

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Corporate Parenting Board
Date:	28 March 2023
Title:	National Review – Children with disabilities and complex health needs placed in residential settings – Summary Report
Report From:	Director of Children's Services

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Purpose of this Report

1. The purpose of this report is to respond to a request from the Child Safeguarding Review Panel to the Director of Children's Services to review the placements of children in care placed in children's homes jointly registered with independent special schools.
2. This report provides a summary of the outcomes of that review.

Recommendation

3. That the contents of this report and the addendum report are noted by the Corporate Parenting Board.

Executive Summary

4. This report seeks to describe the request from Child Safeguarding Review Panel to the Director of Children's Services. This request had two actions:
 - a) A request to review the placements of Hampshire children placed in children's homes jointly registered with independent special schools. Ofsted later clarified that this relates to a total of fifty-nine schools. Hampshire had fourteen children placed in eight of those schools.

- b) A request that the LADO (Local Authority Designated Officer) reviews all information about those settings recorded by the LADO over the last three years and ensures that robust action was taken and all relevant LA's were contacted where necessary.
5. In regard to the first action, whilst Hampshire had fourteen children placed in eight such jointly registered children's homes and schools, it was decided to review a wider cohort of children who were placed in registered children's homes attached to and attending independent special schools despite not having joint registration.
 6. This equated to 21 children and reviews were undertaken of all of those children. The reviews consisted of gathering evidence from visits, contact with parents and carers and information gathering from Independent Reviewing Officers, Special Educational Needs Officers, Commissioners and our existing records.
 7. No serious or significant concerns were identified for any of the children reviewed and whilst there were a few actions from reviews needed following up and concerns raised by Ofsted inspections that required investigation these were minor and within the parameters of what you would expect in such review.
 8. The one exception to this was Purbeck View School which currently has an "inadequate" Ofsted grading and the Hampshire children placed there were and are already under significant scrutiny by Hampshire Children's Services. This review did not raise any further concerns or issues to those already known about and being actively managed.
 9. Regarding the second action relating to the LADO, an initial trawl of the records identified 134 allegations and 307 advice and concern cases. This volume of work required the recruitment of two temporary LADO's to effectively undertake this task and whilst it is underway and no concerns have currently been identified, it is unlikely it will be completed until the end of December. A further update will be provided to the National Panel and Ofsted when this has concluded.
 10. Hampshire County Council has a robust and comprehensive approach to quality assurance of both the children's homes and schools where Hampshire children are placed and those where we do not have children placed but that operate within the Hampshire boundary. This process has informed and improved some of those processes even further and contributed to our journey of continuous improvement.

Contextual information

Introduction

11. On 23 August 2022, the Child Safeguarding Practice Review Panel wrote to all Directors of Children's Services (DCSs) asking them to undertake two urgent actions arising from their national review into safeguarding children with disabilities and complex health needs in residential settings.
12. This letter required DCSs to undertake the following actions:

Urgent Action One

I. Directors of Children's Services to ensure that Quality and Safety Reviews are completed for all children with complex needs and disabilities currently living within placements with the same registrations (i.e., residential specialist schools registered as children's homes) to ensure they are in safe, quality placements. Please see Appendix A for a list of relevant points and questions to support these Reviews. These reviews can be incorporated into routine care review planning processes but should ensure that all the key points and questions identified in Appendix A are properly addressed. You will wish to ensure that the Reviews are carried out by and involve appropriate professionals. Reviews should apply to all children in such settings, that is those who are resident for part of the year as well as those who are resident for all of the year.

II. This action should be led and overseen by the placing (i.e., home) local authority DCS. If a Review identifies concerns about the conduct of a member of the workforce, the placing local authority may need to share the concerns with the host Local Authority Designated Officer (LADO) if the threshold has been met.

III. DCSs are asked to provide an overview report on key findings and issues to both their local corporate parenting board and to local safeguarding partners, together with assurance that the Quality and Safety Reviews have been completed.

IV. DCSs are also asked to send a copy of this overview report on the Quality and Safety Reviews to the relevant DfE regional improvement support lead (RISL) (see Appendix B for a list). The Panel's national review has highlighted how information may be held locally but that it is also important to develop a fuller and more comprehensive picture of quality in these type of placements. This will also allow for regional and national assurance that these actions have been undertaken.

Urgent Action Two

In relation to this group of children (as defined above), all Directors of Children's Services should ensure:

I. That the host authority LADO for each individual establishment reviews all information on any LADO referrals, complaints and concerns over the last 3 years relating to the workforce in such establishments to ensure these have been appropriately actioned.

II. The host authority LADO should then contact any local authorities who currently have children placed in the establishments in their area if there are any outstanding enquiries being carried out regarding staff employed in the home.

You are asked to confirm that urgent action two has been taken through the overview report that you will be providing to the DfE Regional Improvement Support Lead on Action One above. DfE in turn will confirm to the Panel that the Reviews have taken place.

13. This letter was followed up by a clarification letter from Ofsted dated 16 September 2022. This letter clarified the criteria for identifying which children and young people that local authorities were required to review and reduced the number of children Hampshire had initially identified. This letter identified fifty-nine schools that were included in the review parameters. However, following internal discussions, it was decided that we would continue to review all the initially identified children as it was deemed that the risks identified applied to them all. This meant that Hampshire reviewed 21 children instead of the fourteen placed at the eight providers identified by Ofsted as requiring review.

Methodology

14. Hampshire held a multi-agency meeting to plan the reviews with representation from Children's Services, police, health and education services. Information about the LADO requirement under "Urgent Action Two" are described later in the report. A list of tasks to be undertaken or evidence gathered for "Urgent Action One" was identified. A matrix is attached as Appendix A, detailing the outcomes of these tasks.
15. The tasks / evidence the multi-agency meeting identified from the National Panel request included the following:

- Confirmation of staffing ratios provided as per volume commissioned.
- Does the child have a communication plan.
- Date Comms plan last reviewed.
- Evidence of comms plan in practice.
- Child has positive behaviour plan.
- Date positive plan was last reviewed.
- Training logs provided for behaviour management.
- Staff are supported to use PBS plans.
- Review of all physical intervention records undertaken.
- Are LPS in place where required.
- Accurate and up to date medication records.
- Medications securely stored.
- Appropriate use of medication (e.g. PRN).
- Physical and MH needs of child are met and understood.
- School attendance (% attendance over last academic year).
- Clear education targets in place.
- Progress against targets is evident.
- Child has maximum contact with those who care about them (e.g. family).
- Child's view of placement.
- Family view of placement.
- Key professionals view of placement.
- School visit undertaken.
- Home visit undertaken.
- Number of safeguarding alerts made in last 12 months.
- Confirm whether appropriate follow up from alerts happened (if not, include briefing).
- Have annual reviews happened.
- Annual review written up.
- Have all actions from annual reviews happened (if no, include briefing).
- Have CLA reviews been completed and actions followed up.

16. The meeting also looked at the criteria for identifying the relevant children and agreed upon the following (acknowledging that these were far wider than was required as clarified in the later Ofsted letter). These criteria were as follows:
 - Attending an independent special school.
 - Accommodated in a registered children's home (at least some of the time).
 - A Looked After Child.
 - Open to a Disabled Children's Team.

17. A cohort of 21 Hampshire children were identified as meeting criteria for this review. The fourteen children placed at the eight schools identified by Ofsted were included in that wider group. Those eight schools are:
 - The Children's Trust School.
 - Purbeck View School.
 - Chailey Heritage School.
 - Overton School.
 - Southlands School.
 - Priors Court School.
 - The Shires
 - The Mulberry Bush

18. The information was gathered by a variety of methods including visits by social workers to placements, communication with parents / carers, information obtained via our commissioning teams, information held and gathered by our Special Education Needs teams (SEN), information held and gathered by our Independent Reviewing Service (IRS) and information from our exiting records.

19. All 21 children have been seen by a social worker to establish how well the arrangements are meeting their needs and keeping them safe. Most visits were undertaken as part of the usual social worker visiting pattern where possible except where Covid outbreaks and other obstacles impeded this. Alternative visits then took place in those circumstances.

20. SEN and Virtual School colleagues have contributed with their views about the quantity and quality of educational provision, and review of such provision.

21. Regulation 44 visit information and outcomes have informed the visits to the children as well as the analysis of the suitability of the placement.

22. Information from the Independent Reviewing Service has similarly informed the assessments and much of the information was scrutinised within the scheduled LAC reviews.

Finance

23. N/A

Performance

24. N/A

Urgent Action Two

25. Under urgent action 2 the national review required LADO:

- For each individual establishment reviews all information any LADO referrals, complaints and concerns over the last 3 years relating to the workforce in such establishments to ensure these have been appropriately actioned.
- The host authority LADO should then contact any local authorities who currently have children placed in the establishments in their area if there are any outstanding enquiries being carried out regarding staff employed in the home.

26. An initial data trawl identified that there were 134 allegations and 307 advice and concern cases for Hampshire County Council. Given the significant number of cases it was agreed that 2 agency LADO's could be recruited to undertake the review. They were recruited and employed from 21 October 2022.

27. An audit tool has been created to provide consistency of information for the review. Currently 10% of allegations have been reviewed and there have been no concerns to date.

28. It is anticipated that this review will be completed by the end of December and an update will be provided to both the National Panel and Ofsted at that time.

Findings and Conclusions

29. No concerns were identified with the fourteen children placed in the eight schools identified by Ofsted as the focus of the National panel requirements for this review.

30. No significant concerns were found in respect of any of the 21 children reviewed. We are confident that these children are deemed to be safe with their needs adequately met, and that there is positive engagement with providers where issues are raised.
31. SEN have established that clear educational targets are in place for all 21 children, that progress against these targets is evident, and that annual reviews are all on track. Actions from previous reviews were followed up other than in the case of 4 of the children, for whom there was no evidence available. This is being followed up.
32. In view of the current Ofsted rating, the three children placed at Purbeck View School have additional risk assessments and enhanced visiting, with a higher level of parental engagement. Regular meetings are taking place with the school and this scrutiny will continue pending further Ofsted visits and reports.
33. An issue about staffing levels and use of agency staff was highlighted prior to the commencement of this review in respect of one provider – Prior Court School (PCS) – though the issues have been resolved through regular monitoring and engagement with PCS.
34. Hampshire County Council have an agreed provider protocol that addresses any and all issues that are raised with the council about any provider within the Hampshire boundary (or where we have children placed). As part of this quality assurance process already in place in Hampshire, there is a monthly meeting of managers from social care, education and commissioning that reviews all information held about independent providers either commissioned or within the Hampshire boundary. Greater scrutiny of Regulation 44 reports provided to social workers with children placed in independent provision by this group is now in place as a result of this review. Strengthening the oversight of these providers and ensuring the resulting analysis is shared with all visiting social workers.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	no
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None