



**Responsible  
Individual training.**

**February 2023  
onwards...**

Tackling the complexities , monitoring and developmental aspects of the role within the regulatory framework

Working  
together  
today

Confidentiality

Respect

Diversity of opinion is good

Positive challenge

Naïve questions are valuable

Going “off piste “ can be valuable too!

Overview:

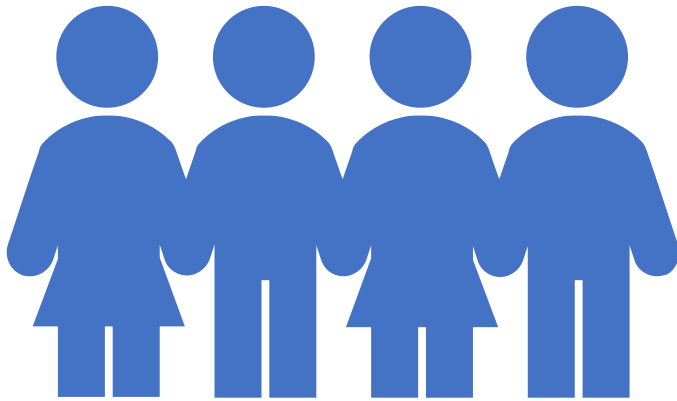
This is a role which has become more defined in terms of the expectations of regulators and commissioners, despite the lack of explicit regulation . This will be an opportunity (with peers) to explore the role and to:

- discuss and define the role within the current context of the sector
- analyse the requirements of the role within the context of increased accountability
- align the requirements of the role to the current regulatory and inspection frameworks.
- define , discuss and review how you undertake the role in an effective regulatory and developmental way.

# Setting the scene and introduction.....

- Who is everyone- introductions?
- Who am I?
- What do you want from the course?
- Why are you here?

# Quick queries



- What key legislation should you have to hand as the RI ?
- Take a few minutes to list what you should have available to you?

# Legislation:

- Guide to the Children's Homes Regulations including the Quality Standards 2015
- KCSIE 2022
- Working Together to Safeguard Children 2018/19
- Care planning , placement and case review regulations 2010 - 2014
- Children Act 1989
- Statutory guidance on promoting health and well being of looked after children.
- NHS Commissioning /CCG Regs 2012 and ongoing
- SEND regulatory revisions 2014
- RIPA 2000
- Health and Social Care Acts
- Counter-Extremism and Safeguarding Bill (2016)
- Care Standards Act 2000
- Mental Capacity Act 2005 and onwards
- Cheshire West judgement (DOLs) 2013
- Safeguarding – Liberty Safeguards 2019
- Children's Secure Accommodation Regulations 1991 onwards
- Legal Aid , Punishing and Sentencing of Offenders Act 2012
- Matrimonial and Family Proceedings Act 1984 Onwards
- Mental Health legislation
- Health and safety legislation various
- Equal Opportunities legislation 2010 onwards
- GDPR 2018
- The Children & Social Work Bill 2016

# Legislation – continued:-

- Promoting the Educational Achievement of Looked After Children (2015)
- Tackling CSE action plan (2015) amends 2021
- Children & Families Act (2014)
- Care of Unaccompanied and Trafficked Children (2014)
- Statutory Guidance on Children Who Run Away or Go Missing from Home or Care (2014) and ongoing
- Health & Social Care Act (2012)
- Statutory Guidance on Short Breaks (2011)
- Coronavirus Act 2020 and extensions
- Children (Leaving Care) Act (2000)
- PHEW!! I am sure I have missed some.....
- This is NOT about knowing all of these – it is being aware and having a copy available- your own RI drop box perhaps?

## Changes for RP /RI

- **Changes you need to tell Ofsted about**
- You must tell us if:
- [anyone who makes up the registered person changes](#) (for organisations, this includes the responsible individual)
- your name, address or contact details change – either yours, if you’re an individual provider, or those of the organisation
- [the registered manager of an adoption support agency, children’s home, independent fostering agency or residential family centre is, or will be, away for 28 days or more](#)
- [your statement of purpose changes](#)
- If you’re an individual provider, you must tell us if you become bankrupt or make an arrangement with your creditors.
- If you’re an organisation, you must tell us if the company goes into liquidation or receivership.
- If you’re a children’s home or residential family centre, you need to tell us if:
- you alter your premises significantly
- you close your home or centre and do not intend to accommodate any children or families for some time



## Ofsted:-

- The [Children's Homes \(England\) Regulations 2015](#) require children's homes to have a responsible individual.
- A provider must demonstrate to Ofsted that the responsible individual it appoints is able to meet the requirements of regulation. Our inspectors scrutinise the steps providers have taken to determine that a responsible individual who has been appointed to a registered establishment or agency is fit to supervise the management of an establishment or agency.
- This scrutiny applies in situations where:
  - the identity of a responsible individual changes
  - a person acting as responsible individual becomes responsible for the management of another registered establishment or agency that they did not supervise on 31 March 2014

## The RI and regulation:

- ❑ The law must be satisfied that as the RI they can “**supervise the management of the Home as set out in the definition of an RI in Regulation 2.**” (*Guide to the Children’s Homes and regulations incl. the quality standards*)
- responsible individual” means an individual who—
  - a. is a director, manager, secretary or other officer of an organisation which is the registered provider; and
  - b. is nominated by that organisation for the purpose of supervising the management of the home on behalf of the organisation;



Key starting  
points for the  
RI-challenge!

- How many services are you responsible for ? Too many?
- Delegated lines of monitoring when you are the RI for a number of homes? Are these secure? Do you get the information you need?
- How well do you know the Quality Standards?
- Will you supervise the RM(s); if you delegate how will you be assured that all is well- or not?
- How will you maintain your accountability in this situation? Remembering that accountability always sits with you too.

## Key starting points for the RI-challenge!

- Who will give you meaningful supervision? Are they the right person to do so?
- Are you up to date with the regulatory processes/inspection processes?
- Are you up to date with current issues?
- Is the ongoing Covid 19 / coronavirus situation consistently in scope for you?
- How will you make sure that you are “happy” with the home and what you are being told , documents you are seeing, reports you are reading?

# RI (SW ) standards- how did the standards come about?

- Devised by the SW RI Forum to try to give a share / structure to the core requirements of the role.

# Who did we draft the standards for?

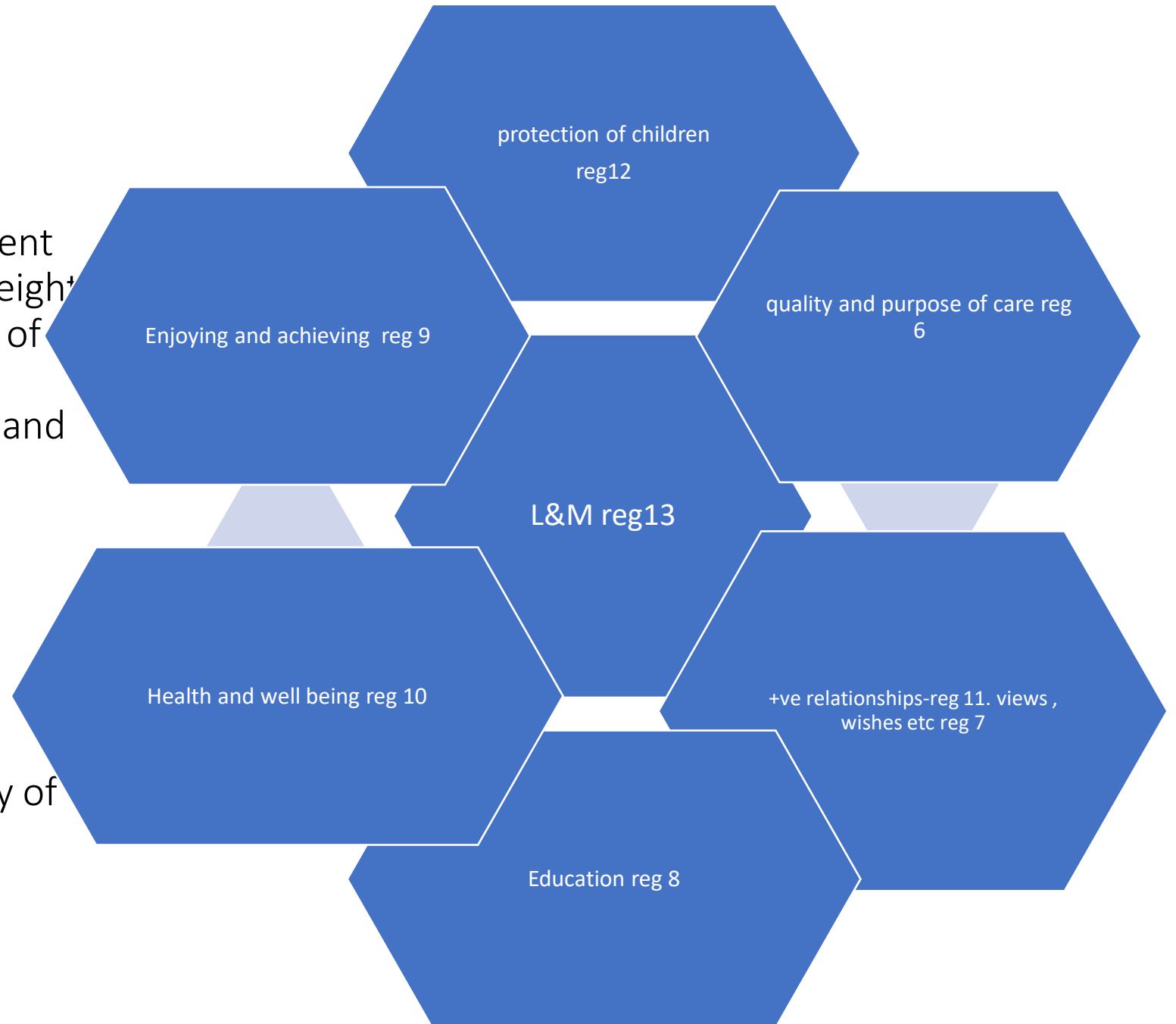
- These standards are for the use of the Responsible Individual for an organisation in establishing a framework for gathering evidence from as broad an evidence base as possible, which satisfies them that as the RI they can “supervise the management of the Home as set out in the definition of an RI in Regulation 2.” (*Guide to the Children’s Homes and regulations incl. the quality standards*)
- responsible individual” means an individual who—
- a. is a director, manager, secretary or other officer of an organisation which is the registered provider; and
- b. is nominated by that organisation for the purpose of supervising the management of the home on behalf of the organisation;



## Design and structure:

The Leadership and Management regulation / standard sets out eight key areas which form the start of the analysis for the RI :

- \* Responsibility for leadership and management
- \* Work in partnership
- \* Supporting children
- \* Workforce
- \* Quality of care and impact
- \* Feedback from children
- \* Research and development
- \* Quality assurance and quality of care



Key elements of the role  
to be considered :



- To enable ...
- To inspire...
- To lead...
- To fulfil / enable fulfilment...
- To promote...
- NB- the RI should carefully consider where their role could potentially overlap / conflict with the Registered Manager.



# Key issue – defining the difference between leadership and management--

- The regulation requires you to “supervise the management of the home.”
- In small groups draw up two lists showing the differences in the skill sets of “LEADERSHIP “ and “MANAGEMENT.”
- Feedback

# Summary:

- Clarity about the regulatory framework
- Ofsted's view
- RI role – new multi home registration
- Outline of a potential model for you- SW RI Standards – introduction
- Understanding of key leadership and management elements held in Regulation
- Differentiation of leadership / management skill sets and where the RM / RI have to have boundaries

NEXT time – defining and monitoring quality of care.

# Next steps

- Set up your drop box
- RI- evidence folder
- RI- CPD evidence
- Any queries
- Any questions
- Email Chris: [caf31.cf@outlook.com](mailto:caf31.cf@outlook.com)