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Council Report

Improving Lives Select Commission 4/11/15

Title

Report on the Children's Residential Service Ofsted Judgements and Regulation 44 Reports

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

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Report Author(s)

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Ward(s) Affected

All

Executive Summary

Rotherham Metropolitan Borough Council had five mainstream children's homes until the recent closure of Woodview. Three of these were long-term homes for young people with emotional and behavioural difficulties. The remaining two are for young people with disabilities; one is a long term home and the other a short breaks provision.

Subsequent to three Ofsted Inspection Judgements between June and October 2015; the Service Director and Responsible Individual applied to Ofsted for voluntary closure. The three young people at the home were moved to suitable alternative accommodation judged to be either good or outstanding and the home closed on 13 October 2015. Staff were advised to remain at home, on full pay, pending investigation.

St Edmunds children's home is one of the two remaining mainstream homes. Ofsted inspected the home on 12 October 2015 and judged it to be inadequate.

Recommendations

This report is for information only.

List of Appendices Included

Appendix A – Woodview Ofsted Inspection Report – 9/10 June 2015
Appendix B – Woodview Ofsted Inspection Report – 29/30 July 2015
Appendix C – Woodview Ofsted Inspection Report – 12 August 2015
Appendix D – St Edmunds Ofsted Inspection Report – 12 October 2015
Appendix E – St Edmunds Ofsted Response

Background Papers

Not Applicable

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

Report on the Children's Residential Service Ofsted Judgements and Regulation 44 reports

1. Recommendations

1.1 This report is for information.

2. Background

2.1 The Children's Residential Service

Rotherham Metropolitan Borough Council had five mainstream children's homes until the recent closure of Woodview. Three of these were long-term homes for young people with emotional and behavioural difficulties. The remaining two are for young people with disabilities; one a long term home and the other a short breaks provision.

2.2 Woodview Children's Home

Woodview was one of the three mainstream homes prior to recent closure. The maximum number of placements was five and there were three young people living there at the point of closure.

2.3 The home had already been judged by Ofsted to be 'declining in effectiveness' when a number of complaints from young people, residential care staff and various other professionals were received during the early months of 2015; highlighting a number of core concerns directly related to poor leadership and management at Woodview since around 2009 which had resulted in an entrenched negative culture within the home that included the following:

- a. A lack of safeguarding to a good enough standard which is particularly related to non-identification of risk and poor quality Risk Assessments.
- b. Poor relationships between staff and young people, with a detrimental impact on the quality of care being provided.
- c. Deficiency in child centred practice, 'team around the child' and collaborative partnership working with key professionals and support services.
- d. An accepted context of bullying and blame, preventing effective team work and consistency in good practice.
- e. Insufficient training and development to support individual managers/staff to fulfil their roles and identify/meet the needs of young people successfully
- f. Unacceptable quality of recording, reporting and auditing, particularly in relation to Care Plans and Risk Assessments.

2.4 Management Response

The above detailed context led to a number of immediate management actions:

- a. Initiating the council's Capability Procedure in respect of the Registered Home Manager prior to her sickness absence.
- b. Recruitment of an experienced Interim Home Manager who was praised for the excellent work he is doing and the positive things he has already achieved in Ofsted's Report. This includes bespoke/specialist training and development, team building, and increased levels of individual Supervision.
- c. The Operations Manager supported the Interim Home Manager since first Inspection and was subsequently based at the home on a full-time basis to support/cover the Interim Home Manager in meeting Ofsted notifications and recommendations.
- d. Recruitment of an experienced Interim Deputy Home Manager who commenced in post on 17.9.15.

2.5 Ofsted Inspection Judgements

The above detailed context was reflected in Ofsted's Inspection findings:

- 2.6 Ofsted carried out a full inspection at Woodview children's home on 9th and 10th of June 2015 and judged the provision to be inadequate.
- 2.7 This decision related specifically to historical findings in respect of the poor leadership and management of the home by the permanent Registered Home Manager and Deputy Home Manager; and is particularly related to substandard management pertinent to risk/safeguarding, people management, fractured relationships between staff and young people, and the quality of care provided.
- 2.8 Ofsted praised the Interim Registered Home Manager who had been in post for four weeks at the point of Inspection - since June 2015; for the improvement actions he had already achieved and for future plans for continuous improvement.
- 2.9 The home was issued with a compliance notice and a detailed action plan was completed in direct response to this.
- 2.10 When a home is judged to be inadequate by Ofsted, they return within six weeks to undertake a further Full Inspection to review progress.
- 2.11 The follow up inspection took place on the 29th and 30th of July 2015 and the home was again judged to be inadequate. Whilst there was an acknowledgement of significant progress in some areas there had not been sufficient progress in relation to the quality of care/practice; safeguarding and protection; taking the wishes and feelings of young people into account in decision making; staff relationships with young people; the Statement of Purpose; Risk Assessments and significant incidents. A further action plan was completed in direct response to this.

- 2.12 This led to Ofsted instigating an urgent meeting with the Strategic Director which took place on Wednesday 12 August 2015. Subsequent to holding an internal Case Review, Ofsted were clear that they were not going to prosecute the local authority or take any other type of legal action but left no doubt about how seriously they viewed the non-compliance, particularly related to meeting the needs of young people and improving their outcomes.
- 2.13 The Compliance Notice was fully accepted, however Ofsted were asked to take into consideration when determining timescales for completion of actions the nature of the change required, for example, changing the culture of a service requires substantial ongoing activity. Ofsted did acknowledge/accept this however we clearly need to address as a matter of urgency, improving the level of care these children are receiving.
- 2.14 On Tuesday 22 September 2015, the Ofsted Inspector and the Regional Manager completed a further Full Inspection. The home was judged to be inadequate for a third time. This decision was based largely on concerns regarding safeguarding, managing risk, a poor level of reporting/recording.
- 2.15 Ofsted reported that they would be issuing a closure notice to the Responsible Individual [Jane Parfremment, Director] unless a Voluntary Closure Application was submitted no later than Wednesday 23 September 2015.
- 2.16 Jane Parfremment completed and submitted the required C13 Form for Voluntary Closure Application within the required deadline. The agreement with Ofsted included a definitive plan to move all of the young people living at Woodview by Tuesday 6 October 2015. This has been successfully achieved with alternative placements to meet the assessed individual needs of each young person in either good or outstanding provisions. The home closed Tuesday 13 October 2015.
- 2.17 The Service Director (Responsible Individual) met with the staff team from Woodview on Friday 2 October 2015 with representatives from HR and the unions. Detailed feedback from Ofsted was shared and the process of applying for voluntary closure was shared. Staff were informed that they would not be required to report for work from Wednesday 14 October 2015 pending investigation. Further updates on the outcomes of these investigations will be reported in due course.

2.18 St Edmunds Children's Home

St Edmunds is one of the two remaining mainstream homes. The maximum number of placements is six and there are currently five young people living there.

2.19 Ofsted Inspection Judgement

St Edmunds children's home was judged by Ofsted to be 'declining in effectiveness' in September 2014.

2.20 The home was inspected by Ofsted on 12 October 2015 and judged to be inadequate based on the following findings:

- a. Safeguarding practice is poor and procedures are not followed.
- b. Analysis, evaluation and actions to address risks to young people is insufficient.
- c. Risk Assessments are not up to date. They contain conflicting information to Missing from Home Risk Assessments.
- d. Information is lacking relating to young people missing from home. It does not adhere to the Protocol.
- e. The kitchen areas are dirty.
- f. Young people's health is not adequately monitored.

2.21 A detailed Action Plan was submitted to Ofsted following the Inspection and this led to Ofsted deciding that they would not issue a Compliance Notice as intended.

2.22 A further Inspection will take place within six to eight weeks. Ofsted have advised that a second judgement of inadequate will result in the closure of the home; and that application for voluntary closure from the Responsible Individual will not be an option.

2.23 The young people currently living at St Edmunds children's home are being 'looked after' in a provision which is judged to be inadequate by Ofsted. Rotherham Metropolitan Borough Council would never place or leave a young person in an inadequate residential home. If the young people remain at the home they are experiencing inadequate care; requiring a decision from their corporate parents about whether they remain there or whether alternative placements are sought in their best interests.

3. Overarching Service Improvement Strategy

Senior managers also responded by implementing the following:

- a. Recruitment of an expert management consultant as Interim Improvement & Development Manager for the Children's Residential Service. The Improvement Plan being implemented includes ethnographic research looking at behaviour, culture and relationships within homes [awaiting final report] and consultation with young people about their care and what they would like to improve [see below]. Findings from each of these pieces of independent work will influence the overarching Improvement Strategy.
- b. A Staffing Restructure is currently being developed in order to ensure that employees are confident and competent to improve the experience, progress and outcomes of the young people we look after.
- c. Subsequently, all staff within the restructured service will be trained in Social Pedagogy [planning almost completed] and this will form the fundamental basis for

developing positive/meaningful relationships with young people, meeting their needs and improving their outcomes. It will also drive continuous service improvement.

Social Pedagogy is a practice discipline of care and education based on the well-being, learning and growth of young people. It focusses on the relationship with the young person.

- d. There are a significant number of other service projects within the Improvement Strategy including [but not exclusively] the following:
- e. Ethnographic research has been completed by ESRO which is an award winning organisation; looking at culture, relationships and behaviour in all children's homes. We are awaiting a report of findings which will objectively inform the Improvement Strategy.
- f. Independent consultation with young people has been completed by Jenny Molloy who is a nationally recognised care leaver, author, adviser to Ofsted and Patron of BASW [British Association of Social Workers]; and provides consultation to various local authorities and independent providers. This will culminate in a high profile 'reveal'/presentation by young people about their experience of care and what they feel needs to be different, which will strongly influence the Improvement Strategy in an authentic and meaningful way.

The Report on Consultation written by Jenny Molloy emphasises the poor quality of this provision and includes the following comments and conclusions specifically in relation to Woodview:

'The building inside is stark, unloved and institutional looking, the young people appeared to have a total lack of emotional and practical connection with this home, as their 'home', and the complacent attitude from the staff towards the young people was sad to witness.'

'There was no sense of love, care, compassion or empathy within this home, with the exception of one member of staff, the Interim Manager.'

'There appeared to be a lack of any emotional investment and aspiration on behalf of the children in this home, sadly, it is one of the worst examples I have seen.'

- g. Recruitment of a Therapeutic Intervention worker who is supporting all staff teams in children's homes and will deliver an innovative model for Therapeutic Care Planning for individual young people prior to their admission to care. This and a model of therapeutic parenting which is responsive to trauma and attachment, will complement/strengthen social pedagogy.
- h. A programme of the full refurbishment of all homes is being implemented in consultation with young people and staff. [Woodview has been prioritised.]

- i. Training and Development Audit and resulting Service Training Matrix which increases both mandatory and specialist training requirements for all staff.
- j. Staffing Audit reviewing staffing levels required in each home related to meeting the specific needs of young people, reviewing capacity/costs and an innovative approach to recruitment, for example recruitment of a service specific Clinical Psychologist and/or Occupational Health Consultant. This will strengthen in-house provision and the ability to meet the needs of Rotherham children and avoid out of authority placements.
- k. Policy development including Referral and Matching, Risk Assessment, Care Planning and Preparation for Independence.
- l. This plan had was put in place prior to Woodview failing the inspection. Following this Senior managers felt that the changes required a more robust approach. A highly experienced Interim Head of Residential Service was appointed on 16/10/15 to lead an intensive improvement programme focusing on the Regulatory requirements and the experience of children together with the Interim Service Manager for Disability.
- m. Jane Parfremment Service Director has met with all the Residential Home Managers to look at the reasons why Woodview and St Edmunds failed and required that these matters are dealt with in the other homes.
- n. St Edmunds has a detailed action plan which has been agreed by Ofsted. They will be visiting in 4 to 6 weeks to evaluate whether this plan has been successful and the home now meets the required standards.
- o. An experienced residential homes managers has examined Silverwood's files and a similar exercise will take place at all of the Children's Homes.
- p. The Children and Young People Senior Leadership team approved a report for a proposed Review of Residential, Leaving Care ,SEN respite and Homelessness Provision. This proposal will be coming before members.

3.2 Notification of Members

Ofsted met with the responsible person Jane Parfremment at the conclusion of each inspection to share their findings and these were relayed to senior managers the lead member and the commissioner within 12 hours. Woodview's status as inadequate was discussed at Corporate Parenting panel on 20/7/15.

A detailed briefing note on the outcome of recent inspections has been placed on the agendas for Improving Lives Select Commission on 4/11/15 and Corporate Parenting Panel on 10/11/15.

3.3 Regulation 44 reports formally Regulation 33 reports

These detailed monthly reports on each of the homes are undertaken by the independent visitor Margaret Rowley. Her reports are sent to the Registered Manager of the home the Responsible Person who is Jane Parfremment the Service Director and Ofsted. These reports include a detailed look at all aspects of the home including meetings with staff and young people which are triangulated by contacting parents social workers and Independent Review Officers. They are designed to pick up any issues within the home.

The Interim Head of Residential is now meeting with the independent visitor on a monthly basis to consider her findings and ensure that recommendations are actioned.

The role of councillors in visiting children's homes and regulation 44's was discussed in detail at Corporate Parenting Panel on 20/7/15 and the need for this and LAC champions within the member group was raised again at Corporate Parenting Panel on 22/9/15

Present at both of those meetings was Councillor Watson (chair) and Councillors Hamilton and Vines. Councillor Watson informed the September meeting that other Councillors wished to become members but couldn't make a day time meeting. It was agreed to change the time of the Corporate Parenting Panel to 5pm to accommodate more members.

Jane Parfremment Service Director and Michelle Whiting, (then interim Lac Advisor) met with Councillor Watson on 16/10/15 to discuss recruitment of volunteers for these roles and he agreed to send out an email to be drafted by officers.

3.5 Rotherham Residential Children's Homes current Ofsted status:-

- Woodview –Inadequate closed until further notice.
- St Edmunds - Inadequate
- Silverwood - Good
- Cherry Tree (disability) - Requires Improvement
- Liberty House (short breaks) - Adequate

4. Key Issues

This report is for information only. The decision maker is not required to approve anything.

5. Options considered and recommended proposal

Not Applicable

6. Consultation

Not Applicable

7. Timetable and Accountability for Implementing this Decision

Not Applicable

8. Financial and Procurement Implications

The Woodview property will be upgraded and used for St Edmunds and Silverwood to decant during refurbishment. Subsequently, the property will be considered for either disposal or alternative use.

9. Legal Implications

All residential children's homes are subject The Children's Homes (England) Regulations 2015. These strengthen regulations came into force in on the first of April 2015

10. Human Resources Implications

Post investigation, the staff at Woodview will either be deemed confident and competent to return to work within the Directorate, or will be subject to appropriate processes (e.g. Disciplinary) or could be made redundant with associated costs.

11. Implications for Children and Young People

The young people currently living at St Edmunds children's home are being 'looked after in a provision which is judged to be inadequate by Ofsted. Rotherham Metropolitan Borough Council would never place or leave a young person in an adequate residential home. If the young people remain at the home they are experiencing inadequate care; requiring a decision from their corporate parents about whether they remain there or whether alternative placements are sought in their best interests.

12. Equalities and Human Rights Implications

None

13. Implications for Partners and Other Directorates

The need for substantial refurbishment or new accommodation is under consideration the relevant directorates

14. Risks and Mitigation

It is within Ofsted's power to close any residential children's home which is not meeting the required regulatory standard. As with Woodview the Local Authority would be required to source alternative appropriate accommodation for those children.

15. Accountable Officer(s)

Ian Thomas – Strategic Director for the Children and Young People's Service

Jane Parfremment – Responsible Individual and Director for the Children and Young People's Service.

16. Approvals Obtained

Strategic Director of Finance and Corporate Services Named Officer:

Director of Legal Services Named Officer:

Head of Procurement (if appropriate):

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