

Policy in Relation to Placement of Cumbria Children in Unregulated or Unregistered Supported Accommodation

The current national discussions around unregulated and unregistered provision raises concerns about the quality of some supported accommodation. It has been acknowledged that not all providers are the same and there are examples where the accommodation is not to a high standard, does not match children's needs and that children are not always well supported by local authorities in this area.

As a result Cumbria have introduced a policy to ensure a high level of oversight for our young people placed within supported accommodation.

As a local authority we are clear that children should be placed in accommodation which meets their needs and care plan. Children under 16 should not be in unregistered or unregulated supported accommodation.

In the exception where (due to sufficiency of appropriate providers) placements are made outside of this remit we are clear this will be with high level oversight and support and for the shortest time possible.

It is key that professionals understand the difference between unregulated and unregistered placements, can identify these and take appropriate steps in terms of care planning and oversight.

This policy will:

- Give clarity on placement definitions and how to establish this;
- Set out professional oversight needed prior to and within 5 working days of any supported accommodation placement (as part of placement identification, matching and placement);
- Set out additional oversight required where a young person is deemed to require a care placement but is being placed in Unregulated/Unregistered provision;
- Set out practice standards for supported accommodation.

1. Placement Definitions and how to establish this - Understanding the difference

Definitions as set out by Yvette Stanley (July 2019)

Unregulated provision is 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.

It should be used as a stepping stone to independence, and only ever when it's in a child's best interests. For many children, it's the right choice. Some children do not want to live with foster parents or live in a children's home. For some unaccompanied asylum-seeking children this can be the right option too, but not for all.

Unregistered provision is when a child who's 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's an offence not to.

What does 'care' mean? It is not defined in law. It is not just about the age of the child, although that's a factor. It is about a child's vulnerability and the level of help that they need. If a child does need care, then the service they're getting is very likely to need registration as a children's home. Certainly, if children are under constant supervision, then this is likely to be 'care'.

It's also not about how long the child lives there. There is an all too common myth that if you only provide care for 28 days you do not need to register – this is not true! It does not matter how long you provide accommodation for. If you're providing care as well as accommodation, then you need to register.

How do I know/manager oversight? Key questions to ask when considering the placement offer are set out in the **Ofsted Supported accommodation- Annexe A.**

Criteria	Yes?	No?
Can young people go out of the establishment without staff permission?	Supported accommodation	Care
Do young people have full control of their own finances?	Supported accommodation	Care
Do young people have control over what they wear and of the resources to buy clothes?	Supported accommodation	Care
Are young people in charge of meeting all of their health needs, including such things as arranging GP or specialist health care appointments? Are young people in full control of their medication?	Supported accommodation (note that young people may ask for advice and help on their health, but if decisions rest with the young person, the establishment is not providing care.)	Care
Do staff have any access to any medical records?	Care	Supported accommodation
Can young people choose to stay away overnight?	Supported accommodation (note that being expected to tell someone if they are going to be away overnight does not indicate providing care, but needing to ask someone's permission does.)	Care
Is there a sanctions policy that goes beyond house rules and legal sanctions that would be imposed on any adult?	Care	Supported accommodation
If the establishment accommodates both adults and young people, do those under 18 have any different supervision, support, facilities or restrictions?	Care	Supported accommodation
Are there regularly significant periods of time when young people are on the premises with no direct staff supervision?	Supported accommodation	Care
Do staff have any responsibility for aftercare once a young person has left?	Care (note that some supported accommodation services will offer some support to help young people get established in their next accommodation – this is not care.)	Supported accommodation
Does the establishment's literature promise the provision of care or relate to specific care support provided to all residents?	Care	Supported accommodation
Does the establishment provide or commission a specialist support service, which forms part of the main function of the establishment?	Care	Supported accommodation

2. At point of placement what scrutiny is required of the provider (as part of placement identification, matching and placement)

The key information required is set out below, highlighting which professional should obtain this and whether a placement can be made in its absence. The social worker must review this information, ensure placement meets needs of young person and evidence this in their request for manager to approve the placement.

Provider Scrutiny	Who would ascertain this and when?			
Information required	On Framework	Off Framework	Off Framework – Emergency	Is this required before placement?
Statement of purpose or equivalent	This is needed to get onto PNW Framework so will be on central file by commissioning and sent to SW with offer	This would need to be requested by commissioning at point of referral and sent to SW with offer	This would need to be requested by commissioning at point of referral and sent to SW with offer	Yes
Staff DBS Numbers and skill sets	This is needed to get onto PNW Framework so will be on central file by commissioning and sent to SW with offer. The specifications states that they must have the required level of skills, DBS, experience	This would need to be requested by commissioning at point of referral and sent to SW with offer. The specifications states that they must have the required level of skills, DBS, experience	This would need to be requested by commissioning at point of referral and sent to SW with offer. The specifications states that they must have the required level of skills, DBS, experience	Yes
Insurance	Requested by Commissioning and sent to social worker	Requested by Commissioning and sent to social worker	Requested by Commissioning and sent to social worker	Yes
5 Key policies Safeguarding, Child Exploitation, Missing from home, information governance, safer recruitment	This is needed to get onto PNW Framework so will be on central file by commissioning and sent to SW with offer	This would need to be requested by commissioning at point of referral and sent to SW with offer	This would need to be requested by commissioning at point of referral and sent to SW as soon as received	Should form part of matching consideration. In emergency placement to be considered at placement planning meeting within 5 working days
Host Authority Reference requested	Requested by Commissioning and sent to social worker	Requested by Commissioning and sent to social worker	Requested by Commissioning and sent to social worker	This is not always received and we may make the placement prior to receiving. But will chase via commissioning and escalated if not received within 5 days.
Local Authority Reference about provider	Requested by Commissioning and sent to social worker	Requested by Commissioning and sent to social worker	Requested by Commissioning and sent to social worker	This is not always received and we may make the placement prior to receiving. But will chase via commissioning and escalated if not received within 5 days
Info from the Host authority LADO in relation to provider.	Requested by Commissioning to our LADO to chase and sent to sw, are there safeguarding concerns we should be aware of?	Requested by Commissioning to our LADO to chase and sent to sw. Are there safeguarding concerns we should be aware of?	Requested by Commissioning to our LADO to chase and sent to sw. Are there safeguarding concerns we should be aware of?	This is not always received and we may make the placement prior to receiving. But will chase via LADO and escalated if not received within 5 days
Locality risk assessment	This is needed to get onto PNW Framework so will be on central file by commissioning and sent to SW with offer	This would need to be requested by commissioning at point of referral and sent to SW with offer	This would need to be requested by commissioning at point of referral and sent to SW with offer	This is not always received and we may make the placement prior to receiving. But will chase via commissioning and escalated if not received within 5 days

V3 Reviewed and updated October 2020

Consideration of matching and compatibility with others in placement	Social worker to request and record this from pre placement discussion with provider	Social worker to request and record this from pre placement discussion with provider	Social worker to request and record this from pre placement discussion with provider	This should happen before any placement
Managers experience and qualifications and staff skill set. What do the staffing rotas look like, what should the YP expect and are you happy this is robust? What kind of training do staff have?	Social worker to request and record this from pre placement discussion with provider	Social worker to request and record this from pre placement discussion with provider	Social worker to request and record this from pre placement discussion with provider	This should happen before any placement
Accommodation checklist – pre placement -Current Gas Certificate for property they will live in -Copy of evacuation plan -Evidence that electrical wiring has been checked in last 5 years and equipment is PAT Tested	Commissioning to request alongside placement information and share with social worker	Commissioning to request alongside placement information and share with social worker	Commissioning to request alongside placement information and share with social worker	No placement to be made without sight of this
On Site Social Worker schedule 6 checks Are Fire and carbon monoxide alarms in place? Is the accommodation secure (locks on doors etc.)? Is it habitable- adequate state of repair	Social worker to ensure providers know this will be looked at and check in pre visit or when placing young person. To do alongside young person. Suggest photo evidence	Social worker to ensure providers know this will be looked at and check in pre visit or when placing young person. To do alongside young person. Suggest photo evidence	Social worker to ensure providers know this will be looked at and check in pre visit or when placing young person. To do alongside young person. Suggest photo evidence	To be completed at point of placement
Clarity on who is responsible for repairs and maintenance, fittings and fixtures and who to contact in an emergency	Social worker to ensure clear to young person. To also include this information in placement plan	Social worker to ensure clear to young person. To also include this information in placement plan	Social worker to ensure clear to young person. To also include this information in placement plan	Must be clear at point of placement.
Accommodation checklist oversight by IRO	IRO oversight to ensure Schedule 6 checklist is in place within 5 days.	IRO oversight to ensure Schedule 6 checklist is in place within 5 days.	IRO oversight to ensure Schedule 6 checklist is in place within 5 days.	Within 5 working days
Distance from Placing authority	Out of county/at a distance procedure to be followed	Out of county/at a distance procedure to be followed	Out of county/at a distance procedure to be followed	Pre placement for planned moves but within 5 working days for emergency placement.

3. What to do for Oversight and Authorisation of Unregulated/Unregistered provision of accommodation for a young person deemed to require a care placement

Where we have assessed the placement is;

- Unregulated –Young person receiving supported accommodation. Needs assessed to require care. We are not meeting the young person’s needs and as such further support and increased oversight will be needed whilst a placement is found to meet their needs;
- Unregistered –Young person receiving a package of care. Home not registered with OFSTED The provider may be clear they are only providing support (see Annexe A) and they would need to evidence this. If we are substituting this with our staff and the young person’s network this needs to be clearly defined.

NB: For any child under 16 we would view them to require care not support.

This is not an appropriate situation for a young person and not a position felt appropriate by the local authority, but it is recognised that due to national sufficiency there have been occasions where this has been used.

The process outlined in section 2 needs to be followed but this will need to be agreed by the Assistant Director.

The **‘Oversight and Authorisation of Unregulated/Unregistered provision of accommodation for a young person deemed to require a care placement’** form (see appendix 1) needs to be completed in full and signed off by the Assistant Director Children and Young People.

- This should be for the shortest time possible and with high level of scrutiny and oversight;
- Ongoing placement search should be continuous;
- The senior manager district will put in place systems to give them heightened oversight of the case (via team manager/service manager);
- Feedback will be given to the weekly performance meeting (unregulated placements section) on progress to an appropriate placement. The level of risk will therefore be known and shared across the leadership team.

4. Best Practice Care planning to be followed for young people.

Pre placement and first week

- A move to supported accommodation should be planned and a discussed at a CLA review prior to taking place and a placement planning meeting held. It is recognised that on occasion the move is more urgent. There should be a placement planning meeting within the first week of placement. At the home with key people from the young person’s network invited;
- The Virtual School and Strengthening Families team must be informed of proposed move;
- The placement planning meeting must consider the key areas in the annexe A and ensure all are clear of responsibilities and this matches a support model not care. Any missing from home/CE risk assessment tools or existing safety plans should be reviewed to ensure the responsibilities of the provider, the young person and the local authority are explicit and link to support (but do not disregard safeguarding);
- A trajectory to independent living is completed prior to placement or within 5 days of placement in exceptions. We are clear that outcomes for young people work best with regular joined up planning meetings;
- The young person should be given access to an advocate;
https://cumbriacs.proceduresonline.com/chapters/p_advocacy
- There should be a referral made to the Independent visitor service (The young person should be prioritised for an independent visitor); https://cumbriacs.proceduresonline.com/chapters/p_advocacy

- The schedule 6 checklist should be undertaken pre placement, photographs of the accommodation should be taken during the visit;
- The IRO should also visit the young person in placement and complete this within 5 days of placement. Ideally this will link with the placement planning;
- Where the placement is off framework this may be in conjunction with a team manager. The district Service manager will determine if this is required.

Ongoing Care planning

- CLA reviews should take place in the accommodation to ensure the standard of the young person's home is good. Or the IRO should visit there as part of their oversight if not possible;
- Ensure Care plan includes key placement outcomes and is evident in pathway plan;
- This trajectory should be reviewed by the social worker, personal advisor the young person and the home in a care planning meeting at least 6 weekly and will feed into the pathway planning/cla review process;
- Fortnightly social work visits initially reviewed in line with risk. This could alternate between Social Worker and Pathway Advisor with a system for review and reduction put in place that has IRO oversight and agreement.

October 2020