



National Centre for Excellence in Residential Child Care

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

Ofsted Flexible provision Multi-homes - let's talk and plan together, involve not impose.

Firstly, our great thanks to those who have been in contact. The series of documents NCERCC has posted are receiving great support from all sectors and across the range of roles that exist within and beyond residential child care.

Some of the things some people have said

Thanks for the advocacy of good practice.

Thank goodness someone who can be independent is raising the issues as those of us in posts who cannot

Whilst others are thinking only of providers NCERCC is thinking of people, children and staff, and practice.

Since the last posts in this series NCERCC has been busy. NCERCC has raised the lack of scrutiny with Ofsted Chair, Chief Executive and Director of Social Care and Early Years, DfE, Ministers, Children's Commissioner, MPs, Education Select Committee and Speaker.

The work of NCERCC is based in the evidence and established good practice.

We will continue to call for any new research or evidence to be made known, and for the usual public consultation and scrutiny that is an established feature regarding proposals for major changes in and for practice.

Be in no doubt we accept that there is the need for change. Let's talk and plan together, involvement not imposition. A good process creates a good product.

There are other ways to address the current situation in the short, medium and long term. These include flexible interpretations of the existing regulations. We have sent one set of ideas to Ofsted and the DfE for their consideration; more will follow.

Foremost for NCERCC are the needs of children. With this commitment we cannot stand by as impassive spectators as changes of structural convenience are designed and implemented away from public consultation.

Co-thinking, co-creation, co-produce, cooperation as a principle and practice.

That there have already been these changes to regulations is interesting in and of itself. After years of being told that government (and its agencies) were not looking to change legislation or regulation we are now witnessing its decomposition and reimagining without public consultation. Democracy may not be perfect but we will surely miss it when it is gone. Recently we have seen regulations and their interpretations change.

We are reminded that in the findings of the Judicial Review in November 2020 the court declared *“that the Secretary of State acted unlawfully by failing to consult the Children’s Commissioner and other bodies representing the rights of children in care before introducing the [legal changes]”*.

There is a clear pattern now visible. Someone recently said there’s a lot of dots to connect, including the driven changes in relation to unregulated settings; the removal of “care” as a right for children of 16+, the promotion of a children’s home model where one Registered Manager can manage two children’s homes, and most recently the approval of the concept of registering ‘multi-homes’ constituted of one registration for several buildings as a single children’s home.

It is not just a change in content but a change in the method of change.

Decades of sound practice built on research and theory are being swept aside.

Is there a grand design behind all of the recent changes? Here NCERCC are only making public what people are saying. These thoughts are being fuelled by the alignment of a series of reviews of the sector. The Independent Care Review, new standards, flexibility of regulations. People are feeling, ‘What next? ‘Is it me and mine next?’. Maybe it is the contestation that has met the first two that has led to the avoidance in the latter. And for the future?

The method of contestation ensures the best occurs. Decisions are being made by closed groups without parliamentary or public scrutiny. This is not the methodology and practice that has served us well for decades. It has not been perfect but it has been open to scrutiny. In the discussion there is due respectful recognition and regard. As Josh MacAllister observes in the 26th October CYPNow interview he thinks *“we have lost the ability to disagree and hear different perspectives in a respectful way across our politics and in society.”* Consultation is respectful recognition and regard. The closest we have come on this matter thus far is the CYPNow article with NCERCC and Ofsted viewpoints speaking for themselves. That is not consultation.

The idea of flexible provision and multi-homes is a step along the road to removing all that we know about leadership and management. What we do know comes from days when there was 1 Registered Manager for 1 home. If there is research and evidence, we have a What Works Centre for Social Care that can be challenged to find it, propose it, offer evidence to support it and have that evidence challenged and perhaps amended subsequent to challenge being upheld.

A great advantage of consultation is that it allows things to be thought through. Here’s some issues people who have been in contact with NCERCC have raised after not seeing the answers to in the guidance.

- Multiple homes will require multiple planning applications, and given that there are frequent refusals there can be additional costs of repeat applications
- Multiple homes will require multiple Regulation 44 reports. We have asked colleagues who undertake Regulation 44 and they are saying it will be 3 or more reports putting up costs for providers, at a time when the challenge is to reduce costs.
- Staffing – will staff be building-centric or multi-home based? Is staffing 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 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.
- For local authorities, will moving between the multiple homes of the one registration count as 1 or several?
- For providers will moves be taken into account regarding stability?
- Will moving in a multi-home require referral, matching, impact risk assessments?
- Relationships - children need stability, and this comes from the continuity of those caring for them, without this then those other (practical) functions become secondary
- Retention issues are created when you have groups not teams. There is not the same commitment to each other and children. This is as pragmatic as any of the reasons being given for the idea. Another view of pragmatism given to NCERCC is that in this case conjuring up a new class of registration seems to accommodate other developments that are in place or in process.
- Staffing – 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.
- Residential Special Schools are given as an example, but the differing needs must be recognised.
- If a home goes into crisis there is potential for multiple site mergers/acting out.
- What will be media reaction to first breakdown - likely to be much bigger than single home as more children/staff, site, staffing, lack of leadership and practice direction, lack of psychological containment. It is surprising that Ofsted are so closely associated with the idea.
- Multiple homes could be multiple sites separated by some distance (with the requirement of separate location assessments). What distance? Same village/town/city/county?
- Isn't this idea very similar to models of mobile provision that has been consistently criticised by Ofsted?
- We're sliding towards a situation where any Registered Manager can do anything. This should mean heightened entry requirements to be a Registered Manager. This would affect recruitment still further. The proposal would heighten not solve the accepted crisis of the shortage of suitably qualified Registered Managers.

There must be many more that would arise with consultation and the reflection and concentration it brings.

Some voices are asking, 'Have we been here before?' remembering NCH 'oval' schools, Barnardos villages, and others, on the outskirts of towns circling cities.

At a time when there is a negative view of large providers it is perplexing to have this idea introduced when they may be ones in the independent sector, and local authorities, who can afford to buy or build multiple properties that may for periods lie empty and unused. Empty properties add to debt, which is identified as being a threat to continuity of supply.

The idea disproportionately advantages large providers over small ones. Small providers may feel they need their position advocating strongly.

Large works well for Strategic Supply Resource Management where specification and compliance is prominent but not for needs led creative adaptation.

No doubt: "The crisis consists precisely in the fact that the old is dying and the new cannot be born; in this interregnum a great variety of morbid symptoms appear." There are more questions than answers and currently no forum for discussion or method for consultation.