



Wednesday, 1 June 2022

## **Ofsted report into Surrey County Council run children's home: SC040628**

This report is written in response to concerns raised by Select Committee Members that a Surrey County Council run children's home (SC040628), previously judged to be 'good' at its last full Ofsted inspection in May 2021, had been judged to have 'declined in effectiveness' at an interim inspection conducted in February 2022 and that Members were not notified of this inspection outcome prior to the published Ofsted report being covered in the local news media.

Members were further concerned that an operational decision had been taken to close the home in question between the inspection taking place and the publication of the Ofsted report but that this closure had not been notified to Members.

Members also expressed concern about the Council's quoted response to the media coverage.

This report outlines what occurred in relation to each of these areas of concern and proposes some actions to implement routine sharing of Surrey County Council-run children's home Ofsted inspection outcomes, which should make such a chain of events very much less likely to occur in future.

There is a final section of the report which addresses the subsequent publication of another children's home's Ofsted report and the media coverage of this which also led to concern among Members.

### **1. Introduction:**

- 1.1. Surrey County Council has nine (previously ten) council-run children's homes located in the county. This in-house residential care forms part of the range of provision available to accommodate children and young people in the care of the council. This range of provision also includes members of a child's own extended family or other 'connected persons', in-house and privately provided foster care and privately provided residential care either within or outside the county itself. This provision is extensively described elsewhere in

the Council's sufficiency strategy [[Looked after children and care leavers sufficiency strategy - Surrey County Council \(surreycc.gov.uk\)](#)].

1.2. Children's residential care settings – often known as 'children's homes' – are subject to regulation through individual registration of the homes themselves and the homes' 'registered manager' and through a cycle of regulatory inspection carried out by Ofsted under the Social Care Common Inspection Framework [[Social care common inspection framework \(SCCIF\): children's homes for April 2022 - GOV.UK \(www.gov.uk\)](#)]. This SCCIF framework is separate from and unconnected to the ILACS framework for the inspection of local authorities' children's services.

1.3. Ofsted publishes children's homes inspection reports on their reports website in an anonymised form to protect children. Published inspection reports do not contain any of the following:

- The name of the home
- The address of the home
- Any information that identifies the location of the home
- Any information that identifies an individual child or staff member (other than the Responsible Individual and the Registered Manager at the home)

1.4. In keeping with these measures to safeguard children, the home that is the subject of this report is known throughout by its unique reference number: SC040628 and no information is provided that could lead to the identification of any child or staff member at the home.

## **2. The interim inspection of SC040628 in February 2022 and subsequent inspection report**

2.1. SC040628 was registered on 10 October 2003, which was prior to Ofsted becoming the regulator. The first Ofsted inspection at the home took place in August 2009 (report published October 2009). There were 19 inspections (alternating between 'full' and 'interim' inspections) between that date and June 2019 when the setting was judged to be 'good' in a report published in July 2019.

2.2. Due to COVID-19 (coronavirus), Ofsted suspended all routine inspections in March 2020. As part of a subsequent phased return to routine inspection, Ofsted undertook assurance visits to children's social care services inspected under the social care common inspection framework (SCCIF). A visit under these arrangements took place in December 2020, report published January

2021. Because of the nature of these visits, this report did not make a judgement (as would occur in a full inspection) nor comment on effectiveness (as occurs in an interim inspection) but stated as its overarching finding: *We did not identify any serious or widespread concerns in relation to the care or protection of children at this assurance visit.*

- 2.3. A full inspection subsequently took place in May 2021, at which the setting was judged to be 'good' in a report published in June 2021.
- 2.4. The inspection that took place on 9 February 2022 was conducted as an 'interim' inspection and inspectors judged that SC040628 had 'declined in effectiveness' from the home's previous judgement of 'good'. The feedback of this judgement was accompanied by a 'suspension notice' which required the home to cease to accommodate the children living there at the time. This effectively required the service to find alternative homes for them at no notice, while SC040628 remedied the defects that had been identified, by no later than 28 March 2022.
- 2.5. All Ofsted inspection outcomes are confidential to the service until reports are published.
- 2.6. The report of this inspection was published by Ofsted on its website on 26 March 2022. Neither the Assistant Director – Children's Resources, nor the Director of Corporate Parenting, nor the Executive Director, Children, Families and Lifelong Learning were made aware of the intended publication date of the report or notified by Ofsted on the day of its publication.
- 2.7. Inspections undertaken under the Inspection of Local Authority Children's Services (ILACS) framework take place at a frequency of every 3-4 years and cover the whole of an area's services for children in need of help and protection, children looked after and care leavers. Senior staff are extensively engaged in these inspections and the draft and final reports are sent for the attention of the statutory Director of Children's Services (in Surrey, the Executive Director of Children, Families and Lifelong Learning) and the publication dates for reports are fixed in the schedule from the moment the inspection is announced (only moving by mutual agreement). The scale and service impact of these reports is such that it is usual to accompany their publication with proactive media and Member coverage.
- 2.8. By contrast, Ofsted regulatory inspections into children's homes occur at a usual frequency of approximately twice a year. They are brief, operationally focused inspections with a remit covering a single setting, and the liaison occurs largely between the inspector and the home's registered manager who receives the report correspondence. Because of the operational focus and narrow remit of children's homes regulatory inspections it has not been

the practice of the Children, Families, Lifelong Learning (CFLL) directorate to proactively share or promote the inspection reports even when they are published.

- 2.9. Unlike the ILACS inspection report, the publication date of the children's homes report is not fixed. The current Social Care Common Inspection Framework (updated in April 2022) advises that the final report will be published on the Ofsted reports website within a maximum of 38 working days from the end of the inspection. However, as can be seen from the dates of publication of previous inspection reports for SC040628 compared with dates of inspection, the elapsed time between inspection and report publication has varied from less than one month to – at the longest - nearly three months.
- 2.10. There was added uncertainty about the prospective publication of this report because the service made the decision to close SC040628 following the decline in effectiveness and nobody in the service was clear about how the publishing arrangements would be impacted (if at all) by the closure.
- 2.11. The Executive Director, Director and Assistant Director were made aware of the publication of the report by the Comms team, following a press enquiry. In the particular context of this inspection, it is unfortunate that the senior team had not been made aware of the publication prior to the media interest in the report. However, even if the service had known the publication date of the report in advance our practice at that time (for the reasons outlined above) would not have been to proactively share it.

### **3. The decision to close SC040628**

- 3.1. There are significant problems nationwide in the regulated children's homes sector. These are well documented in the CMA's report into the sector [[Children's social care market study final report - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/103444/childrens-social-care-market-study-final-report.pdf)] There is insufficient capacity, nationally, to meet the needs of all the children in local authority care, and it is particularly challenging to find good quality residential care for children with the most complex needs and those facing the biggest risks and issues in their lives.
- 3.2. In a context in which private sector providers are increasingly refusing to accept the placement of children who potentially present the biggest risks or challenges to manage in their setting, and who are increasingly likely to give notice on a placement if they find a child's dysregulated behaviour difficult to manage, in-house provision is more and more vital. This is because it enables the service to hold high risk, complex and vulnerable children close, maintaining their connection with the multiplicity of other services available to them in Surrey, sustaining their family and / or school connections where

these exist. Our in-house services also share our values and priorities, working hard to make sure our children feel that they belong and are in a place that won't give up on them, or move them on even if their behaviour is experienced as challenging.

- 3.3. To enable our in-house provision to do this well, we are engaged in a programme of transformation, which includes significant capital investment in purpose-built facilities which have a genuinely 'homely' feel, rather than the institutionalised settings that have been previously available. SC040628 – the home this report focuses on – was one of the old-fashioned, 'institutionalised' homes already earmarked for closure under this programme.
- 3.4. The transformation also includes a staffing restructure which recognises the important skills of residential care workers through changes to roles, pay-scales, and expected qualifications.
- 3.5. The final pillar of this transformation is the adoption of a model of working pioneered by North Yorkshire Council called 'No Wrong Door' which is focused on supporting young people to remain safely with their families if possible, but where that is not possible, ensuring they are kept close to home through in-county accommodation which is supported by full, multi-agency understanding of the needs these young people have and the issues they face.
- 3.6. While this combined programme of building, staff development and a new practice model is under way, we recognise that some of our homes and staffing arrangements are less than ideal and not always what we would wish for, for our young people. However, we balance this against the value (as outlined above) of holding children close in settings that will be more stable, with better access to other facilities and in arrangements that are less likely to lead to children being moved on for challenging behaviour.
- 3.7. It is not possible to outline in this report the background to this home's decline in effectiveness without making reference to details which would lead to the identification of children and / or staff.
- 3.8. Because the decline in effectiveness of SC040628 led to a suspension notice, the consequence was that the children living there were required to move. This represented an unwelcome disruption in stability for the children at very short notice. The service successfully ensured alternative arrangements were made promptly.
- 3.9. The home had therefore effectively ceased operation and the service had a choice to make as to whether to invest time and resources in remediating the defects in a home that was already intended for closure or whether to accept

that as the home would be closing anyway, it made more sense to accelerate the closure and prevent any more resources and capacity being used to try to sustain such fragile arrangements. An operational decision was made to close the home. Ofsted was promptly notified of this decision.

- 3.10. An investigation is under way into the circumstances of the decline in effectiveness. This will enable the service to reflect on whether we should have tried so hard to keep this home operating in these circumstances, or whether – given what were known to be some of the operational issues – the decision should have been taken earlier to move to full closure even if that meant earlier disruption for the children.

#### **4. Media coverage of the published Ofsted report and the Council's response**

- 4.1. The Communications Team has provided an account of communications activity for this report as follows:
- 4.2. All appropriate media handling processes were followed between the Communications Team and the Children Families and Lifelong Learning Directorate leadership in relation to the closure of SC040628.
- 4.3. The CFLL Communications Manager was informed of Ofsted's suspension notice on the evening of February 10<sup>th</sup>, in preparation for potential publication of the Ofsted report and any subsequent media interest. It was not clear at this point if or when Ofsted would publish any report because CFLL colleagues had made the proactive decision to permanently close the home. There was no previous experience in the service of this pattern of events.
- 4.4. CFLL colleagues made attempts to discover from Ofsted if and when any report would be published but did not receive clarification on this point.
- 4.5. A reactive statement was drafted on Feb 11<sup>th</sup>, outlining the Ofsted inspection, report and decision making, as well as wider context in relation to the council's plans around Children's Homes modernisation and investment – to ensure transparency, reassure the public and staff, and to protect the children involved. The statement was agreed and signed off by the Executive Director of CFLL and the Head of External Communications.
- 4.6. The full statement read:
- 4.7. *Although most of our children's homes are graded 'Good' or 'Outstanding', in 2020 and 2021, the Council agreed to invest £34m on improving accommodation for Looked After Children and £2.4m in increasing management capacity and upskilling our workforce, so young people in care*

*get the best environment to thrive within Surrey. This included replacing some existing children's facilities and developing new homes. The build of the replacement homes are in progress, but we have made the decision to permanently close one of these homes and place the children in alternative accommodation, as the current building is no longer fit for purpose. This arrangement will ensure the children receive care that is appropriate for their needs, in a safer environment, until their new home is ready. Ofsted completed an inspection of this home on 9<sup>th</sup> February 2022; we agree with their findings and had already started implementing an alternative solution, alongside working hard to finalise the build of the new home as quickly as possible. The new and smaller homes will be much better for children, providing them with a more homely environment which will enable appropriate staff supervision.*

4.8. *Staffing issues in children's homes are being faced nationally, and we are actively recruiting permanent staff to ensure as much consistency as possible for the children in our care. As well as significant capital investment, we are undertaking a systematic review of all of our children's homes to ensure consistency in our approach. We know that children in care are disadvantaged and that their outcomes are poor when compared to the general population and our investment programme will both enable us to recruit and retain staff, and also provide purpose-built units with modern building efficiency, to help keep Surrey's children and young people safe and well cared for. It will also ensure we can support children with the highest and most complex needs and maximise occupancy levels in each home.*

4.9. We do not generally proactively communicate each Ofsted inspection report of individual Children's homes to Members or the public, due to safeguarding reasons, the resource required, the notice given by Ofsted and the interest of the media and public into such inspections.

4.10. On March 30<sup>th</sup> SCC Press Office received a media enquiry relating to the Ofsted report, and issued the agreed statement.

4.11. The CFLL Communications Manager advised the Executive Director and other senior colleagues in CFLL about the media enquiry on March 31. Until the media enquiry was received, the service had not been made aware of the report publication date, which was in fact 26 March.

4.12. On April 19<sup>th</sup> SCC Press Office received two follow-up media enquiries asking for confirmation on dates of the Ofsted inspection and decision to close, as well as further information regarding where the children had been placed. SCC Press Office confirmed the dates of the Ofsted inspection,

report and decision to close, but declined to give any further information regarding the children due to confidentiality issues.

- 4.13. *Surrey Live* and *Guildford Dragon* posted articles on 19<sup>th</sup> April 2022 which used parts of the SCC statement and the second follow up response throughout the article. The statement was not shared as one response in full, but in separate parts throughout the stories. This is not unusual.  
[Surrey County Council-run children's home where kids put 'at risk of significant harm' closes - Surrey Live \(getsurrey.co.uk\)](#)  
[Guildford Dragon NEWS | The Guildford Dragon \(guildford-dragon.com\)](#)

## **5. The full inspection of SC040638 in February and March 2022 and subsequent inspection report**

- 5.1. Following the concerns expressed by Members about the circumstances outlined above, the Executive Director agreed that in future all children's homes Ofsted reports issued between one CFLLC Select Committee and the next would form part of a report to the Select Committee. The same commitment was made in respect of the Corporate Parenting Board. The Executive Director did not commit to proactively publicising the publication of every Ofsted report as it became available, because of the additional administrative burden this would place on the service and Comms colleagues.
- 5.2. Since this commitment was made, another Surrey County Council children's home has had an inspection report published: SC040638. The home was inspected on 15 and 16 February and a further visit was made on 16 March. The home was judged by Ofsted to be 'good' at this inspection in a report published on 5 May 2022.
- 5.3. The history of this home is that it was registered in November 2003 and first inspected by Ofsted in June 2009. It had 23 inspections and monitoring visits between that inspection and the hiatus caused by Covid. Following a 'good' inspection judgement in May 2018, it had declined in effectiveness by the time of the subsequent interim inspection in October 2018, was judged to be 'requires improvement to be good' at the next full inspection in May 2019 and found to have 'improved effectiveness' at the interim inspection in December 2019. An assurance visit in September 2020 reported that *We did not identify any serious or widespread concerns in relation to the care or protection of children at this assurance visit.* The February / March inspection was therefore the first occasion since May 2018 that this home has been judged 'good'. As this is the flagship home in our 'No Wrong Door' service, this is a positive outcome for the setting and the service as a whole.



- 5.4. In keeping with the commitment previously made, a link to this report was included in the Directors' Report to the Corporate Parenting Board held on 19 May 2022. This was issued to Corporate Parenting Board Members on Friday 13 May. There being no Select Committee report due at that time, the link to the report was not sent to Select Committee Members.
- 5.5. On 18 May 2022 Get Surrey ran the following news story about the Ofsted inspection report which focused on a serious incident at the home that was covered in that report: [Surrey County Council-run children's home where fire broke out and two police incidents not reported - Surrey Live \(getsurrey.co.uk\)](#) Although the Get Surrey report did acknowledge the overall judgement of 'good' the home had received, the headline understandably created concern that this was an Ofsted report about a poor quality home. Some Members took the view the service should have been more proactive about making Members aware of the Ofsted report before the Get Surrey media coverage.

## **6. Conclusions:**

- 6.1. The operational challenges of the residential care sector for children are well documented. Increasing use of kinship/connected persons placements and foster care for children in the care of local authorities nationwide has led to the slow transformation of the residential care sector into one that is focused almost exclusively on children with the most complex needs and highest level of risk. As a result, these settings are operationally volatile and their functioning can improve and decline rapidly and frequently.
- 6.2. It has been the practice to treat these Ofsted reports and operational decision-making about the settings as a matter for the service. Published reports have – until recently – drawn very little interest, attention or concern, even though the performance of the homes does typically go up and down.
- 6.3. The decline in effectiveness of one of our homes led to an operational decision to close the home permanently. This was a necessary operational decision in the circumstances of the home in question.
- 6.4. The improvement in another of our homes – a return to a 'good' judgement after four years - has been unfortunately overshadowed by the way the published Ofsted report has been covered by local media.
- 6.5. No attempt has been made to deliberately conceal any of these published Ofsted reports.

## **7. Recommendations:**

7.1. Given the concern expressed by Members following the Get Surrey coverage of the latest Ofsted report, the Executive Director wrote to all Members on Friday 20 May as follows:

*In light of recent media reporting, I wanted to confirm that the Children, Families and Lifelong Learning (CFLL) Directorate has reviewed the internal communication flow in relation to Ofsted's regulatory reports about Surrey County Council-run children's homes. We are putting additional measures in place to ensure transparent availability of these reports to members.*

*We had previously agreed that both Corporate Parenting Board and CFLLC Select Committee would receive at each meeting any Ofsted reports of Surrey County Council-run children's homes published since the previous meeting. However, it became clear this week that this arrangement would not meet members' expectations about transparency of report publication. We are taking steps to add the current reports about all Surrey's County Council-run children's homes to the Members' Portal. Thereafter, following publication of any new report, the Members' Portal will be updated with the latest report and members will be advised that the portal has been updated. The Members' Portal will link directly to the full Ofsted report.*

*CFLL will continue, as previously agreed, to bring for discussion any reports published since the previous meetings of the Corporate Parenting Board and the CFLLC Select Committee. However, the revised arrangements outlined above should ensure that, where there is any press coverage about a recently published report, members have had an opportunity to access it and read it in full themselves should they want to. We will keep these arrangements under review.*

7.2. This communication was accompanied by a table giving the most recent inspection date, inspection outcome and report publication date, including links to all the most recent inspection reports for our nine operational homes plus the recently closed home.

7.3. This report recommends that the steps outlined in the Executive Director's communication to all Members on Friday 20 May 2022 are adopted as the way forward in relation to these Ofsted reports.

7.4. The success (or otherwise) of these arrangements will be kept under review.

<b>8. Next steps:</b>
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8.1. As outlined above.

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