Children’s Services – Ofsted inspection frameworks for adoption and fostering services and for children’s homes

A complete LGiU policy briefing is included in this document.

This new briefings format follows LGiU's 2011 member survey, where users asked us to improve access and format. Feedback welcome to chris.naylor@lgiu.org.uk

More information on how we’re improving our briefing service can be found here http://blog.lgiu.org.uk/2012/01/how-were-changing-our-member-briefings-and-why/

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Author Martin Rogers
LGiU/CSN Associate

Summary
Ofsted has published new frameworks for the inspection of local authority and voluntary and independent adoption and fostering agencies and services, and for children’s homes. They take effect from 1 April 2012.

Overview
Ofsted has published new frameworks for the inspection of local authority (LA) and voluntary adoption agencies, LA fostering services and independent fostering agencies, and for children’s homes. They take effect from 1 April 2012. Each framework has a parallel evaluation schedule and grade descriptors, which give more detailed guidance. Ofsted consulted on the frameworks in summer 2011 and has also published reports on the responses.

The press release accompanying publication of the new frameworks is headed ‘To be an outstanding authority delays in adoption must be tackled’ and says ‘Only local authorities that ensure all children identified for adoption are placed within 12 months, unless there are exceptional circumstances, are likely to achieve an ‘outstanding’ judgement from Ofsted under new adoption inspection arrangements published today.’ John Goldup, Ofsted’s Deputy Chief Inspector (and its lead on children’s social care) said, ‘Everything we are publishing today is about raising our expectations for our children. Under these frameworks, it will be much harder to get a ‘good’ or an ‘outstanding’ judgement from inspectors. It is essential that children in care, often the
most vulnerable, get the very best support to have a happy, stable and fulfilling childhood. That is why we want to raise standards further and focus on what real difference is being made to children’s lives. Our scrutiny of delays in the adoption process will help focus and bring forward a smooth and quicker adoption process. The earlier children are identified for adoption and placed with a family the better the chances that adoption will be successful.’

The annual Children’s care monitor, published by the Children’s Rights Director Roger Morgan just days before the new frameworks, reports the outcome of the 2011 survey of nearly 2,000 children in care. This year it includes a new focus on their experiences of placement changes.

The three inspection frameworks are similar in many respects. This briefing summarises their main (and common) features, and highlights other key aspects of each. It also outlines the findings on placement changes from the Children’s care monitor.

**Briefing in full**

**Common features of the inspection frameworks**

Each sets out:

- the legal basis for inspection
- their frequency (at least once every three years for adoption and fostering services; twice in a year for children’s homes, at least one of which will be a full inspection)
- the types of inspection (full, monitoring or survey)
- the notice given (10 days for adoption and fostering agencies/services, unannounced for children’s homes)
- who does the inspecting (social care inspectors for adoption and fostering agencies/services and for children’s homes, with an HMI inspecting education provision at the same time in children’s homes providing education or registered with the DfE as a school)
- the evaluation schedule (in summary)
  - inspectors make judgements on overall effectiveness, outcomes for children and young people, the quality of service provision (quality of care in children’s homes), safeguarding, and leadership and management
- judgement grades (outstanding, good, adequate or inadequate)
- the approach following an overall judgement of inadequate (ie. where there are failures to comply with statutory requirements, resulting in outcomes for children and young people being inadequate, or their welfare not being safeguarded)
  - for voluntary/independent agencies/services (where Ofsted both inspects and regulates provision) inspectors set out the requirements to achieve compliance
  - for LA agencies/services (where Ofsted is responsible for inspection, but not regulation, so cannot issue requirements) inspectors make recommendations identifying regulatory failures
inspectors may make recommendations to help improve the quality and standards of care further (related to national minimum standards or statutory guidance)

the circumstances are set out in which inspectors must consult with the Compliance, Investigation and Enforcement team and must instigate a case review to consider taking enforcement action (evidence of immediate risk; breach of regulations that constitutes an offence, or breach of registration conditions; the last inspection resulted in a judgement of inadequate for overall effectiveness), and the circumstances in which they should consider doing so (any history of: complaints not dealt with satisfactorily; failures to comply with regulations/minimum standards not dealt with satisfactorily; failure to take satisfactory action to meet requirements, actions and recommendations that call into question the suitability of the registered person/manager

the next inspection will normally take place within 12 months for adoption agencies, within six to 12 months for fostering services/agencies, and within three to six months for children’s homes (but, in all cases, it may be sooner if there are significant concerns or if it is necessary to meet statutory requirements)

the reporting arrangements, inspection activity, the use made of user and partner views, communication and feedback, confidentiality, quality assurance, conduct, and complaints.

LA and voluntary adoption agencies

LAs are responsible for the placement of children and young people for adoption; voluntary adoption agencies rarely are, and the differences in roles and responsibilities are taken into account during inspection. LA adoption agencies should monitor and report on their performance in relation to: the timescales for making the decision that adoption is in the best interests of the child; the time it takes to place children and young people with adoptive families; and the length of time before an adoption order is granted. Inspections of LA services will focus on the performance of the local authority as a whole in relation to the adoption of children and young people, including the effectiveness of early permanency planning and its outcome in ensuring that those for whom adoption is, or may be, the appropriate plan are identified in a timely way, and that those plans are pursued without avoidable delay.

Voluntary agencies (and receiving LAs who have approved the adopters) are not directly responsible for the placement of a child, and are not accountable for provision by the placing authority. However, they should be contributing to the outcomes for children and young people through their recruitment, assessment, preparation and training of adopters, and through effective support of adoptive families following a child’s placement. Inspection will consider how well voluntary agencies and LAs work in partnership.

The grade descriptor (from the separate evaluation schedule) for ‘outstanding’ overall effectiveness is: ‘The overall effectiveness judgement is likely to be outstanding where the cumulative requirements for good and adequate are met or exceeded, and the following applies.'
The agency is highly effective in ensuring that there is no avoidable delay in the placement of children in adoptive families. They place children and young people who have the most complex needs in adoptive families and are highly successful in sustaining those families. Performance on all indicators is above the national average. The views of children and young people clearly inform all aspects of the work of the agency and are associated with significant improvements in service provision. Accurate, focused and analytical assessments and partnerships between the adoption agency and other agencies ensure that individual children’s needs are met without delay and that their protection is assured. Leaders and management are highly committed to adoption and have delivered continuous improvement in the service.

**LA fostering services and independent fostering agencies**

LAs are responsible for identifying children whose best choice of placement is foster care and for their timely and effective placement in families that can meet their needs, so an important focus of LA fostering service inspection will be on how effectively they secure this outcome. Independent agencies recruit, assess, approve, support and train foster carers. They are not directly responsible for the placement of a child, and are not accountable for provision by the placing authority. Again, they should be contributing to meeting the needs of children through their work, and must give foster carers all the information available so that they can care appropriately for that child, and fully participate in discussions regarding the child’s care. Inspection will consider evidence on placement stability, and on how well independent agencies and LAs work in partnership.

**Children’s homes**

All registered children’s homes will have two inspections in a year (1 April – 31 March), a full and an interim inspection. Interim inspections focus on progress in improving quality of care and outcomes since the last full inspection. Judgements are made on a three-point scale: good, satisfactory or inadequate progress. Where homes provide education, Ofsted conducts ‘single-event full inspections’ at least every three years, inspecting both social care and education provision. If there is an incident, a complaint or concern, a monitoring inspection is conducted.

**Children’s care monitor**

This is an annual report (this is the fourth) of children’s views in care, and includes six issues which are important to the lives of children and young people: keeping safe, bullying, having a say in what happens, making complaints and suggestions, education, and care planning for those being looked after in care. It is based on 1,870 survey responses, and this year there was a new focus on experiences of placement changes. 89% of children in care in the 2011 monitor survey rated their overall care as good or very good, but issues highlighted in the accompanying press release included:

- 55% of the children in care reported that they were only given a week or less notice before they were last moved to live in a different placement
• 23% reported that they were given no notice, and were told on the same day they were moved
• 73% who also had a sibling in care reported that they had been separated in different placements
• 96% of children surveyed in children’s homes who also had siblings in the care system had been separated from brothers or sisters
• Up to the time of the survey, the average number of times children responding had moved placements had risen from 4 in 2010 to 5 in 2011
• 57% of children in care surveyed said they had no choice of placement the last time they were moved.

Comment

Improving outcomes for children and young people in public care has risen steadily up the political agenda over the past few years, and the voice of those in the system now informs policy and practice to a far greater extent than ever. The issue of adoption, in particular, has recently had a very high profile – partly, no doubt, because of the personal interest of the Secretary of State, who was himself adopted – with a number of initiatives aimed at making adoption easier, and reducing delays (in LAs and the Family Courts), and an ‘Adoption Action Plan’ due to be launched in March.

But Ofsted’s suggestion that ‘only local authorities that ensure all children identified for adoption are placed within 12 months, unless there are exceptional circumstances, are likely to achieve an ‘outstanding’ judgement’ has been challenged by the Association of Directors of Children’s Services (ADCS). In a press release, ADCS President Matt Dunkley questioned this use of a limiting judgement, and the wisdom of relying “on a single indicator in determining what constitutes an outstanding service with a complex process like adoption”. A response from Ofsted’s John Goldup seeks to clarify the position, but does suggest some inconsistency between the detail of the grade descriptors, and how they will be used by inspectors, and the emphasis in Ofsted’s own press release.

There appears to be little substantial difference between the positions of Ofsted and ADCS (and the Government). However, the differences which do exist illustrate the dangers of oversimplifying the treatment of complex issues – which often become more acute as political and media interest in those issues increases.

External download

Ofsted inspection frameworks and press release
Children’s Care Monitor 2011
ADCS press releases on adoption

For further information, please visit www.lgiu.org.uk or email info@lgiu.org.uk