



National Centre for Excellence in Residential Child Care

#7 in the series re Ofsted guidance Registering a multi-building children's home

Ofsted replies to NCERCC to questions from providers and local authorities about Multi homes guidance.

As part of its information service regarding RCC NCERCC undertook to ask the following questions, and any others that may be forthcoming, on behalf of providers and the wider social care/work sector and to publish the responses/.

This NCERCC task arose as a result of there being no public consultation prior to the publication and commencement of this guidance. Along with sounding the sector views consultation often enables scrutiny and resolution of any concerns. Many questions are continuing to be raised.

An analysis and comment by NCERCC will follow

The response is signed by Yvette Stanley Ofsted, Deputy Director Early years and social care

The question is in bold

Further information is in bold and italics

Ofsted response in ordinary font.

- **What guidance is being issued to planning authorities?**

Multiple homes will require multiple planning applications, and given that there are frequent refusals there can be additional costs of repeat applications.

We do not intend to provide any new guidance to the planning authorities as we do not think our change materially effects the planning process. Given that any of the buildings may provide a permanent home to a child, it is important that planning permission is in place for each one. In any event the home still has to meet all the same requirements as any other type of children's home. It is the responsibility of the provider to obtain planning permission for all the buildings they wish to use as a children's home. This is clear in published guidance and so providers will be aware before they apply.

- **Will there be changes to the Regulation 44 requirements?**

Multiple homes will require multiple Regulation 44 reports. Regulation 44 colleagues who undertake this work have advised us that they see it as three or more reports and will put up costs for providers, at a time when the challenge is to reduce costs.

The external guidance is clear that our interpretation of the regulation is that we will expect the independent visitor to visit all buildings as part of their work. It is the responsibility of the provider as set out in Regulation 44 to ensure that the independent person complies with the regulation. The cost of commissioning Regulatory 44 visits is beyond Ofsted's ambit but we assume that a provider commissioning such visits will agree terms with their contractor which make sense.

- **Staffing – will staff be building-centric or multi-home based?**

Is staffing for multi homes being seen as a flexible 'human resource'? A staff pool? A staff group? A pool or a group is not a team. Will staff on a zero hours deployment to a home be expected to create and sustain the relationships with children that the Care Review suggests may be lacking but which all in the sector know and have known for years is an essential component of successful care and outcomes for children? Zero hours suggests zero relationships.

The guidance is very clear that the provider must be able to demonstrate at the point of registration how they will staff the home and how they will be able to recruit staff safely and quickly should they need to. We do not have any evidence from the 200+ homes already registered that providers are more or less likely to employ staff on zero hours contracts, nor that this model is more or less likely to result in the use of agency staff than in other homes. As this is one registration, we would expect the staff to be employed to work in the home. We are very mindful of the necessity that children are cared for consistently by staff with whom they can build relationships. It is the responsibility of the provider to recruit sufficient staff to provide consistent, appropriate and safe care. Children's Homes Regulations and the Social Care Common Inspection Framework set out the expectation that children should be cared for by staff who are able to develop effective relationships. When we register and subsequently inspect multi-building children's homes, this will be a specific line of enquiry.

- **From local authorities. Will moving between the multiple homes of the one registration count as 1 or several moves?**

From your letter it looks as though it will be several.

The model was not developed to enable multiple moves. It was developed to make it less likely that children spend any time in unregistered provision. We know that there have been concerns for some that the model will lead to children moving around the buildings, but as we have not registered any multi-building children's homes, we have no evidence to suggest that children will move between settings more frequently. The model has the potential to offer increased stability and support for children through staying close type models. As the system for collating data operated by the DfE is based on one URN, this means that if a child moves within the registration, it will not be recorded as a move, which we agree could be misleading.

However, we have made it clear in the guidance that we do not expect children to be moved without good reason. We intend to brief Independent Reviewing Officers on this new model and what they should be alert to when chairing statutory review. We will be alert to the same issues in our inspections of homes when we ask children about their experience of care in the setting.

- **From providers. Will moves between homes be taken into account regarding stability?**

From your letter it looks as though this is the case.

The arrangements for the care and accommodation of children must be in the best interests of children. The provider should satisfy us that the arrangements for care planning are appropriate and that there is no intention that children will experience unnecessary moves within the home. This will always be a line of enquiry at an inspection.

- **Will moving internally in a multi-home require referral, matching, impact risk assessments?**

From your letter this looks to be the case. Media statements recently have seen it as enabling quick moving between the constituent homes.

As said previously, we do not have any evidence that this model will result in children moving between buildings, we recognise this is a concern and it is one that we would share. We are very clear that this would be a line of enquiry on inspection. We expect risk assessments for children to be dynamic in all instances.

- **Will there be expected continuity of relationships?**

Children need stability, and this comes from the continuity of those caring for them, without this then those other (practical) functions become secondary.

We agree that children should experience continuity of relationships, see my earlier comments.

- **Will there be a consideration regarding retention?**

Retention issues are created when you have groups not teams. There is not the same commitment to each other and children.

We know that most of the residential child care sector is currently experiencing challenges in both the recruitment and retention of staff. We think that strong visible leaders create the cultures which make staff feel part of teams and groups. Fair pay and good development support are key. We do not think this change should work to the detriment of culture, pay or staff development.

- **Currently in a multi-home under one registration model as a Residential Special School inspectors look for each home to be staffed properly, i.e. no more than 50% agency in each house with the whole 'home' rather than considering 50% over whole site. Will this be the case for the multi homes?**

Children's homes Regulations and The Guide to Children's Homes Regulations and Quality Standards do not require providers to limit their use of agency staff to less than 50% in any children's home. As stated previously, we understand the importance of continuity and relationships for children and this is something we already consider in all our inspections of children's homes.

However, the use of agency staff is not in itself poor practice. We have many examples where providers have used agency staff positively, for example, some providers use the same agency members of staff on a very regular basis, who are well known to the children. Some providers use agency staff for short term pieces of specific work. We are unable to impose a requirement for one remit (residential special schools) onto another remit, children's homes.

- **Multiple homes could be multiple sites separated by some distance (with the requirement of separate location assessments). What distance? Same village/town/city/county?**

The distance between each building that makes up the home is not set out in guidance. It is for the provider to decide where each will be located. However, the buildings must be in sufficient proximity to each other to enable the registered manager to be in day-to-day charge of the home across each of the buildings. It is for the provider to set out how they will be managed and for Ofsted to decide if this is workable.

- **If the multi home has differing needs in houses will there be the need for individual statements of purpose, and individual appropriateness and suitability of location assessments made bespoke to the needs of the home and children?**

The home must have one statement of purpose that clearly sets out how this multi-building will operate as a single children's home. This must set out how each building will be used and how many children will live in each building. The home must have one children's guide. This must provide children with enough information so that they can understand that the home is made up of more than one building and in which one they will live. There must be a bespoke location assessment for each building, which meets regulation and has strategies to mitigate any identified risk.

- **The guidance seems to describe models similar to mobile provision. Is this being reviewed by Ofsted?**

From your letter it appears not.

The policy on mobile provision was withdrawn a few years ago. There is nothing in the multi-build policy that permits the use of mobile settings, it is very clearly about buildings.

- **Will there be heightened entry requirements to be a Registered Manager?**

It seems necessary and will heighten not solve the accepted crisis of the shortage of suitably qualified Registered Managers.

This requirements for a registered manager are set out in Regulation 28 and we cannot demand or require additional entry requirements. However, the manager must demonstrate throughout the registration process that they have the knowledge, skills, and experience to manage the home across the 4 buildings.