

Report for: Children and Young People's Scrutiny Panel - 2 March 2020

Title: Unregistered / Unregulated and Semi-Independent Homes for Children and Young People

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Ward(s) affected: N/A

1. Describe the issue under consideration

This report provides an overview of the remit of supported accommodation; Haringey local authorities' activities to ensure we are meeting the needs of young people and our monitoring arrangements.

2. Recommendations

- 2.1 Haringey to support the Pan London endeavours to further strengthen the expected safeguarding standards to be followed by Semi-Independent Providers.
- 2.2 Haringey to support the London Local Authorities to develop a memorandum of understanding with respective Planning Divisions to ensure Children Social Care Brokerage teams receive timely notifications of a provider's intent to set up unregulated provisions within the authority.

3. Background information

- 3.1 Howard League for Penal Reform raises some important issues about the care system and children's homes, that have informed national media coverage. Ofsted has responded to the concerns as follows:
 - **Unregulated provision is currently allowed in law.** This is when children (usually over the age of 16) need support to live independently rather than needing full-time care. Ofsted do not regulate this type of provision but will work with LAs to support the local monitoring arrangements.
 - **Supported living** is the most common type of unregulated provision. This is accommodation where young people are visited and get some support as they move towards independence. Supported living is not regulated by Ofsted but Ofsted sets an expectation that local authorities, as 'corporate parents', make sure any placements are and remain safe and suitable for their child to live in.

- **Unregistered provision** is when a child who is being provided with some form of 'care' is living somewhere that is not registered with Ofsted. This is illegal. Once a provider delivers a care element as well as accommodation, they must register as a children's home. It is an offence not to. Haringey will be notified by Ofsted of unregistered provision and does not use these providers.

3.2 16 + Supported accommodation provision.

3.2.1 A provider who offers services defined as "support and accommodation" for young people over the age of 16 is not required to be registered, and therefore is not under the monitoring remit of Ofsted. Ofsted state that "If the provision provides care and accommodation then they should be registered, however, the level of care provided is not specified in the Care Standards Act 2000 and some young people as they move into independent living require some level of support in order to make the transition". Haringey has 16 semi independent providers.

3.2.2 With regards to the level of support, Ofsted state: "This level of care usually reduces over time and does not include the provision of meals, medication, personal care etc. The young people are free to come and go as they wish. Staff may be present for parts of the day and even overnight for security reasons but are not providing direct care. These are unregulated settings and can operate without registration".

3.2.3 Haringey has a clear expectation of the current 16+ supported accommodation providers utilised through the Brokerage approval systems. In summary these are:

- appropriate qualifications of both manager and staff team
- appropriate room size with furniture fit for purpose
- annual monitoring visits, but more visits undertaken if concerns are raised
- 10 hours of key work sessions per week to assist in independent living and life skills
- staffed 24/7 by workers who have been subject to Safer Recruitment Checks
- weekly and monthly reports
- young people are assisted with budgeting, access to education or employment
- attend all meetings and offer support and to engage with partner agencies to ensure their needs are met
- signed up to Haringey's DPS and Supported Accommodation Contract, following further development.

3.3 How Supported accommodation is commissioned, checked and monitored

3.3.1 Currently, placements are commissioned with preferred providers on a spot purchase basis. Haringey's Commissioning Service has recently appointed a Children's placement commissioner who will commence an exercise to establish

through the DPS the opportunity for all providers to undergo further quality assurance checks and monitoring including:

- DBS checks
- safer recruitment
- H&S
- insurance
- financial checks
- policies and procedures.
- annual monitoring and full house visit
- visits (both announced and unannounced) and meetings with commissioning and the placements service.

3.3.2 In addition the Commissioner has reviewed the potential and benefits to register Haringey with the Pan London West London Alliance who offer support to London Local Authorities to access a range of providers who deliver services against the recent Ofsted guidance on Supported Accommodation. The outcome of this review noted that the fee to register with the West London Alliance did not afford Haringey with a significant advantage or access to a wider range of preferred providers.

3.3.3 Children Looked After are visited by social workers in line with their statutory duties and if social workers become aware of concerns about the suitability or standard of the provision, they are, responsible for raising these with their line manager and the Commissioning Team. The local authority has been working closely with the Metropolitan Police to ensure that all supported accommodation providers sign up to the Police and LAs, Missing MOU (Memorandum of Understanding).

3.4 16+ Supported Accommodation provision in Haringey

3.4.1 There is a legal duty on both the Council and providers commissioned on its behalf to safeguard young people, and where the Council do not have enough confidence in the process, the contract can be terminated.

3.4.2 Haringey Commissioning are currently aware of two private providers who wish to operate supported accommodation within Haringey and will engage them in the compliance measures. Where local places are not available the Commissioning team aim to find the closest match to the young person's needs.

3.5 Young People in Supported accommodation

3.5.1 The numbers of looked after children in Haringey excluding UASC currently placed in Supported Accommodation at the end of January 2020 was 20. The number of UASC in Supported Accommodation was also 20.

3.5.2 This is a snapshot within the month, as the numbers will fluctuate as children/young people enter and cease being looked after for various reasons throughout each month.

3.5.3 Young people looked after by Haringey are placed in 16+ accommodation in the following areas: Haringey, Redbridge, Waltham Forest, Enfield, and Havering.

3.5.4 The cost of supported accommodation placements ranges from £320 per week to £1000 per week which is dependent on need and support at the end of January 2020.

3.6. Issues, Options and Analysis of Options

3.6.1 16+ Supported Accommodation – summary

- There is no Ofsted registration requirement for 16+ Supported Accommodation and there is no responsibility on providers to notify the Local Authority/Borough of their intentions to set up Supported Accommodation, as Ofsted does not register them. More recently the lobby from the Association of Directors for Children’s Social Care, have challenged Ofsted to re-consider the position in relation to regulation.
- Haringey encourages notification and the Brokerage service has formalised agreements with the planning department to notify Children’s Social Care, the police and Commissioning if planning permission is sought.
- Local Authorities routinely notify each other when a placement is made in another area. This system works effectively and Haringey sends routine reminders to other local authorities regarding their duties to looked after children. The Assistant Director, through the MACE will challenge other local authorities when a young person placed in Haringey has complex needs and the geographical area of the placement increases that young person’s vulnerability.

In some cases, there are:

- no minimum room sizes;
- no registered manager/or recognised qualifications;
- no staff ratio to young people;
- no regulatory monitoring by Ofsted.

3.6.2 Nationally if five non-related people reside within a property it should be registered as a House of Multiple Occupancy (HMO). In Haringey we have three developments for 18 plus Unaccompanied Asylum-Seeking Children (UASC) and one unit for female Care Leavers co-delivered and designed with Homes for Haringey. There are four OFSTED registered children’s homes in Haringey, none run by the Council. Haringey has clear expectations of the requirements for those making enquiries to the Council Planning Service. For clarity these are:

- advising the Local Authority/Borough of their intentions
- change of use may be required (i.e. family home to a business) and notification to Haringey’s housing department
- home must be registered with Ofsted

- Ofsted to inspect proposed residential home to confirm that the accommodation meets minimum requirements
- residential home must have a registered manager in place for the home to operate. (This requires Ofsted approval after interview and verification of relevant qualifications)
- staff to be qualified to the required standards
- appropriate staff ratio to young people
- Reg 44 visits undertaken monthly (internal independent monitoring visits)
- Ofsted inspections, both announced and unannounced
- more rigorous insurance required
- pay business rates as opposed to Council Tax

3.6.3 We continue to focus on finding the right placement type for young people according to their needs. Where possible and appropriate young people will remain in foster care as the first option or within regulated placements.

3.6.4 Placements are monitored through the various multi-disciplinary panels, such as the Placements and Resource Panel which is chaired by the Assistant Director of Children's Services and work is in place to ensure all high cost placements are regularly reviewed through the Children's Improvement Board.

3.6.5 The Department is aware of the budgetary situation within the Council and work hard to provide placements that are fit for purpose and offer the best value for children and young people. The Director and other senior managers work closely with the Finance Department ensuring placements are of good quality, and that we plan the transition of our young people when appropriate to accommodation that is suitable for their needs and age.

3.7 Haringey Specifics

3.7.1 Haringey has placed 73 children and young people over the last 12 months in semi-independent provision.

3.7.2 Haringey like other Local Authorities have measures in place to manage the needs of Children and young people at risk of missing from their placements. Over the period September to January 2020, 21 young people have been reported missing from semi-independent units. All have returned and have been risked assessed through the Return Home Interview process and their care plans adjusted. Haringey's MASH formally writes to all Local Authorities who place children and young people in Haringey accommodation to remind them of their duty to conduct Return Home Interviews and encourage them to share the outcome with Haringey's MASH.

3.7.3 The evidence from the police and the providers of the Return Home Interview is shared with the Exploitation Prevention Panel and risk assessments conducted with the multi-agency partners, to ensure that young people access additional support specific to identified concerns.

4. Contribution to strategic outcomes

Priority 2 (People) of the Borough Plan sets out a vision where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential. A robust and suitable education is one of the keys to achieving this.

5. Use of Appendices

N/A

6. Local Government (Access to Information) Act 1985

N/A