

3.9 Monitoring Quality

Regulations and Standards

England

- [Regulation 6: The Quality and Purpose of Care Standard](#)
- [Regulation 13: The Leadership and Management Standard](#)
- [Guide To The Leadership And Management Standard](#)
- [Regulation 46: Review of premises](#)
- [Guidance on Part 6 of the Regulations – Monitoring and Reviewing Children’s Homes](#)
- [Regulation 44: Independent Person: Visits And Reports](#)
- [Guidance on Part 6 of the Regulations – Monitoring and Reviewing Children’s Homes](#)
- [Regulation 45: Review Of The Quality Of Care](#)
- [Guidance on Part 6 of the Regulations – Monitoring and Reviewing Children’s Homes](#)
- [Regulation 49: Notice Of Changes](#)

Wales

- [Regulation 7: Requirements in relation to the statement of purpose](#)
<http://www.legislation.gov.uk/wsi/2017/1264/regulation/7/made>
- [Regulation 8: Requirements in relation to monitoring and improvement](#)
<http://www.legislation.gov.uk/wsi/2017/1264/regulation/8/made>
- [Regulation 26: Safeguarding](#)
- <http://www.legislation.gov.uk/wsi/2017/1264/regulation/26/made>
- [Regulation 59: Records](#) <http://www.legislation.gov.uk/wsi/2017/1264/regulation/59/made>
- [Regulation 60: Notifications](#)
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/60/made>
- [Regulation 66: Supervision of Management of the service](#)
<http://www.legislation.gov.uk/wsi/2017/1264/regulation/66/made>
- [Regulation 74: Oversight of adequacy of resources](#)
<http://www.legislation.gov.uk/wsi/2017/1264/regulation/74/made>
- [Regulation 76: Engagement with individuals and others](#)
<http://www.legislation.gov.uk/wsi/2017/1264/regulation/76/made>
- [Regulation 80: Quality of Care review](#)
<http://www.legislation.gov.uk/wsi/2017/1264/regulation/80/made>
- [Regulation 81: statement of compliance with the requirements as to standards of care and support](#) <http://www.legislation.gov.uk/wsi/2017/1264/regulation/81/made>
- [Social Services and Well-being \(Wales\) Act 2014](#)

RELEVANT GUIDANCE

Children’s Homes Regulation Amendments 2014: Advice for Children’s Homes Providers on New Duties under Regulations that came into Effect in January and April 2014

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1. Suitability of Premises / Location Assessment

An annual review will be undertaken (in consultation with the Police and any other relevant bodies) of the appropriateness and suitability of the location of the home. The purpose of this review is to ensure that children and young people cared for in the home are effectively safeguarded and able to access services as identified in their Care Plans/Personal Plans/Placement Plans.

This location assessment will be kept under review and should be amended to take into account any new risks as and when these are identified.

Considerations to be taken into account when carrying out the location assessment include:

- Whether the location of the home influences the potential for an already vulnerable child to be a victim of crime, such as being targeted for sexual exploitation;
- Whether there is a likelihood of children placed in the home becoming drawn into gang crime or anti-social behaviour in the local area;
- The suitability of the local neighbourhood as a location to care for children who may have already been victims of abuse and neglect; and
- Whether there are environmental factors that would represent a hazard to children, such as locations near level crossings or busy roads.

Location assessments may also identify factors that could positively contribute towards a child's well-being e.g. leisure activities or services to support a child's ethnic or religious identity.

For detailed information on carrying out location assessments, see **Children's Homes Regulations Amendments 2014: Advice for Children's Homes Providers on New Duties under Amendments to Regulations that came into Effect in January and April 2014.**

2. Review of Quality of Care

The review of the quality of care provided within the home will be carried out by:

- Regular monitoring of the activities within the home by the registered manager or, in their absence, their appointed deputy;
- Reports prepared by an Independent Person following a Regulation 44 visit/Independent Visitor visit;
- A formal Review of Quality of Care (Regulation 45) completed by the registered manager and submitted to HMCI at least once every 6 months.

- A formal review of the Quality of Care (Regulation 80) by the registered manager at least every six months
- Responsible Individual Audits (Wales)

Regulation 44/Independent Visitor Visits

The authority will arrange for all of its homes to receive monthly (Regulation 44/Independent Visitor) visits from an Independent Person. These visits are part of an on-going process to identify whether the home is meeting the needs of the children and young people living there. The visits should usually be unannounced but can be announced if it is necessary to arrange to meet a particular person.

The independent person **cannot** be a person employed by the local authority in connection with the carrying on of Social Care functions relating to children. For more information on who can be appointed as an Independent Person, see **Children's Homes Regulations Amendments 2014: Advice for Children's Homes Providers on New Duties under Amendments to Regulations that came into Effect in January and April 2014.**

The visit will be for a minimum of one hour. The Independent Person should complete a written report following the visit. This may include recommendations for improvement with timescales attached.

The report should be shared with the registered manager and responsible individual who will have the opportunity to make comment e.g. if there is disagreement with the comments and recommendations.

The report should be lodged with the home for the manager and staff to read and respond to.

A copy of this report is sent to the **Regulatory Authority** in the following month after the visit (England).

The Independent Person, when carrying out a visit, are required to:

- Interview, with their consent and in private, a number of children accommodated there, their parents, relatives and persons working at the children's home in order to form an opinion as to whether:
 - Children accommodated at the children's home are effectively safeguarded; and
 - The conduct of the children's home promotes the wellbeing of the children accommodated there.
- Inspect the premises of the children's home, and be allowed access to the children's home's records (children's case records may only be inspected with the consent of the child and the child's placing authority).

In a practical sense this may involve the Independent Person:

1. Meeting and talking to children and staff of the home to ascertain their views, comments and any complaints about the running of the home;
2. Reading the Daily Log, records of restraints, incidents, reports of notifiable events;
3. Checking any disciplinary measures and use of restraint in the home;
4. Reading the records of Comments, Representations and Complaints and (Child Protection Referrals), commenting on the frequency and type made and whether they appear to have been dealt with adequately;

5. Reading and commenting on the record of Children's and Staff Meetings, or other methods used by the manager to consult the children and staff. The Independent Person should also check that staff supervision have taken place as required;
6. Check on the physical condition and decoration of the home, including children's bedrooms.

Regulation 45 Report, (England Only) – Review of Quality of Care

As identified earlier, the formal Review of Quality of Care (Regulation 45) completed by the registered manager must be submitted to HMCI at least once every 6 months. The review should be submitted within 28 days of its completion.

It is the expectation of the responsible individual that these reviews are completed at least 6 monthly or as and when the registered manager assesses it to be necessary. The registered manager may assess that due to events in the home, changes in residents or significant changes in staff for example it may be appropriate to carry out a further review outside of these timescales.

In order to carry complete a review of the quality of care, the registered manager must establish and maintain a system for monitoring, reviewing and evaluating the following:

- a. The quality of care provided for children;
- b. The feedback and opinions of the children about the children's home, its facilities and the quality of care they receive in it; and
- c. Any actions that the registered person considers necessary in order to improve or maintain the quality of care provided for children;
- d. The feedback and opinions of the parents, placing authorities and other significant stakeholders in the care of the children and in the home such as the staff working there.

The registered manager should make available their schedule of monitoring to ensure that in their absence monitoring will continue.

Whilst it is the responsibility of the registered manager to establish and maintain their system of monitoring for the home, it is expected that the following will be covered:

Quality of care review (Wales only)

Managers will conduct bi-annual quality of care reviews for their homes.

The Responsible Individual will also conduct quarterly visits and reports. Both the report and reviews must be available to CIW.

Review of Quality of Care – All services

It is expected that all managers will monitor the following.

Minimum of weekly

- i. Incidents including:
 - a. The use of restrictive physical interventions;
 - b. Episodes of missing from home;
 - c. Accidents and injuries;

- d. Safeguarding or Child Protection;
- e. Notifications under Regulation 40.
- ii. Day notes;
- iii. Complaints log;
- iv. Fire log;
- v. Day planner;
- vi. 1:1 consultations or debriefs following incidents;
- vii. Medication records;
- viii. Sanctions;
- ix. Staff signing in book.

Minimum of Termly (6 weekly)

- i. Cleaning rota;
- ii. Fridge/freezer temps;
- iii. Menus (quality and evidence of child involvement);
- iv. Communications book;
- v. Rotas and timesheets;
- vi. Visitor's book;
- vii. Staff supervision records;
- viii. 1:1 work/key worker sessions;
- ix. Maintenance log;
- x. Health records;
- xi. Monetary records;
- xii. Meetings – staff and children's;
- xiii. Child's File including:
 - a. Placement Plans/Personal Plans;
 - b. Individual Behaviour Support Plans;
 - c. Monthly reports/summaries;
 - d. Contacts with parents/social workers/others;
 - e. Education attendance and attainment.
- xiv. Case management meetings;
- xv. Training matrix;
- xvi. First aid boxes;
- xvii. Contents of fire box.

Minimum of Quarterly

- i. Children's contracts;
- ii. LAC paperwork;
- iii. LAC Reviews;
- iv. Education paperwork (plans and targets).

For Guidance on what should be included within the report see **Appendix 1: Regulations 45 Report on Review of Quality of Care**.

Once a review is complete it must be sent to HMCI within 28 days.

Reports may also be provided to a placing authority.

Appendix 1: Regulations 45 Report on Review of Quality of Care

It is the responsibility of the registered manager to decide on what should be included in the review of the home. The report should contain an analysis of the information monitored, reviewed and evaluated, with the aim of learning from the information to inform and drive improvements in the home and for the quality care of the children placed there.

The following headings and guidance are for reference to help inform a structure for reporting. The views and wishes of children and other key stakeholders should form an integral part of the analysis within the report.

The Quality and Purpose of Care Standard

1. Any safeguarding concerns or incidents in respect of a child accommodated at the children's home and the measures taken by the persons working at the children's home to respond effectively to these to ensure the safeguarding and welfare of the child. What has been learnt from these incidents?
2. The arrangements for children coming to and leaving the children's home. Impact on the home?
3. The arrangements for monitoring the quality of care provided by the children's home's, including the actions taken in response to recommendations made by the Independent Person or, as the case may be, the reasons why the registered person did not consider it appropriate or necessary to take any such actions;
4. In respect of each child accommodated in the children's home, compliance with the placing authority's care plans and placement plans;
5. The arrangements for:
 - a. Consulting children about the quality of the children's home's care and for acting on the results of such consultation;
 - b. Involving children in decisions about:
 - i. Their own care; and
 - ii. The day to day running of the children's home.

6. Complaints in relation to the children's home or children accommodated in it, including any actions taken in response to such complaints and how complaints were resolved;
7. Notifications of the events under Regulation 40 (see **Delegated Authorities and Notifiable Events**).

The Education Standard

8. The effectiveness of the children's home in promoting the educational attainment of children in its care and the quality of relationships between the children's home and local schools.

The Positive Relationship Standard

9. The arrangements for promoting and supporting the positive behaviour of children accommodated in the children's home;
10. The effectiveness of the children's home's approach to behavioural support, including arrangements for commissioning training for staff in behaviour management and restraint;
11. The number of times that children accommodated at the children's home are restrained and the steps taken by the children's home to minimise the use of restraint;
12. Whether there have been any occasions when children accommodated in the children's home have been charged with a criminal offence.

The Health and Well-being Standard

13. The arrangements, if any, for commissioning therapeutic services appropriate to the needs of children accommodated by the children's home and the effectiveness of any such arrangements in achieving health outcomes for the children accommodated by the children's home;
14. The arrangements for children to be provided with general medical practitioner and other primary health care services, including access to preventive and screening services in the local community;
15. Details of children requiring accident and emergency treatment and other hospital services;
16. Illnesses of children accommodated in the children's home.

The Leadership and Management Standard

17. Risk assessments for health and safety purposes and subsequent action taken;
18. Fire drills and tests of alarms and of fire equipment.

The arrangements for the management and supervision of staff working at the children's home, including duty rosters and staff deployment in relation to incidents at the children's home;

The arrangements for continuing professional development, recruitment and training of staff working at the children's home;

Details of:

- a. Disciplinary action concerning persons working at the children's home;
- b. Staff grievances.

The reasons for staff ceasing employment at the children's home.

The arrangements for consultation with placing authorities, the local authority in whose area the children's home is located and other community services used by children accommodated at the children's home;

The effectiveness of the children's home's guidance and procedures concerning police involvement in the children's home.

On an annual basis, the managers must also review the home's Statement of Purpose, and make necessary improvements, which should be approved by the **Regulatory Authority**.

The Protection of Children Standard

19. The number of reports of children accommodated at the children's home being absent without permission;
20. The measures taken by staff:
 - a. To prevent children from being absent from the children's home without permission; and
 - b. In response to a child being absent without permission from the children's home.
21. The effectiveness of arrangements agreed between the children's home, local Police and the local authority for responding to missing person incidents in relation to children accommodated at the children's home.

Appendix 2 Regulation 80 (The Regulation and Inspection of Social Care (Wales) Act 2016

Quality of Care Review

(1) The responsible individual must put suitable arrangements in place to establish and maintain a system for monitoring, reviewing and improving the quality of care and support provided by the service.

(2) The system established under paragraph (1) must make provision for the quality of care and support to be reviewed as often as required but at least every six months.

(3) As part of any review undertaken, the responsible individual must make arrangements for—

- (a) considering the outcome of the engagement with individuals and others, as required by regulation 76;
- (b) analysing the aggregated data on incidents, notifiable incidents, safeguarding matters, whistleblowing, concerns and complaints;
- (c) reviewing any action taken in relation to complaints;
- (d) considering the outcome of any audit of the accuracy and completeness of records.

(4) On completion of a review of the quality of care and support in accordance with this regulation, the responsible individual must prepare a report to the service provider which must include—

- (a) an assessment of the standard of care and support provided, and

(b) recommendations for the improvement of the service.

(5) But the requirement in paragraph (4) does not apply where the service provider is an individual.

Revision History

Date last updated: May 2020

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End