 2015:
- New Childrens Homes Regulations
  - Quality Standards Guide
  - Ofsted Inspection Framework (grading descriptors & evaluation)

## 3. REPORT ISSUES

### 3.1 Independent Person Visit and Report (Regulation 44)

- 3.1.1 Statutory requirements are set out for each Registered Person to ensure that an Independent Person visits the children's home at least once a month. The Children's Homes Regulations (CHR) 2015 set specific requirements for the quality assurance of children's homes and includes;
- To interview in private; the children, their parents, relatives and persons working at the home as the independent person requires;
  - Inspect the premises of the home;
  - Inspect the home's records (except for a child's case records, unless the child and the child's placing authority consent) as the independent person requires.
- 3.1.2 Following each Regulation 44 monitoring visit the Independent Person must produce a report about a visit ("the Independent Person's Report") which sets out, in particular, the independent person's opinion as to whether
- Children are effectively safeguarded
  - The conduct of the home promotes children's wellbeing



The independent person must provide a copy of the independent person's report to;

- **Registered Person** - regulations are drafted to make the registered person "accountable" for the management of the home
- **Residential Service Manager** – there are two RSM responsible for managing the registered persons
- **Responsible Individual** – the Group Service Manager for Resources takes responsibility for supervising the homes on behalf of the organisation
- **Ofsted**

3.1.3 Reports reflect areas of good practice which demonstrate compliance with CHR and Quality Standards Guide. The Independent Persons report also highlights areas for development and action to be taken to demonstrate compliance with Quality Standards Guide and CHR, within individual homes. The independent person's report may recommend actions that the Registered Person may take in relation to the home and timescales within which the registered person must consider whether or not to take those actions. Internal process for monitoring Regulation 44 reports ensure action planning is completed by Unit Managers (UM), Residential Service Manager (RSM) and Responsible Individual (RI) to ensure requirements are met.

## 3.2 Ofsted Inspection Judgements

3.2.1 The Independent persons report aims to support development of service to improve outcomes, whilst informing Ofsted of the progress achieved within the homes. The Independent Persons report contributes to the preparation for unannounced regulatory inspection by Ofsted conducted twice a year. There are eleven units in Bradford offering short, medium and long term care as well as specialist units for children with disabilities. It is noted most homes have maintained good or improved judgements within full inspection, between the periods 2012 – 2015.

## 3.3 The role of Elected Members within Regulation 44

3.3.1 Legislation set out statutory requirements for the roles of responsibilities for the Director of Children's Services and the Lead Member for Looked after Children covering both social care and education. The Leader Members and Corporate Parent have a particular responsibility for vulnerable children who are looked after.

3.3.2 Corporate Parenting Councillors must demonstrate that they are interested in and listen to their views and wishes of Looked After Children and Care Leavers. It is important for Corporate Parent to establish good working relationships with staff within the homes and feel confident that the staff will provide an honest view of the service recognising the strengths of the service / home / staff team whilst being confident enough to recognise the areas of development to improve the home / service.

3.3.3 Corporate Parents have a responsibility to form a judgement of the quality of care delivered to children based on a range of evidence sources including the views of children in the home. For members undertaking visits to children's homes



(Independent Monitoring Reg 44 visits) the role is more extensive, with members being required to be informed of the following:

- Are the right structures and systems in place in order for BMDC to be an effective Corporate Parent and are all the right partners involved?
- Current (and proposed) government expectations regarding the service to looked after children and care leavers
- Know how well BMDC is doing in comparison with other councils and our own past performance
- Know if there sound mechanisms within BMDC for hearing and responding to the views of
  - looked after children and care leavers
  - parents / carers
- Have a good picture of which needs we are meeting and which we are failing to meet?
- Know if there is an action plan across the council and involving partner agencies the service and to ensure it responds to changing needs?
- Know what our looked after children and care leavers think about the service we are providing

#### **4. OPTIONS**

To approve the plan to deliver training workshops to support members in developing their understanding of and contribution to the Independent Persons Monitoring of residential homes (see recommendations).

#### **5. CONTRIBUTION TO STRATEGIC PRIORITIES**

This contributes to meeting the Council's corporate priority to protect vulnerable children.

#### **6. RECOMMENDATIONS**

**Recommendations would be for the following to be considered:**

- Members to attend workshops aimed to inform of the Independent Monitoring of residential homes (Reg 44) and corporate parent role
- Members to participate in three announced monitoring visits of residential and respite homes per year.

#### **7. BACKGROUND DOCUMENTS**

None.

#### **8. NOT FOR PUBLICATION DOCUMENTS**

None.

#### **9. APPENDICES**

None.

