



Department
for Education

Safeguarding children with disabilities and complex health needs in residential settings

**Government response to Child
Safeguarding Practice Review Panel**

December 2023

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Letter to Child Safeguarding Practice Review Panel

18th December 2023

Dear Annie,

National Review – Children with disabilities and complex health needs living in residential settings

We are writing in response to the Child Safeguarding Practice Review Panel's phase 2 report on ["Safeguarding children with disabilities and complex health needs in residential settings"](#) .

Our thoughts remain with the children and their families who suffered abuse and neglect in settings where they should have been safe and cared for. We must prevent abuse and failings such as happened at the three children's homes and residential special schools in Doncaster owned by the Hesley Group.

We would like to thank the Panel for their vital work on this review. It brings into sharper focus reforms in our [SEND and alternative provision improvement plan](#), our strategy for children's social care, [Stable Homes, Built on Love](#), and NHS England's [long-term plan](#) to improve the lives of disabled children.

The response below sets out the steps that we are taking to address the failings identified by the Panel's report. These actions include, but are not limited to:

- Asking Ofsted and Care Quality Commission (CQC) to work with us to consider further what we could do better and differently now to safeguard disabled children living in regulated children's homes. We are asking Ofsted and CQC to work with Government to review the recommendation for joint inspections, including any regulatory changes required and cost implications.
- Setting a new standard on the provision of non-instructed advocacy for children with complex communication needs. We are strengthening the independence of advocacy services and improving the way these services are promoted so that advocacy support is more available to children and young people.
- Exploring proposals for introducing professional registration of the children's homes workforce, as well as considering the development of a new Knowledge and Skills Statement and a national leadership programme to support recruitment of new managers.

- We are rolling out two Regional Care Co-operatives, bringing together local authorities with regional health and youth justice partners to improve how care places are provided and commissioned for children looked after. Regional Care Co-operatives will be trialled in two pathfinder areas.
- Considering how information sharing, multi-agency leadership, safeguarding partnerships and cross-government working can be improved to support safeguarding.
- Committing to work with local authorities and Ofsted to review what changes need to be made to the responsibilities of Local Authority Designated Officers (LADO).
- Asking the Law Commission to carry out a review of the legislation for disabled children, to inform future changes to legislation and/or guidance.
- Updated statutory guidance Working Together to Safeguard Children to set out clear roles and responsibilities for safeguarding partners (police, health and local authorities) to ensure they work more effectively together.

We would like to take the opportunity to set out the Government's response to each of the national recommendations laid out by the Panel.

Recommendation 1 – All children with disabilities and complex health needs in residential settings should have access to independently commissioned, non-instructed advocacy from advocates with specialist training to actively safeguard the children and respond to their communication and other needs.

We accept this recommendation. On 21 September 2023, we launched a [consultation](#) on a revision to the National Standards and statutory guidance for advocacy. The proposed revised standards put children and young people at the heart of advocacy with services that are independent, high-quality and managed well. They include for the first time, a new standard on the provision of non-instructed advocacy for children with complex communication needs. The revised standards apply to residential settings (including residential schools and residential special schools).

Recommendation 2 – Where an admission to a residential placement for 38 weeks or more is being considered, children, young people and their parents should have access to advice and support through their jointly commissioned and suitably resourced local Special Educational Needs and Disability Information Advice and Support Service (SENDIASS), with allocation of a 'navigator' to work with the family where this is identified as being necessary.

We accept this recommendation in principle. SEND Information, Advice and Support Services (SENDIASS) provide valuable support and free advice to families of children and young people with SEND. They support families through difficult times, including when considering residential placements, and help resolve disputes early on and at formal stages. We continue to offer training and support to improve these services via our contracted delivery partners.

Our investment in Family Hubs will improve access to community-based local support, as a one-stop-shop for parents (including parents of children with SEN and disabilities) to get the support and advice they need in the first instance.

For parents of children with more complex needs who can remain at home with their families, we are trialling a multi-agency Family Help model through our £45 million Families First for Children pathfinders. This includes considering whether a family help worker could support disabled children and their families to access the help and support they need from other services. For all children, including children with disabilities, we want to reduce unnecessary changes in the professionals involved in their lives.

Based on the outcomes of these reforms, we will consider whether the needs of children with disabilities and their families can be more effectively met, including if further consideration should be given to a different form of 'navigator' role.

Recommendation 3 – Local authorities and ICBs should be required in statutory guidance developed by the Department for Education and NHS England to jointly commission safe, sufficient and appropriate provision for children with disabilities and complex health needs aligned with local inclusion plans and planning for care through Regional Care Co-operatives (RCC).

We accept this recommendation in principle. Local strategic planning is the foundation to ensuring that there is sufficient high-quality and accessible provision in a local area, including to meet the needs of children with disabilities and complex health needs. Local SEND and AP Partnerships will bring together partners across education, health and care to work collaboratively with each other, and with parents and carers, to meet their statutory responsibilities.

Partnerships will be responsible for undertaking an analysis of the local SEND and AP population and producing a strategic Local Area Inclusion Plan, which sets out how the provision and services to be commissioned within the SEND Local Offer align with local need. We will be testing these reforms through our SEND and AP Change Programme, with the expectation that partnerships and inclusion plans are introduced in all local areas by March 2025.

This Parliament, we are working across Government, with local authorities and ICBs, to co-design the Regional Care Co-operative (RCC) model. We are co-creating pathfinders in two areas to trial an approach to RCCs within the current legal framework ahead of bringing forward legislation when Parliamentary time allows. In taking this approach, RCCs can be co-created in a way that will best deliver the necessary improvements for children and young people with disabilities and complex health needs. We accept the Panel's recommendation that the pathfinders should address commissioning for children with disabilities and complex health needs, in conjunction with health partners. We are ensuring this is built into the planning and delivery of the pathfinders.

Recommendation 4 – The DfE, DHSC and NHS England should coordinate a support programme for commissioners in local authorities and ICBs, focusing on improvements in forecasting, procurement and market shaping.

We accept this recommendation in principle. Both SEND and AP partnerships and the development of Regional Care Co-operatives will involve local and central government working together to re-design the way commissioning works between multi-agency partners. Furthermore, in children's social care, we have committed to deliver national support to local authorities on forecasting, procurement and market shaping. Initially we will commission an external organisation to deliver the support; over time, the function could be subsumed into the RCCs.

This year we began to collect data from local authorities through our annual School Capacity survey (SCAP) on the capacity of specialist education provision, as well as forecasts of the numbers of specialist placements local authorities expect to require. This will support to local (and regional) partnerships' consideration of the sufficiency of specialist provision.

Recommendation 5 – Local and sub-regional initiatives to improve the quality and range of provision in the community and in schools for children with disabilities and complex health needs should be priorities for inclusion in the government's pathfinder programmes in children's social care and SEND.

We accept this recommendation. We have commissioned the Council for Disabled Children (CDC) to identify the services and provision which the most effective LAs put in place to support children with the most complex needs (and their families) in the community. We will continue to work closely with CDC to determine how we can best spread this best practice throughout the system as we progress with our reforms.

We will work closely with the local authorities, involved in the Families First for Children pathfinders, and partner agencies to develop and test different approaches to supporting and caring for children with disabilities, including exploring more flexible and tailored approaches to assessment.

Recommendation 6 – The government should commission the development of an integrated strategy for the children’s workforce in residential settings, to include leadership development, workforce standards and training.

We accept this recommendation in principle. We are actively taking steps to gather more data in relation to the children’s homes workforce so that future direction is founded on a strong evidence base. We launched a workforce census in March 2023 to gather data and qualitative information to enhance our understanding of the children’s homes workforce (including those working in residential special schools). We will repeat this census in 2024. We will also be carrying out in-depth cases studies, which will focus on recruitment, retention, qualifications and training.

The Government is developing options for a programme to support improvements in the quality of leadership and management in the children’s homes sector. This includes exploring the development of a leadership programme for new managers and exploring proposals for introducing professional registration of the residential children’s homes workforce, alongside a new Knowledge and Skills Statement with accompanying continued professional development for all managers.

Recommendation 7 – National leadership and investment by providers is urgently required to address the longstanding challenges in recruiting, retaining and developing a skilled workforce in residential settings.

We accept this recommendation in principle. The Government strongly supports the ambition for providers to invest more in recruiting, retaining and developing their workforces. We have written to providers of children’s homes and residential special schools to emphasise this responsibility.

Recommendation 8 – Systems for the early identification of safeguarding risks in residential settings should be strengthened through an enhanced role for host local authorities and ICBs in the oversight of residential settings in their area.

We accept this recommendation in principle. When there are concerns about the safety of disabled children, it is important that professionals know what to do. That is why we will work with local authorities and Ofsted to review what changes need to be made to the responsibilities of Local Authority Designated Officers (LADO), including making sure they have access to the information they need to safeguard children in their area. We expect any changes to the LADO role resulting from this review to be consulted on in 2024 and reviewed as part of regularised annual updates to Working Together.

We will carefully consider how information sharing between agencies and partners can be improved. Following a consultation this summer we are updating our information sharing advice for safeguarding practitioners providing services to children, young people, parents and carers. We are also exploring opportunities to improve multi-agency

information sharing using technology, since practitioners often identify this as a barrier to effective practice.

Our response sets out further reforms to improve the safeguarding of children with disabilities and complex health needs. This includes updating the regulatory framework for provision of care for all children who live away from home.

We will consider carefully how to sequence these reforms while we work with external partners to robustly review and update role of Regulation 44 independent persons and consider strengthening the role of Independent Reviewing Officers.

Recommendation 9 – 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.

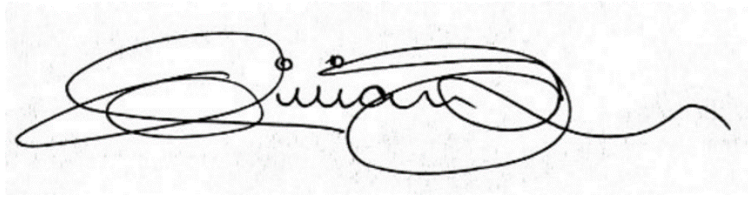
We accept this recommendation in principle. We are working closely with sector experts to review all existing legislation, standards and guidance, and to develop a core overarching set of standards for fostering, children’s homes (including residential special schools) and supported accommodation. We are working to improve monitoring and quality assurance, including a provider oversight regime.

We have written to Ofsted and the Care Quality Commission (CQC) to ask them to work with us to consider further what we could do better and differently now to safeguard disabled children living in regulated children’s homes. We are asking Ofsted and CQC to review the recommendation for joint inspections including any regulatory changes required and cost implications.

As part of the Government’s ongoing reform programmes across children’s social care and SEND/AP, we will review the progress that has been made on improving safeguarding for children with disabilities and complex health needs.

We would like to take further opportunity to thank the Panel, not only for their report, but their ongoing engagement with our colleagues cross Government. The Panel have showed continued support as we continue to reform children’s social care and SEND to ensure disabled children and children with complex needs get the care and support, they need in the right place and at the right time.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Gillian Keegan', with a stylized flourish at the end.

The Rt Hon Gillian Keegan MP
Secretary of State for Education

A handwritten signature in blue ink, appearing to read 'Victoria Atkins', with a stylized flourish at the end.

Rt Hon Victoria Atkins MP
Secretary of State for Health and Social Care

The Government response to the Child Safeguarding Practice Review Panel report ‘Safeguarding children with disabilities and complex health needs in residential settings’

Introduction

In April 2023 the Child Safeguarding Practice Review Panel (the Panel) published [Phase 2 report](#) of its review into the abuse and neglect suffered by children and young adults in three privately-run residential special schools, dual-registered as children’s homes, operated by Hesley Group in Doncaster. The review was conducted in two phases. In the [Phase 1 report](#), published in October 2022, the Panel looked at the experiences of 108 children and young adults who had a learning disability, autism and/or complex health needs who required intensive specialist support. The Panel identified a number of wider systemic issues relating to national policy and practice to explore in phase 2.

Government has reviewed the recommendations made by the Panel in their phase 2 report, alongside continuing public engagement and consultation about what action we can take to better help, protect and care for disabled children in England. This is the Government’s response to the Panel’s reports.

Many of the failures identified by the Panel are in parts of the children’s social care and SEND systems that are already priorities for reform. The events in these homes bring into even sharper focus the reforms in our [SEND and alternative provision improvement plan](#) and our strategy for children’s social care, [Stable Homes, Built on Love](#). At the heart of the Government agenda is our determination that children and families should receive the right support, in the right place and at the right time.

This response sets out how the reform plans that commenced while the Panel’s review was under way are already addressing many of the Panel’s recommendations. It also includes reform that goes beyond the Panel’s recommendations and sets out where there is a need to do things differently – either in central government or in relation to local government and partner agencies.

As summarised in the Panel’s report, on 5 March 2021 the Doncaster Safeguarding Children Partnership agreed to initiate a complex abuse investigation (Operation Lemur Alpha) into the three specialist residential settings run by the Hesley Group. This was in response to information gathered following a whistleblowing referral reporting 12 allegations of abuse and concerns for children in Fullerton House, which was received by the Doncaster Children Services Trust on 26 February 2021.

We may learn more as the ongoing criminal investigation takes place. The Government will continue to engage with providers, local government and the regulators as the investigation continues.

These matters were formally reported to the Panel in September 2021. The Doncaster Safeguarding Children Partnership recommended that the Panel should initiate a national review given the seriousness of the issues and the number of local authority areas and agencies involved. The review was formally launched in January 2022.

Hesley Group provided residential, supported living and educational services for autistic children and/or children with a learning disability and complex needs. At the time they ran a range of services, including three residential special schools registered as children's homes (homes which provide accommodation for pupils for more than 295 days each year), on which the allegations of abuse centred.

The Panel's review focused on the three residential settings (Fullerton House, Wilsic Hall and Wheatley House, which have been closed), where disabled children suffered long-term abuse. The majority of the children and young people affected are non-verbal and/or have health or mental health needs that mean they require intensive support from well-trained adults.

The abuse and neglect suffered by disabled children and young adults in these residential settings was appalling. There is evidence of a 'closed culture' environment that provided the conditions for the abuse and harm to be perpetrated over an extended period. This was in contrast to the expectation that there would be high quality education, care and health provision in place for these children. Instead, while far away from family and friends, children were trapped in settings where systemic and sustained abuse was inflicted. Children who could not make their own voices heard experienced repeated and dangerous physical restraints, were deprived of their liberty, were subjected to physical abuse as a form of discipline, and suffered bullying and taunting, sexual abuse, and excessive and inappropriate use of medication.

The provider was trusted to care for disabled children. They abused that trust. They were being funded, sometimes jointly by local authorities and health partners, for specialist, wraparound social care, education and health provision. The children placed with them should have been safe, happy and thriving. Their parents would expect their children to be cared for.

The lack of oversight by the provider and partner agencies, limited professional curiosity and poorly exercised accountability contributed to delays in abuse being identified and addressed. There were failures in information sharing and

communication between the provider, local authority children's social care and relevant SEND teams, Clinical Commissioning Groups (since replaced by Integrated Care Boards (ICBs)), education providers and the regulators.

No system, however robust, can fully eliminate all risk of harm and abuse, and those abusing children in Hesley were deliberately concealing information. Nevertheless, those risks were exacerbated by wider systemic failings, in particular arising from inadequate leadership and management in the residential settings, poor quality training, support and supervision of the workforce and weak compliance with legal requirements. Furthermore, the Panel found that there was a lack of "sufficient rigour" in regulation and inspection practice by Ofsted. Collectively, providers of residential settings and agencies did not get it right for these children. We must therefore take action together.

We all want disabled children to have the best possible start in life. We are an inclusive country with a long history of promoting the rights of children. We ratified the UN Convention on the Rights of the Child in 1991 and reported on our progress and continued commitment in Geneva in May 2023. We strongly believe in the fundamental human rights of disabled people, who have a protected characteristic in UK equalities legislation. This Government recognises that children's rights are most often best realised through their families.

To get it right for disabled children, there are five key things we need to do:

- **Keep disabled children in residential settings safe now:** in the short term, all relevant agencies need to assure themselves that they are meeting their duties and promoting good practice to keep disabled children with complex needs in residential care safe and meeting their needs.
- **Safeguarding reforms:** we need to make changes to the way we safeguard children at risk of harm.
- **Reforming support in the community:** we must provide the right support, in the right place and at the right time to disabled children and their families – and reduce institutionalisation of disabled children.
- **Commissioning places to live for disabled children:** we need to reform the system so that all disabled children who do need residential or foster homes have a stable, loving home that is safe and close to their friends and family. Currently, too many children are separated from their family and friends by long distances.
- **A stable, well-trained workforce:** those working with disabled children and their families at home, in schools and in residential or foster homes, need the support and training to do this well.

Structure of the response

This response first highlights the steps we are taking to keep disabled children safe now. The second part sets out how our reforms to children's social care and the SEND and AP system will deliver the right support at the right time for children and their families, so that needs can be met close to home. The third part will consider reforms to develop more effective commissioning and a stable and well-trained workforce.

Alongside this response, we have written four open letters to the following:

- To the Panel, outlining our response to each of their recommendations.
- All 153 Local Authority (LA) Chief Executives and Directors of Children's Services, 42 Integrated Care Boards (ICBs) and Police Chief Constables.
- Ofsted and the Care Quality Commission (CQC).
- Providers of residential settings.

In each of these letters we are asking responsible bodies who have statutory obligations to disabled children to review their current working practices. We will review progress in six months. The letters have been published and you can find them on the [government website](#).

Language in this response

The children and young people who were the subject of the Panel's investigation were "children with learning disabilities, autism and complex health needs who require intensive specialist support". As the Panel explained, they require specialist support to communicate effectively; without the right support and a suitably trained workforce they may display challenging behaviour as a means of communication. Furthermore, the Panel found that any deterioration in children's behaviour was attributed to their disability rather than to the abuse they were suffering. Therefore, throughout this response we have chosen to emphasise children's needs rather than behaviour, since it is not clear how challenging their behaviour would have been if they had received the right support, either in the community or while in Hesley Group provision.

In this response we have followed the Panel in using the term "children with disabilities and complex health needs". We recognise that most disabled children in England remain in the care of their parents, in mainstream education and do not need significant support from children's social care or healthcare providers. However, at different times in their lives disabled children and their families might need more or

less support from a variety of services described in this report as their needs and family circumstances change.

The evidence from the Panel's report derives mainly from children placed in residential special schools which were dual-registered as children's homes. We have generally mirrored the Panel's use of the term "residential setting" where our response applies to all residential settings where disabled children are living away from home. This would include:

- residential special schools (registered for up to 38 week boarding)
- residential special schools dual-registered as children's homes (registered for up to 52 week boarding)
- children's homes
- children's homes registered both with Ofsted and the Care Quality Commission
- in some regards, other settings regulated by CQC where the residents are mainly young people over the age of 18.

Keeping disabled children in residential settings safe now

There are a considerable number of assurance and accountability procedures, policies and mechanisms that are designed to ensure good decisions are made for children. It is clear from the Panel's review that many of these systems did not work as they should. Before responding to the Panel's recommendations for reform, this section describes what went wrong in the current system and the steps we have taken to remind agencies of their duties and responsibilities.

The whistleblowing referral of February 2021 was not the first time concerns had been raised about the three children's homes run by the Hesley Group. Intelligence had been shared repeatedly between January 2018 and March 2021¹, including:

- 20 whistleblowing referrals.
- 31 formal complaints from local authorities which had made placements.
- a full series of monthly regulation 44 independent persons reports (the independent person employed directly by children's homes to undertake monthly visits for assurance purposes, as required by section 44 of the [Children's Homes \(England\) Regulations 2015](#)).
- 108 regulation 40 incident notifications to Ofsted (notification of Ofsted and the placing local authority when a serious incident occurs as required by section 40 of the [Children's Homes \(England\) Regulations 2015](#)).
- 61 hospital emergency department attendances by children and young people placed in the three residential settings.
- 232 LADO referrals (the Local Authority Designated Officer, responsible for managing allegations against adults who work with children as set out in [Working Together to Safeguard Children 2018](#) and governed by the duties under Section 11 of the [Children Act 2004](#)).

¹ The Panel found that the impact of Covid-19 was an "exacerbating factor but not fundamental in affecting the quality of care and support". However it did create "significant disruption to placing authorities' visits to the settings" and "there was limited access to inside the homes, children and young people were seen outside with personal protective equipment".

Complaints and concerns were raised by both professionals and parents about suspected abuse of children, staffing levels and staff conduct. In many cases Hesley Group was allowed to investigate the claims against its own staff.

The three residential settings run by Hesley Group were both residential special schools and children's homes, and were therefore inspected both against the [Independent School Standards](#) (regulated by the Department) and the [Children's Homes \(England\) Regulations 2015](#) (inspected and regulated by Ofsted). The three children's homes were all rated 'good' by Ofsted. The three schools, which also had day pupils, were also judged 'good' in their most recent inspection prior to March 2021.

Ofsted conducted emergency inspections in March 2021 and found serious and widespread shortfalls in leadership and management in both the residential and educational provision. Ofsted found that insufficient safeguarding measures were in place to ensure the safety and wellbeing of the children and issued notices of suspension of the service.

As the Panel concluded in their phase one report, failures in these systems included: local authorities and health partners not working together effectively at the point of care planning, ineffective commissioning of the right provision, lack of professional curiosity from social workers and Independent Reviewing Officers, lack of robust analysis of regulation 44 independent persons reports, problems with the LADO role, and failures in independent complaints procedures, whistleblowing procedures, information sharing between local authorities, health commissioners, providers and other agencies, including regulators and inspectorates.

Ultimately, vulnerable disabled children were left to experience significant harm in residential care by those who were responsible for keeping them safe. Tragically, this is not the first incident of its kind. There is a long history of independent reviews and inquiries into the abuse of children (and adults) in residential care.² The findings of those reviews are often similar:

- victims of abuse were not heard;

² [Pindown Report, 1991](#), [Winterbourne View, 2012](#), [Independent Inquiry into Child Sexual Exploitation in Rotherham, 2014](#), [Operation Jasmin, 2015](#), [Residential Care in England, 2016](#), [These are our children, 2017](#), [Good intentions, good enough?, 2017](#), [Mendip House, 2018](#), [Independent Review of Children's Homes \(Jersey\), 2021](#), [Review of sexual abuse in schools and colleges, 2021](#), [Independent Inquiry into Child Sexual Abuse, 2022](#).

- duties and responsibilities set out by Government were not followed effectively enough, i.e. policy was not robustly applied in practice.

The right for children to have access to an independent complaints procedure within their local authority was established in the Children Act 1989, in direct response to the abuse of children in children's homes. The House of Lords believed at the time that independent complaints procedures for children looked after would be a safeguard against such abuse. However, it is clear from the Panel's report that complaints from adults on behalf of children were not listened to, that children themselves were not heard and that a variety of other safeguards designed to keep children safe were not robustly adhered to.

Complaints and whistleblowing need to be taken seriously by any organisation receiving them, whether that is a for-profit or non-profit provider, local authority or multi-agency partner. It is important that improvements are made to connect the dots on any intelligence shared. We have written to providers to highlight the importance of taking whistleblowing concerns from staff and complaints seriously. It is critical that providers should listen to children and parents. We have asked local authorities and partners to review their complaints handling and whistleblowing procedures. We will ensure we continue to work with Ofsted and CQC to build on progress and consider any further changes that are needed.

Listening to disabled children

The Panel's first recommendation is that "all children with disabilities and complex health needs in residential settings should have access to independently commissioned, non-instructed advocacy from advocates with specialist training to actively safeguard the children and respond to their communication and other needs".

As the Panel emphasised, it is critical that those working with children who are verbal, non-verbal and have complex communication needs are supported to communicate by well-trained staff. We know from years of research that children often do not disclose abuse, for many reasons. However, in this case it is clear that the wishes, feelings and disclosures of children living in Hesley Group homes were not heard. This was sometimes because of complex communication needs but it was also due to children not being listened to and believed. They were not seen alone, adults working with them did not always know how to communicate with them and they were living with abuse in a 'closed culture' environment. We agree with the Panel that it is possible that, if the children had independent advocates, the harm they were experiencing would have been identified more quickly.

That is why we are consulting on [Revisions to the National Standards and Statutory Guidance for Advocacy](#). While the statutory guidance is specifically for children in receipt of social care services (including looked-after children, children in need and care leavers), the National Standards apply to a much broader group, including children and young people:

- in residential settings (including residential schools and residential special schools);
- in secure settings (including placed by the youth custody service secure children's homes, secure training centres, youth offending institutions and secure schools, when open).

Key changes in the new Standards and guidance include, for the first time, a new standard on the provision of non-instructed advocacy for children with complex communication needs. The term 'non-instructed' refers to a child or young person who may be unable to instruct an advocate on a specific issue and is unable to communicate their views, wishes and feelings in ways that work for them. We have also strengthened the independence of advocacy services and how these services are promoted, so that advocacy support is more available to children and young people.

We have added a requirement in the [Boarding Schools: National Minimum Standards](#) and the [Residential Special Schools: National Minimum Standards](#) to comply with the revised National Standards for the Provision of Children and Young People's Advocacy Services.

Similarly, in the consultation on the [Children's Social Care National Framework and Dashboard](#), we heard about the importance of access to advocacy for children in care and disabled children. We have this year issued our new National Framework as statutory guidance. It strengthens our expectations on hearing from children and young people and in improving access to advocacy.

Current duties and responsibilities of providers

The Panel highlighted the responsibility for the owners and proprietors of children's homes to recruit, retain and develop their workforce. As employers, the providers of children's homes are responsible for ensuring their settings have a skilled, stable and compassionate workforce that can provide safe, good quality, culturally sensitive care to all children, including to disabled children.

Providers of children's homes are required to comply with the safeguarding requirements set out in the [Children's Homes \(England\) Regulations 2015](#) and

accompanying guidance. Specific requirements are set out under the Protection of Children Standard (Regulation 12).

These regulations and guidance make clear that the registered manager of each children's home must build a strong safeguarding culture where children are listened to, respected and involved in both the development of the home and decisions about the home.

Providers are also required to ensure that staff are recruited using procedures that ensure children's safety. This includes checks on 'fitness of workers' to ensure staff are suitable. They must ensure that recruitment, supervision and performance management of staff safeguards children and minimises potential risks to them.

The regulations also include responsibilities for the provider around notification of serious events, the role of the independent person (Regulation 44) in making rigorous and impartial assessments of a home's safeguarding arrangements, and the policies that providers must set within the home for the protection of children.

The Panel's phase one report makes clear that, in the case of the three children's homes run by the Hesley Group, these requirements were not being met. There were serious issues with staffing across all the homes, including that leadership and management were inadequate, alongside failures to meet statutory requirements, resulting in a culture of poor practice and misconduct by care staff.

That is why, alongside this report, we have written to all providers of children's homes to outline to them their responsibilities both for ensuring the children living in their homes are safe and for recruiting, training and managing the staff who work there. We have been clear that the overriding priority of profit-making, not for profit, local authority and voluntary providers should be ensuring all children living in children's homes are safe, and that we expect providers to prioritise ensuring they have the right staff with appropriate training to meet children's needs.

Current duties and responsibilities across multi-agency partners

Several of the Panel's recommendations (recommendation 3 and supplementary recommendation 5) asked us to issue new guidance to local authorities and Integrated Care Boards, or to update other relevant guidance documents such as [Working Together to Safeguard Children](#) and [Keeping Children Safe in Education](#). However, it is clear that agencies are not yet following all of the current guidance or fulfilling their existing statutory duties.

Therefore, alongside this report we have written to all relevant agencies to remind them of their current duties and responsibilities towards disabled children. In particular, we have asked local authorities, Integrated Care Boards, and the police to review:

- **Commissioning practices** in local areas for disabled children with complex health needs – multi-agency partners have existing responsibilities to provide and commission the right services for the needs of children and families in their areas.
- **Safeguarding practices** – there is much to learn from the Panel’s report about how existing duties to safeguard disabled children can be reviewed and strengthened by partner agencies.
- **Listening to children and families** – asking agencies to review their complaints procedures, whistleblowing procedures and more generally how they put the voice of children and families at the centre of decision-making for disabled children with complex health needs.

Separately, Government has asked the Law Commission to carry out a review of the legislation for disabled children. This includes substantial engagement and consultation with parents of disabled children and stakeholders in the public, charitable and private sectors. The review began in September 2023 and is expected to report to Government in 15 to 20 months. This information will be used to inform any changes to legislation or guidance necessary to simplify, clarify or improve the accessibility of support for disabled children and their families.

Inspection and regulation practice

The Panel highlighted several concerns regarding the current regulatory framework and inspection practice for residential settings. We agree with the Panel that the regulatory framework needs to be reformed. Work has already begun since publishing our children's social care strategy [Stable Homes, Built on Love](#) in February 2023. We are working with Ofsted and the Care Quality Commission (CQC) to consider further what we could collectively do better and differently in the short term to safeguard disabled children living in regulated children’s homes.

Some of the concerns raised by the Panel were about inspection practice including that “intelligence available to Ofsted from complaints, allegations and inspection evidence was not brought together with sufficient rigour to identify risk at the three settings and escalate earlier intervention”.

Furthermore, the Panel reported that “a key learning point from the series of inspections is the importance of robust professional curiosity and challenge to ensure

that inspection goes beyond the evaluation of narrow regulatory compliance. This includes rigorous evaluation of patterns of notification and complaints over time which should prompt further enquiry”.

Ofsted began this work in 2021. As the Panel reported, “Ofsted has reviewed its response to parental complaints and the inspection of the children’s homes over the period 2015 to 2021. It has initiated key changes in scheduling and coordinating inspections of residential special schools and care homes, and in training those conducting inspections to develop the professional curiosity required for placements such as those at Hesley’s children’s residential settings that exhibit a ‘closed culture””.

We have written to both Ofsted and CQC to ask them to work with us further on:

- i. Reviewing what changes to Regulations may be required to enable better overall regulation of residential settings for children with disabilities and complex needs.
- ii. To appraise the Panel’s recommendation for joint inspection and develop options for delivering this and improving inspection of residential settings providing for disabled children with complex health needs. Each option will need to include estimated costs and any funding will be agreed jointly with the Department for Education and the Department for Health and Social Care.
- iii. To consider any further changes to inspection or regulation practice that could be made to better protect children with complex needs and disabilities in residential settings. This includes building on the work Ofsted have started on whistle-blowing information being a strong indicator of risk.

Reform overview – aligning SEND/AP and children’s social care reforms for disabled children

We want all children to receive the right support, in the right place and at the right time. Many of the failures identified by the Panel speak directly to the reforms in our [SEND and Alternative Provision Improvement Plan](#) and in our strategy for reforming children’s social care – [Stable Homes, Built on Love](#).

As recommended by the Panel, we will align the development of the National SEND and Alternative Provision Standards (National Standards) and the Children’s Social Care National Framework (National Framework) so that together they set clear expectations for how disabled children and young people can be supported to thrive.

The SEND and AP National Standards will provide clarity for children, young people and their families on what educational provision should be made available for children and young people with SEND, as well as who is responsible for securing it, with a focus on provision in mainstream settings. The National Framework sets out the outcomes that local authorities should achieve for children, young people and families, and the principles by which they should operate.

The Government has recently published our new National Framework and Dashboard for children’s social care. During the consultation, we heard how important it is that the National Framework recognises and strengthens expectations for practice with children and young people with SEN and disabilities. The National Framework takes into account the consultation findings and the recommendations made in the Panel’s report. The development of SEND and AP National Standards is taking place over a longer timeframe.

We acknowledge the Panel’s finding that “too often agencies and professionals operate within their own sphere of specialist responsibility rather than integrating and connecting their work with that of others”. We want to improve strategic planning and joint working across education, social care and health. As we develop and deliver our reforms to SEND/AP and children’s social care, we will focus heavily on improving joint working between multi-agency partners. We will carefully consider the Panel’s recommendations on better joint working and joint decision-making. This includes our work with Ofsted to align inspection with the outcomes we want to see for children. We will also consider the findings from the Law Commission review when they are available, which may inform future changes to legislation or guidance.

We are introducing local SEND and AP Partnerships to bring together partners across education, health and care to work collaboratively with each other, with parents and other partners such as youth justice to meet their existing statutory responsibilities for children and young people with SEND and those who need AP.

Earlier intervention will support disabled children and their families to have the right support in the right place and at the right time. As we noted in our SEND and AP Improvement Plan, “a significant proportion of the children and young people in residential special schools are placed there because of challenging behaviour. Residential provision may be the right way to meet the needs of some children and young people, but it places them at greater risk by removing them from their families and local support networks”. While there will always be a small group of children who require more intensive round-the-clock care alongside their education or healthcare in a residential setting, this should be less necessary as we better meet children’s needs in mainstream schools and non-residential special schools and provide more early and intensive support for families.

We want a stable, caring and highly trained workforce for disabled children and children with complex needs. This spans workforces beyond children’s homes, including broader children’s social care, healthcare and education professionals. Disabled children and children with complex needs deserve to be safe, have their needs met, be listened to, and be supported alongside their families to make the decisions that are right for them by those entrusted with their care.

We are developing Practice Guides that will support system leaders in children’s social care to embed the National Framework in local practice. Practice Guides will be underpinned by clear and robust evidence standards and will help leaders to design and commission services and interventions to support children, young people and their families to achieve the best possible outcomes, based on the best available evidence.

We are also developing SEND-specific Practice Guides as part of our ambition to deliver a national SEND and AP system. These will be advisory and identify evidence of best practice for frontline practitioners (teachers, SENCos, teaching assistants, early years professionals) to promote more timely and accurate identification of need and improved provision in mainstream education settings. Our first practice guide will focus on speech, language and communication needs. By upskilling staff in Early Years settings to better support children’s speech, language and communication needs, the practice guide will contribute to our wider efforts to enable children to have their needs met early, and in the community.

We know that there needs to be a better use of data in order to support our work to improve care for disabled children. The SEND and Alternative Provision National Standards and the National Framework will be supported by dashboards, which are being developed as part of DfE’s reforms across both SEND and AP and children’s social care.

Safeguarding reforms and disabled children

As the Panel set out, protecting disabled children from abuse and neglect requires multi-agency join up and co-operation at all levels. It is therefore important that multi-agency leadership is strengthened so that those accountable for the safeguarding and welfare of disabled children have strategic oversight of the system and identify and address operational issues effectively. Alongside improving frontline practice, leaders in the police, health services, local authorities and education need to be joined up so their services should meet the needs of children and families in a co-ordinated way as described earlier in this response.

We have updated Working Together statutory guidance to set out clear roles and responsibilities for safeguarding partners (police, health and local authorities) to ensure they work more effectively together. There will be increased transparency and accountability of arrangements to make them more robust and effective. Alongside this, there will be a greater role for education settings in local multi-agency leadership, to reflect the significant role schools, colleges, early years and other education providers (including residential education and care settings) play in children's lives. We are coupling this with greater support for safeguarding partnerships to help them with this important role in their community and greater oversight centrally, through the Child Protection Ministerial Group which will monitor these reforms.

As recommended by the Panel, future updates to Working Together will take learning from reform, including on Family Help and the process of assessment for children in need with disabilities, to develop further guidance on protecting disabled children while providing meaningful help and support for families. It is important that we take a "test and learn" approach, engaging with parents and families so that we get this right.

We are also making changes to ensure parents' concerns and views are more clearly heard in child protection procedures. The Panel highlighted that the presumption should be that families want to keep in touch when children are cared for in residential settings. Physical visits and involvement of friends and family in children's lives are key protective factors and should be facilitated wherever possible and safe. We consulted on stronger expectations for parental engagement as part of the update to Working Together, emphasising the importance of hearing from parents and family members in the National Framework, and testing models of parental representation in the Families First for Children pathfinder. This will mean the voices and experiences of parents of disabled children will have a pivotal role in decisions made about them and their safety.

Hearing parents' concerns and children's voices is the first step. When there are concerns about the safety of disabled children, including those raised by parents, it is important that professionals know what to do and that issues are appropriately

escalated and addressed. That is why we will work with local authorities and Ofsted to improve national consistency and consider what changes need to be made to the responsibilities of Local Authority Designated Officers (LADO), including better information sharing and making sure they have access to the information they need to safeguard children in their area when children from other local authorities are placed there. We expect any changes to the LADO role resulting from this review to be consulted on and reviewed as part of the regular annual updates to *Working Together*.

Ofsted has embedded training on 'closed cultures' into inspectors' induction and training. We will continue work with and learn from Ofsted and CQC to develop understanding and training on 'closed cultures' ahead of the future update to *Working Together*. Subject to changes to *Working Together*, we will update *Keeping Children Safe in Education* where necessary.

As the Panel reported, children living in Hesley Group homes were subject to sexual abuse as well as other forms of abuse. The Independent Inquiry into Child Sexual Abuse (IICSA) considered the extent to which state and non-state institutions failed in their responsibility to safeguard children from child sexual abuse over the course of its seven years of Inquiry. In the course of its investigations, interim and thematic [reports](#), it made a range of recommendations to Government and other institutions in order to tackle failings, either in relation to those institutions or to better protect particular vulnerable groups (including those with SEN), which have been considered. The Inquiry's final report has wide-ranging and cross-cutting recommendations for wider systemic change. In response, the Government accepted the need to act on 19 out of 20 recommendations and is driving forward the delivery of our commitments. This includes the Government commitment to introducing a mandatory reporting duty. Having held a Call for Evidence to help design an effective and proportionate duty, we conducted a public consultation in November setting out a proposed model for the duty which will be introduced into legislation. The consultation sought views on the introduction of a new duty, including the roles it should apply to and identifying implementation challenges. We are very grateful for the considered responses we have received, and will be responding in due course. The consultation was published here: [Child Sexual Abuse: Mandatory Reporting](#).

We are taking forward further reforms to improve the oversight of disabled children in a range of settings, including residential settings. We are working with sector experts to review all of the legislation, standards and guidance that applies to residential settings, with a view to developing new universal Standards of Care.

Going beyond the recommendations made by the Panel, we also plan to review and strengthen the role of the Regulation 44 independent person and Independent Reviewing Officers and will consider carefully how to sequence this with reform to

standards of care. As part of this work, we will look at how information sharing between agencies and partners can be improved to support safeguarding.

The right support at the right time for disabled children and their families

Supporting children and their parents early is better for families, for children and their outcomes. The Panel's analysis "raised key practice concerns about the support available in the community and schools for parents of children with disabilities and complex health needs". Community-based support can also be more financially sustainable than a costly package of residential care, education and healthcare, especially when it is far away from home. Funding can be maximised to provide earlier, community support which can reach a wider range of children, families and services. In the long term, supporting children locally can reduce the risk of institutionalisation. Early support for children and families might include providing some very specialist services, but at home and early, before children and/or families reach crisis point.

We want to see more support provided to parents so that their children can live at or close to home, no matter how complex their needs. No disabled child should need to live over 100 miles from their family to receive the education and care they are entitled to, as was the case for some children in Hesley Group homes. Community-based care provided in families' homes or close to home should be available for all who need it, so that parents are supported wherever possible to care for disabled children at home.

For this to be successful, we need to improve local multi-agency working between children's social care, education, SEND services and Integrated Care Boards. These agencies need to work together to improve the sufficiency of local services, fulfilling their existing statutory duties to work together to forecast local need, plan for and commission the right services. In some cases, it will mean delivering through multi-agency teams. The development of SEND and AP Local Area Improvement Plans, outlined below, will drive this forward. The Children's Social Care National Framework includes a renewed focus and emphasis on the importance of multi-agency working to achieve positive outcomes, including for disabled children and young people.

Improving commissioning for disabled children living at home and in their communities

Existing statutory duties in the Children and Families Act 2014 require local authorities to consider the extent to which the provision in the local area is sufficient to meet the educational, training and social care needs of children and young people with SEN and disabilities. The LA and its partner commissioning bodies (including

Integrated Care Boards) must make joint commissioning arrangements for education, care and health provision to be secured to children with SEND and can set up pooled budgets to fund them. Health providers, schools and colleges must cooperate in this.

Local SEND and AP Partnerships will bring together partners across education, health and care to work collaboratively with each other, together with parents and other partners such as youth justice, to meet their statutory responsibilities for children and young people with SEND and those who need AP. The local SEND and AP Partnerships will be responsible for producing a strategic Local Area Inclusion Plan (LAIP) which will set out a vision for the provision and services that should be commissioned (ultimately in line with the SEND and AP National Standards).

LAIPs should clearly demonstrate local partners' understanding of the services and provision for the local 0-25 SEND population and their outcomes across education, health, and care. LAIPs should also set out the intended strategic outcomes over the next three financial years based on local partners' understanding and analysis of the local SEND population, which could include information from existing local strategies such as the Health and Wellbeing Strategy or Integrated Care Strategy.

LAIPs will develop detailed plans for the delivery of education and health care provision for children and young people with complex health needs. This will increase accountability for improving outcomes for this cohort amongst local partners, including at senior levels.

In May 2023, NHS England published statutory guidance on Executive Lead roles in ICBs, including the requirement to have a lead for learning disability and autism, a lead for Down Syndrome and a lead for SEND. The ICB executive lead for learning disability and autism will support the chief executive and the board to ensure that the ICB performs its functions effectively in the interests of people with a learning disability and autistic people.

The Integrated Care Board (ICB) Executive Lead for SEND, Children's and Adult's Health commissioners and/or local authority and ICB joint commissioners, together with the Designated Social Care Officer and Designated Medical/Clinical Officer will be core members of the Partnership and have oversight of this part of the LAIP.

LAIPs will set out the shared strategic outcomes for children and young people with SEND, including measures of success. They will review the sufficiency, quality, accessibility and sustainability of provision that will inform the SEND Local Offer. We will seek to legislate at the next available opportunity to put Local SEND and AP Partnerships on a statutory footing and mandate collaborative working.

In addition to the role of local SEND and AP Partnerships in shaping provision at individual local authority level, the same processes are needed to review and manage highly-specialist provision, typically meeting low incidence needs and

servicing a number of LAs. We are considering how the principles and practice for individual LAs can be delivered across a group or a region.

Increased support for families of children with special educational needs and disabilities

The Government is investing £300m through the [Family Hubs and Start for Life](#) programme and £12m through the Family Hubs Transformation Fund to develop family hubs in 88 upper-tier local authorities in England. This will improve children and families' access to a range of local services, including those for SEN and disabilities. Family Hubs are "one-stop-shops" that make it easier for parents and children to get the support and advice they need. The hub approach means professionals and partners can work together more effectively, with a focus on supporting and strengthening the family relationships that carry many of us through life.

Short breaks provided by local authorities to the parents of disabled children are an important part of supporting them to care for their children at home over the long-term. In 2011, the Government introduced a statutory duty for all local authorities to provide a range of short breaks to meet local needs. This duty requires them to consult upon and publish a short breaks duty statement which sets out clearly what is available locally and how it can be accessed. The Government is investing £30m into the [Short Breaks Innovation Fund](#), which will run until March 2025, testing innovative approaches to short breaks services to children and young people. The majority of projects we are funding include a focus on meeting the needs of autistic children and young people and those with a learning disability.

The Government is currently working on a Disability Action Plan, which will set out immediate action that will be taken in 2023-4 to improve the lives of disabled people, as well as laying the foundations for longer term change. One of the proposals in the draft Disability Action Plan is to undertake targeted work to improve the wellbeing and opportunities for disabled children. The suggested areas of focus in the draft Plan were: transitions to adulthood; accessibility of public spaces and transport; bullying and personal safety; and earlier identification of need and support for families. The public [Consultation on the Disability Action Plan](#) closed in October, and we are now analysing the responses carefully to ensure that the final Plan will be informed by the experiences of disabled people.

Intensive community-based support for families and children with the greatest need

Stable Homes, Built on Love sets out our ambition that every child and family who needs it will have access to high-quality help, no matter where they live. Family Help

will provide welcoming and intensive multi-disciplinary support, with social workers and other practitioners (including health partners) working together. It will work with families facing significant challenges that make it harder to provide their children with a loving, stable or safe family life that meets their needs.

The [Families First for Children pathfinder](#) will design and test major reforms to children's services, including how Family Help can provide welcoming and effective support for children and families. This includes advice and support for children with SEN and disabilities, recognising that their families may need help to access the right services to achieve good outcomes. The pathfinder will test how local authorities and their partners can effectively bring Family Help closer to communities, including by listening to the views of children and families and designing and delivering services based on their needs. The non-judgemental community-based Family Help system will work to reduce inequalities between different ethnic groups and provide access to the right support at the right time.

Family Help will be supported with the new [Early Career Framework](#) which will support social workers to develop the skills and knowledge necessary to support children, young people, families and carers from diverse backgrounds and to protect children in complex situations. The Children's Social Care National Framework and Practice Guides will help embed stronger practice and consistent expectations for how children's social care supports families.

Family Help will build on evidence of effective practice from the Supporting Families programme, which has championed whole-family working and an emphasis on early intervention. This includes taking learning from ongoing work to seek better connectivity between the SEND system of support and the wider early help system, to ensure families of a child with SEND receive a whole family response to their needs at the earliest opportunity.

Stable Homes, Built on Love set out our vision for children's rights to a family life, wherever possible, reinforcing the existing statutory rights. Family networks play a valuable role in enabling children, including those with disabilities and complex needs, to live safely at home with their parents where this is in the best interest of the child. Where a child cannot remain with their parents, involving family networks early in the process can support a transition to kinship care where wider family and friends could offer a safe, stable and loving alternative to becoming looked after.

We will also publish a national kinship care strategy by the end of 2023, which will clearly set out the Government's vision on kinship care and comprehensive plans to better support children and carers. As we deliver these reforms, we will continue to carefully consider how to best meet the needs of disabled children and their families.

Delivering an inclusive education system with excellent mainstream and specialist provision

All children have the right to an education and children with disabilities have the right to inclusion at school. We need more flexible and adaptable mainstream school provision so that more children with SEND have their needs identified early and can access prompt, evidence-based, targeted support at home and in their communities. Where specialist education is needed, it should be available as close as possible to the child or young person's home. The Panel noted that for many disabled children, community-based support alongside more adaptable models of school provision will meet their needs more effectively than full-time residential placements. In our [SEND and AP Improvement Plan](#), we have outlined a vision for a more inclusive education system with excellent mainstream and specialist provision, which puts children and young people first. The more we can support the inclusion of children with SEND in mainstream education, the more likely it is that children can be supported to remain at home and still receive their education. Through National Standards and Practice Guides for SEND and AP, we will set out clear expectations of the provision that should be in place and provide evidence-based guidance on how to deliver this.

We know that children and young people with SEND face greater barriers to attendance than their peers. This is why improved attendance is a key outcome in the new SEND and AP inclusion dashboard and in the new performance framework for AP. Our Working Together guidance sets clear expectations that schools should work with parents and families to develop specific support to promote good attendance for children and young people with SEND. Our Attendance Hubs, advisors and mentors also provide targeted support for this group. In April the Department published a blog ([What are reasonable adjustments and how do they help disabled pupils at school?](#)) to support schools in meeting their statutory duty to make reasonable adjustments under the Equality Act 2010.

We are also working to improve the inclusion of children with SEND in mainstream schools through updated guidance on exclusions and managed moves. The Panel highlighted that around a quarter of the 108 children living in Hesley Group homes had been excluded from school before being placed there, with most experiencing multiple educational placements before their arrival. The unplanned nature of these exits is particularly problematic. The urgent need for immediate education and care for children with disabilities and complex health needs, combined with a lack of suitable placements, means decisions can be made to place children far from home and in unsuitable schools or homes that do not meet their needs and leave them at risk of harm. Too often decisions made on a short-term or crisis basis turn into long-term placements.

In July 2022 we updated the guidance on [Behaviour in Schools and Permanent Exclusions](#) following a consultation in the spring of 2022. This expands the head

teacher's duty to inform social workers and virtual school heads if a child in their care has been excluded and requires them to notify local authorities of all suspensions immediately. The guidance also includes information on the limitations of the head teacher's power to cancel an exclusion, the use of managed moves, examination of data by governing boards and off-rolling. It also makes clear that, whilst an exclusion may still be an appropriate sanction, schools should take account of any contributing factors, which could include where the pupil has mental health needs or SEND.

Our reforms to Alternative Provision (AP) will focus on early intervention and targeted support in mainstream schools, making AP an integral part of the SEND system. We will implement a delivery model for the alternative provision system across three tiers, with a focus on targeted support in mainstream schools to help provide the right support to pupils before issues escalate. AP schools will provide time-limited placements where needed to identify and address a pupil's needs, as well as supporting pupils to make a successful transition to a new mainstream school, or to a sustained post-16 destination. We are also exploring changes to the workforce in AP schools. Our [AP Specialist Taskforces](#) pilot is embedding teams of specialists such as mental health therapists and family workers in 22 AP schools, aiming to provide integrated, child-centred support.

Commissioning and placements for disabled children when residential care is being considered

Many of the Panel's recommendations focused on improving the commissioning of services and provision, so that they better meet disabled children's needs. Throughout this response, when we refer to "commissioning", we mean it as an end-to-end process. It begins by establishing a joint multi-agency understanding of what services and provision are needed by a local area and in what quantity. Then there is a process of planning, engagement, investment and procurement, ensuring there are sufficient of those services and provision (and of suitable quality) to meet local needs. Finally, the local authority and its partners will monitor and review the delivery of these services and provision, leading to a further cycle of design, delivery and review.

The Panel highlights two distinct but linked commissioning issues, both of which we recognise and are already addressing:

- i. Improving the commissioning of safe and loving homes for disabled children with complex needs (including those in residential care for 38 or 52 weeks);
- ii. Improving the commissioning of education, social care or health services to support disabled children with complex needs primarily at home (covered earlier in this response).

In *Stable Homes, Built on Love*, the Government set out the ambition to create a network of Regional Care Co-operatives (RCCs) to plan, commission and deliver children's social care placements. RCCs will also establish specialist data capabilities to forecast future placement needs in partnership with health and justice organisations, and will analyse local data to gain a greater understanding of children's needs and demand across the area. We are committed to working with the sector to build upon the existing work being done at regional level as we co-design the RCCs.

We are setting up two pathfinders to trial the RCC approach within the current legal framework, ahead of bringing forward future legislation. We have set minimum requirements for the pathfinders, including for their role in regional data analysis and sufficiency planning, market shaping and improved commissioning, and in developing new regional provision where gaps have been identified. The minimum requirement on market shaping explicitly responds to the Panel's recommendation that the RCC pathfinders include "measures to improve commissioning for children with disabilities and complex health needs" in conjunction with health partners. We have invited local authorities to apply to set up a pathfinder and will announce the two regions shortly. We will ensure that any learning from improved commissioning through the pathfinders is shared more widely with the sector.

In the future, subject to feedback from the pathfinders, RCCs are intended to be the forum through which placements for children needing residential care will be jointly planned for and commissioned in all regions. RCCs will be able to share information with one another about the quality of provision they are commissioning, which will help identify concerns quickly and keep children safer. RCCs will be able to learn and share good practice with one another on sufficiency planning, commissioning and placement matching processes. The aim of better joint working is children living in stable homes, close to their communities and families, that meet their needs.

For commissioning of children's homes and residential special school places to be effective, we need high-quality and safe provision that meets disabled children's needs. That is why we have committed to working closely with sector experts to review all existing legislation, standards and guidance, and to develop a core overarching set of standards of care for fostering, children's homes (including residential special schools dual-registered as children's homes) and supported accommodation. Developing a new set of universal outcomes-focused core standards will help simplify the regulatory landscape, improve consistency, and ensure that children and young people have the same level of safeguards and that their rights are protected and promoted throughout the care system.

The [National Minimum Standards for Residential Special Schools](#) were updated in September 2022. The revised Standards place more emphasis on the importance of staff having appropriate knowledge, skills and up to date training. We also introduced

a new standard setting out the importance of school and residential staff being mutually supportive of one another, centred around the needs of children, and for staff to have processes to challenge each other as required. In addition, the revised Standards strengthened the role of the independent visitor and were strengthened throughout to better reflect the importance of hearing the voice of the child.

As noted by the Panel, some children with complex needs could be best matched to a foster placement, especially if it would allow a child to live closer to their parents. The Government will invest £36 million to deliver a fostering recruitment and retention programme so foster carers are available for more children who need them. We will fund regional clusters of local authorities to develop recruitment support hubs. They will provide information about fostering and support to those going through the assessment and approval process to maximise the number of people who take forward a fostering application. This will boost approvals of foster carers in areas with low take-up, as well as addressing retention through better support to existing foster carers via the [Mockingbird Family Model](#), which provides a community of support for foster carers and builds an extended family environment for children.

We will be working with each area taking forward the fostering reforms (which represents over 60% of all local authorities within this Parliament) to make sure recruitment is targeted to local needs. Children with disabilities and complex health needs are one of the groups of children we have identified as having the greatest need for foster carers. We are currently offering support to all local authorities to improve their fostering services. In addition to the recruitment and retention programme, we are funding a new service, 'Fosterlink', which will support local authorities to improve their recruitment and approvals processes, as well as sharing best practice.

A stable and well-trained workforce for disabled children

Disabled children with complex health needs engage with and are supported by staff from children's social care, health and education. Specialist residential settings often employ all three workforces in order to deliver integrated care and support. The Panel noted in their phase two report that "workforce development is critical to enable staff to work effectively with children with restricted functional and expressive communication."

The Government strongly supports the Panel's recommendation for providers to invest more in recruiting, retaining and developing their workforces. The Government has written to providers asking them to review their current working practices to ensure they meet the standards set out in legislation and guidance. The letter also reminds providers that they should prioritise effort and investment in ensuring that their provision has strong leadership in place and that staff are properly trained.

Developing our residential children's homes workforce

In their phase one report, the Panel recommended an urgent action (3) for Ofsted to “conduct an immediate analysis of their evidence around workforce sufficiency focusing on its suitability, training and support”.³ In response to this, Ofsted identified a number of concerns, including understaffing of children's homes and the fact that c.14% of homes did not have a registered manager at the time of the review. It is clear that we need to better understand why.

We launched a workforce census in March 2023 to gather data and qualitative information on the children's homes workforce, including the residential special school workforce. We will repeat this in 2024. We will also carry out in-depth case studies, which will focus on recruitment, retention, qualifications and training. We are considering options to gather regular data and information about the children's homes workforce beyond the census.

The Government is also exploring proposals for introducing professional registration of the children's homes workforce, as recommended by both the Independent Inquiry into Child Sexual Abuse (IICSA) final report and the Independent Review of Children's Social Care. We are also considering the development of a new Knowledge and Skills Statement and a national leadership programme to support recruitment of new managers.

Developing our social worker workforce

All children deserve to be safe, to have good decisions made for and with them and to have good relationships with their social workers. Listening to children and knowing them well is key to spotting signs of abuse. Children with complex communication needs should have access to trained professionals who know how to communicate with them well.

We are working to stabilise the workforce and reduce turnover, which negatively impacts the care and safety of disabled children who need a social worker. Over the current spending review period we will continue to invest more than £50m every year on recruiting, training, and developing child and family social workers, to ensure the workforce has the capacity, skills, and knowledge to support and protect vulnerable children, including those who are disabled. We are investing in the recruitment of

³ [Letter from Yvette Stanley to Annie Hudson, 5 September 2022.](#)

over 460 additional social worker apprentices to help ensure there are sufficient excellent social workers for the children who need them. We are also providing tools and resources for local authorities to strengthen their retention strategies, addressing unnecessary workload and introducing new rules to reduce overreliance on agency social workers.

Through the new Early Career Framework, the Government will give all child and family social workers consistent high-quality support and development at the start of their career, including those working with disabled children. The Early Career Framework document will set out the skills and knowledge required by social workers at different points in their career. It is being developed by an Expert Writing Group of highly experienced social workers. The group has engaged with experts on child protection and disability to ensure the needs of disabled children are captured in the drafting process.

The National Framework recognises the important role of the workforce in achieving positive outcomes, along with the ways in which leaders create conditions for effective practice. The National Framework sets expectations for practice so that social workers and other practitioners understand how best to support disabled children, young people and their families.

Developing our health and education workforces

The Government is making improvements to the workforce in health to better meet the needs of disabled children. A national autism trainer programme is being rolled out in children and young people's and adult mental health inpatient services and community mental health services, with pilots launched in November 2023 across a wider range of health and care settings, including residential special schools and residential special colleges. The training will be delivered to 4,800 trainers over three years.

NHS England is continuing the Autism in Schools project which has been rolled out nationally to over 330 schools, helping them to support autistic young people by creating inclusive positive environments and supporting them to build positive relationships with families.

The Health and Care Act 2022 makes it a requirement that providers of health and care services registered with the Care Quality Commission provide training on learning disability and autism for their staff, appropriate to their role. The [Oliver McGowan Mandatory Training on Learning Disability and Autism](#) is the Government's preferred and recommended training to meet this requirement and DHSC continues to support delivery of the Oliver McGowan Mandatory Training programme. Since November 2022, over 890,000 have completed the e-learning component of the

training and Tier 1 and Tier 2 delivery is underway with development of the face-to-face element of the training.

We will improve training and development to help education partners better identify and support children with SEND in mainstream education, including through the introduction of a new leadership level National Professional Qualification (NPQ) for school SENCOs. In November 2022, the Government announced funding worth £21m to train 400 more educational psychologists from 2024, building on our £10m investment to train over 200 educational psychologists from September 2023.



Department
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