

Inspection Top Tips

Best Interest Decisions

November 2025



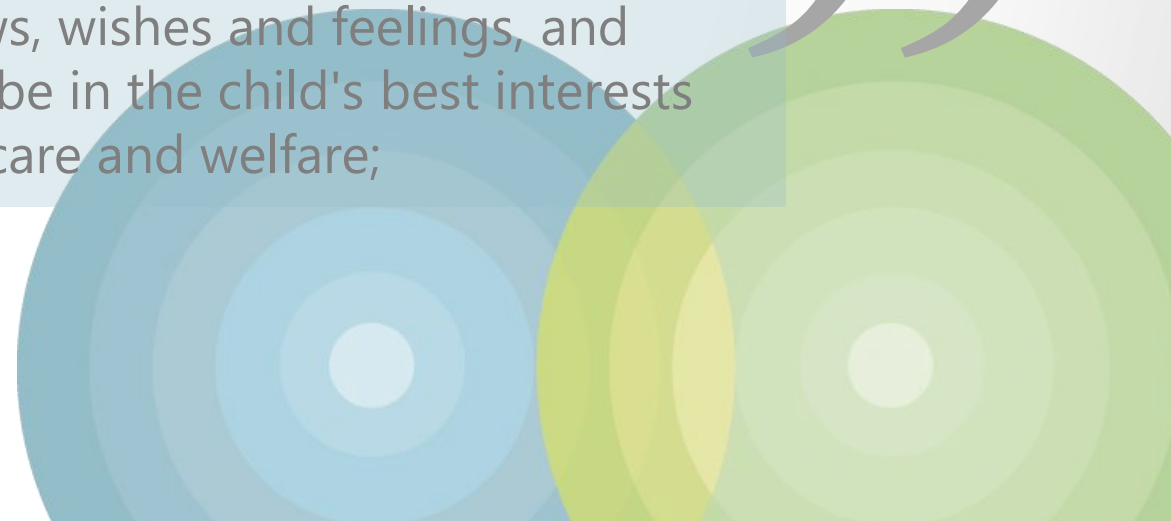
Children's Homes Regulations



- (1)** The children's views, wishes and feelings standard is that children receive care from staff who -
- (c) take their views, wishes and feelings into account in relation to matters affecting the children's care and welfare and their lives.
- (2)** In particular, the standard in paragraph (1) requires the registered person to -
- (a) ensure that staff -
 - (i) ascertain and consider each child's views, wishes and feelings, and balance these against what they judge to be in the child's best interests when making decisions about the child's care and welfare;



Regulation 7



Children's Homes Guide

4.9 In some instances, a child may express wishes that are not always in their best interests or which may conflict with the views of other children in the home. In such circumstances, the responsible adults will have to balance the wishes of the child against what they judge to be in the best interests of the child and reach a reasonable view about the best way forward in the interests of all. The reasons for reaching any decision will need to be carefully explained to and understood by the child or children concerned.

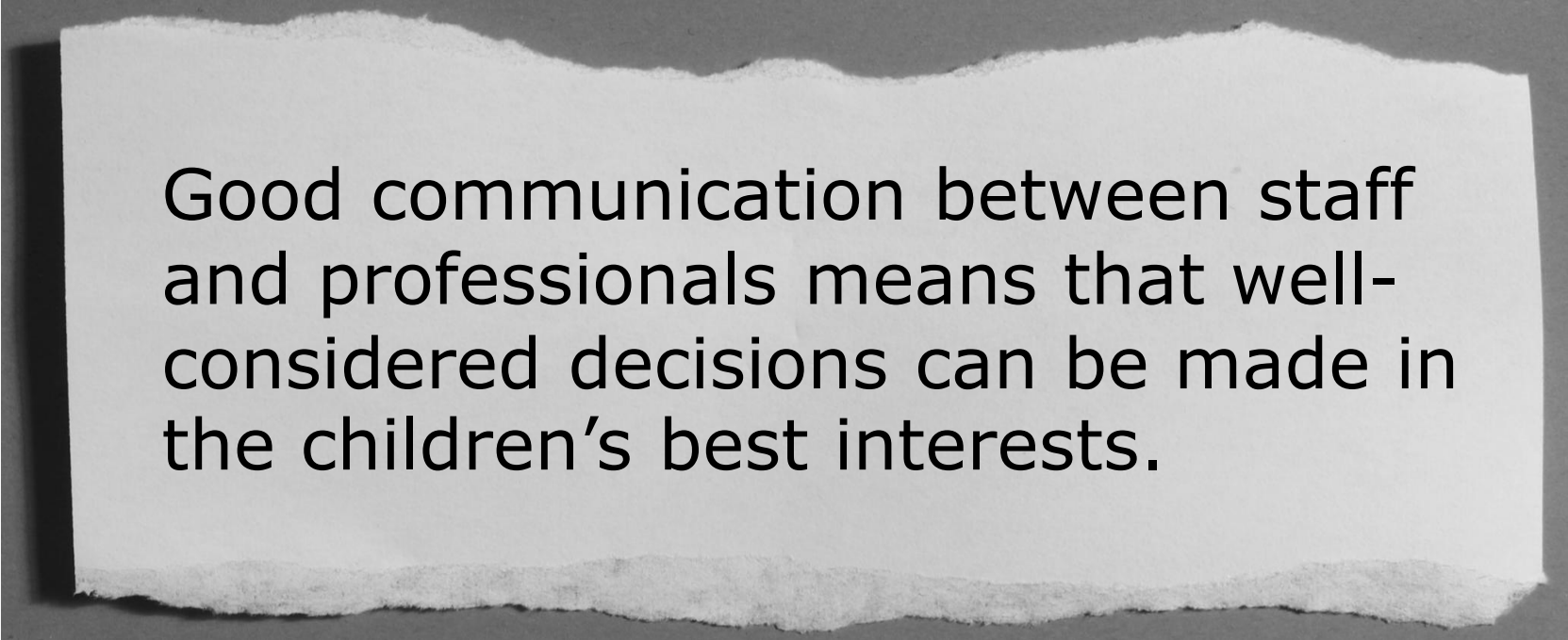


Children's Homes SCCIF Key Elements

- Children, including those who are non-speaking, are supported to actively participate in day-to-day and more complex decisions about their lives, as appropriate.
- They are sensitively helped to understand where it may not be possible to act on their wishes and where other action is taken that is in their best interests.
- Children have access to, and are actively encouraged to involve, a suitably skilled and experienced independent advocate and, where appropriate, an independent visitor.



Ofsted comment from inspection – Good Home

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Good communication between staff and professionals means that well-considered decisions can be made in the children's best interests.

Top Tips...

1. **The child's welfare must be the paramount consideration in all decisions made about them (Children Act 1989).** Professionally question if the decision a child wants to make is in their best interest and likely to be contrary to their welfare.
2. **Every child has the right to be heard, and their wishes and feelings must be taken into account** according to age and understanding but issue of best interest needs to balance the likely outcome of the wishes of the child.
3. **Staff must act in the child's best interests at all times and balance protection with promoting independence and choice.** Effective communication of this process is key.
4. **When a young person lacks capacity for a specific decision, adults must decide what is in their best interests,** following a structured test (weighing benefits, harms, preferences, and least restrictive options). (Mental Capacity Act 2005).

Questions to consider...

- Is the child fully aware and informed by the adults around them of the potential negative outcome of the decision they are making?
- By permitting the child to take an action are you acting in the best interest of the child?
- Is the matter under consideration and potential outcome compliant with the duty under the Children Act that the welfare of the child is paramount?



dialogue offer advocacy for children and young people in care....

Our residential visiting advocacy service provides a strong foundation for relationship based advocacy. Our advocate will visit the home for 1-2 hours a month and spend time with young people, introducing themselves, the service and taking issues up on behalf of young people. Often issues can be resolved at the time, but the service includes some time to follow up issues with managers, social workers, through complaints processes or with other agencies. The cost of this service is £150 per month plus expenses and vat per home to include 2 hours of advocacy time and a small monthly contribution to materials.

It's important that young people have the opportunity to shape and develop their advocacy service. This happens on an ad hoc basis through their suggestions and our response.

Where possible issues are addressed within this 2 hour window. Some issues are more complex and require follow up work. This might include complaints, attendance at reviews or challenges to significant decisions such as placement changes. We will notify the manager when we begin such a piece of work, up to a maximum 3 hours. We will seek agreement from the manager before exceeding 3 hours of additional support. This issue based advocacy is charged at £69 per hour plus expenses and vat.

Get in touch to discuss how we can support your young people at admin@dialogueltd.co.uk