



Updates and CSRP/Hesley follow on.

Disability Leadership Group.31st July 2023

working together...

confidentiality

respect

diversity of opinion can be enriching

look for the benefits of an alternative opinion

positive challenge

naïve questions are valuable

enjoy ourselves

What is in the pipeline , consultations etc.....

1. KCSIE 2023-detail in following slides:
2. Government response to CSRP / Hesley phase 2 – due late autumn (we will explore key themes during the session)
3. Possible consultation for new legislation related to non-disclosure of an allegation / disclosure made to a professional who works with a child- early stages
4. Waiting for Government guidance in relation to supporting trans young people- in abeyance – no clear date as yet.
5. Consultation closed (11.5) re. use of reasonable force and restraint – so updated guidance likely
6. Working Together- coming up for review
- 7.Ongoing review and age appropriacy re. sex education

What is in the pipeline , consultations etc.....

1. **KCSIE 2023**- now published with some changes related to :
 - Behaviour guidance – all staff to be familiar. Updates to guidance due out
 - Recognising vulnerability in absence as well as being missing
 - Duties within the Equality Act equally apply to disability and safeguarding
 - Safeguarding and out of school settings
 - Forced marriage- now cannot take place until at least 18 years of age
 - Safer recruitment- advise shortlisted candidates of online searches undertaken

Continued.....

- Ongoing vigilance- beyond safer recruitment
- Filtering and monitoring :
- Induction training for all staff covers expectation , roles and responsibilities re. systems in place and online safety
- Governors , proprietors ,MAT to ensure that it is effective
- DSLs understand filtering and monitoring systems
- You may want to look at the cyber security standards and the cyber security report re. English schools
- Many of these areas cross reference to children's services practice

Continued....

- The updated guidance makes it clear that all staff should receive training on the expectations, applicable roles and responsibilities in relation to filtering and monitoring.
- The designated safeguarding lead should take lead responsibility for understanding the filtering and monitoring systems and processes in place. Information on school child protection policies should include information on appropriate filtering and monitoring on school devices and school networks.
- The guidance signposts the Department for Education's new filtering and monitoring standards (DfE, 2023b), which support schools to have effective systems in place. Schools and colleges should consider meeting the DfE's Cyber security standards for schools and colleges (DfE, 2023c).

Continued...

- Information on responding to allegations related to organisations or individuals using school premises.
- Does this apply ?
- Thinking ahead to the evidence you will need are current sources enough?



Challenge re. culture.....

- Culture of the home – does the culture exist on paper or in reality ? How do you know ?
- Systemic failings- how quickly can they set in ? Any cause for concern ?
- Detecting and acting upon indications of a closed culture

- Five key factors in place to underpin a safeguarding culture
 - professional curiosity
 - vigilance
 - forensic analysis
 - none assumptive
 - non biased? Is this what you are seeing and what is being reported to you ?

Hesley phase 2.....

- This wide-ranging report highlights significant factors which contributed to the culture which developed, and which led to children experiencing:
- significant neglect, abuse and harm
- not having local support and services options to meet their needs
- having their individual cultural needs and dignity violated
- failure by and of the multiple systems and safeguards that should have been in place to protect them

Hesley Phase 2.....

- Promoting the voices and rights of children with learning disabilities and complex health needs who require specialist support
- Effective strategic commissioning for sufficiency of provision
- Improving the quality of provision in the community, in schools and in residential settings
- Strengthening quality assurance and regulation
- It is noteworthy that some of the recommendations, mirror / build upon/refer to those in the final report of the Independent Care Review and the work and reporting of Independent Inquiry into Child Sexual Abuse

•Practice- are you happy that 1, in particular is robustly in place and evidenced in your services?

Hesley phase 2

- The report also notes the way in which the cultural backgrounds of children in the care of the Hesley Group in these homes , were ignored and their dignity and rights violated. e.g.
 - black female children had their hair shaved short when they were placed in the homes.
 - children's cultural needs were marginalised
 - children of differing cultures experienced unacceptable and degrading practices
 - human rights were violated

PRACTICE- are you ensuring that the cultural needs of children are fully met ? Do your observations reflect appropriate skills ? Do your services workforce development plans reflect appropriate training? Are homes listening to the views and wishes of children and their families ? Do your teams respect the cultures and needs of the children ? Are they aware of the impact of culture on an individual's well-being ?

Hesley phase 2-The child's voice and their families

- Hearing the voices of children and acting upon them- CRUCIAL. Practice- is this in place? Can you evidence this ?
- Developing and USING individual communication methods-Practice- in place ? Evidence ? Training ?
- Children being key partners in decisions about them. Practice- is this happening ? Does your safeguarding governance/RI and reporting give you a strong thread of evidence for this ?
- A child's right to family life... being placed a long way from home. Are RI's and other senior leaders aware of potential risks?
- Keeping in touch with home – CRUCIAL. Practice- evidence this is happening ? Communication with families and carers ?

Hesley phase 2- Deprivation of Liberty..

- “We consider that there is an urgent training requirement to ensure that practitioners understand the requirements for legally compliant practice in relation to DOLS. Local authorities, health services and residential settings should review their current systems, procedures and practice to determine their readiness for meeting the requirements under this framework (see supplementary recommendation 1)”
- Practice ...in terms of practice are you and the services absolutely clear about Dols and the law/ children ? Do you know if any of the children / young people have a DoL order in place ? Do you have young people over the age of 18 in your services ?

Hesley phase 2..... External oversight

- Criticism of all elements with a view to national recommendations for all external partners including :
 - Advocacy
 - LAs and their commissioning models
 - SEND models
 - Regulation 44
 - Statutory regulation and inspection- currently overcomplicated , fragmented and poorly understood

Hesley phase 2- external oversight...

- **Recommendation**

The DfE and DHSC should (a) review and revise the regulatory framework for residential settings to reduce complexity and improve the impact of the current arrangements for monitoring, quality assurance and oversight; (b) **take immediate** steps to establish arrangements for joint inspection by Ofsted and CQC of residential settings for children with disabilities and complex health needs

- Pp. 80-83
- Finally, recognition of the need for inspection by professionals with experience in this field as well as the inspection of the overarching organisations

Hesley phase 2 – external oversight.....

- **Intelligence about concerns at Hesley Doncaster January 2018 to March 2021**
 - 20 whistleblowing occurrences.
 - 31 formal complaints from placing local authorities.
 - A full series of monthly Regulation 44 visit reports.(CH regs)
 - 108 Regulation 40 incident notifications to Ofsted.(CH regs)
 - 61 hospital referrals.
 - 232 LADO referrals
- Ofsted were the SINGLE agency receiving all of this information and *“Over the period from 2018 to 2021, intelligence available from complaints, allegations and inspection evidence was not brought together with sufficient rigour to identify risk at the three settings and escalate earlier intervention.”*
- **PRACTICE-** are SLT monitoring for themes ? Acting on learning ? Is the LADO robust in response ? Is there challenge to the LADO when needed ? Is whistleblowing embedded in the service cultures ? Are you getting the right information?

In terms of culture can you stand back and say.....

- There are secure , embedded safeguarding cultures , which are set within whole service approaches
- This cultures are known and fully understood by the staff , children , parents and the wider community
- Children with SEND are kept safe
- Childrens welfare and wellbeing is supported and developed in the services
- **IF NOT, WHAT ACTIONS ARE YOU GOING TO TAKEespecially if you see any of the indicators of a closed culture.**

Small group work

- What would give you cause for concern ?
- From –
 - RI safeguarding visits
 - DSL reports
 - Meetings with other professionals
 - R45 reports
 - R44 reports / Std 3 reports
 - Ofsted reports
 - The views of children , families and carers ?



Any thoughts?

Ideas going forward?

Next steps?