



# **Responsible Individual – Forum**

**5<sup>th</sup> November 2021**

The RI and inspection processes

# working **together**...

confidentiality- feel safe in reflection

respect

diversity of opinion can be enriching

look for the benefits of an alternative  
opinion

positive challenge

naïve questions are valuable

go off piste!

- 

enjoy ourselves



# focus

“

To review current inspection themes and the role of the RI during the process

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# Legislation including that which you may need to be aware of :

- Guide to the Children's Homes Regulations including the Quality Standards 2015
- KCSIE 2020 Working Together to Safeguard Children 2021
- Care planning , placement and case review regulations 2010; 2014 from Children Act 1989
- Statutory guidance on promoting health and well being of looked after children.
- NHS Commissioning /CCG Regs 2012 and ongoing
- SEND regulatory revisions 2014
- RIPA 2000
- Health and Social Care Acts
- Counter-Extremism and Safeguarding Bill (2016)
- Care standards Act 2000
- Mental Capacity Act 2005 and onwards
- Cheshire West judgement (DOLs) 2013
- Safeguarding – Liberty Safeguards 2019
- Children's Secure Accommodation Regulations 1991 onwards
- Legal Aid , Punishing and Sentencing of Offenders Act 2012
- Matrimonial and Family Proceedings Act 1984 Onwards
- Mental Health legislation
- Health and safety legislation various
- Equal Opportunities legislation 2010 onwards
- GDPR 2018
- The Children & Social Work Bill 2016

# Legislation continued.....

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

## The RI and regulation:

- ❑ The law must be satisfied that as the RI they can “supervise the management of the Home “as set out in the definition of an RI in Regulation 2.” (*Guide to the Children’s Homes and regulations incl. the quality standards* )

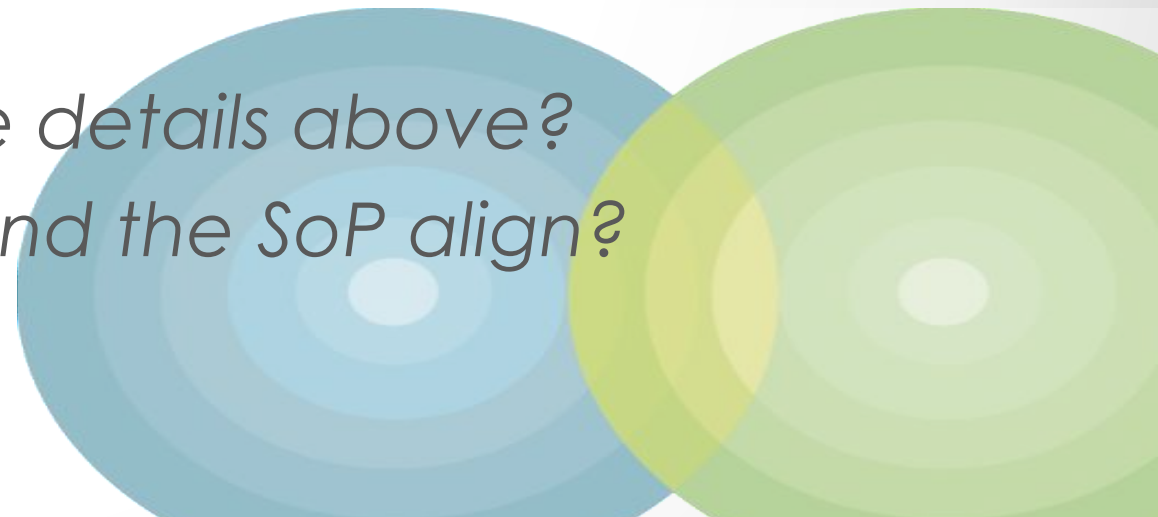
## Points for the RI to consider

- How many services are you responsible for ? Too many?
- How well do you know the Quality Standards? Can you challenge confidently?
- Working with the RM do you have a joined up approach to inspection and its' challenges?
- How will you maintain your accountability in this situation? Remembering that accountability always sits with you.

# Current inspection themes- let's discuss.....

- Statement of Purpose
  - Clarity
  - Match to current practice
  - Match to young people placed
  - Properly reviewed
  - Up to date
- *Does your monitoring include the details above?*
- *Does the practice in the home and the SoP align?*

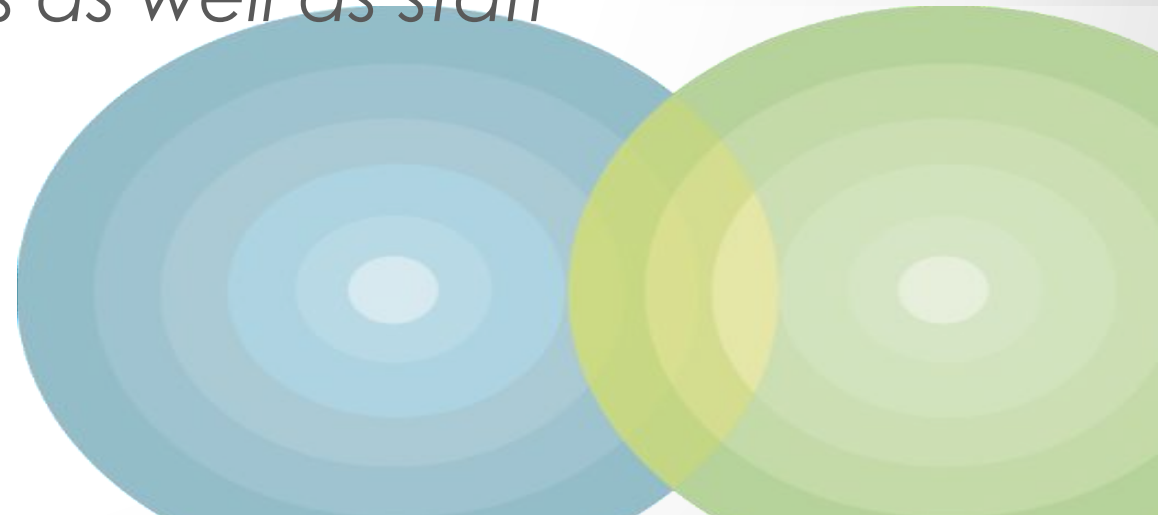
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# Policies

- Child protection policy
  - Up to date
  - Includes detail re. peer –on-peer / child-on –child abuse
  - Incorporates themes from the Ofsted June 2021 review of sexually harmful / sexually violent behaviour
  - *Does your monitoring confirm this as well as staff knowledge?*



# Supervision

- Up to date
- Robust
- Detailed
- Effective use of reflection
- Feeds into continuous learning
- *Is your own supervision of the RM up to date and includes the areas above?*



# Positive language

- Key issue
- [https://www.tactcare.org.uk/content/uploads/2019/03/TAC-T-Language-that-cares-2019\\_online.pdf](https://www.tactcare.org.uk/content/uploads/2019/03/TAC-T-Language-that-cares-2019_online.pdf)
- Continuing move away from institutional and language which only further evidences the lack of power experienced by children and young people in care

*Are you finding any issues?  
Hearing the child's voice ?*



# Pandemic

- Have you pulled together with the RM reflections on the past 19 months?
- Learning?
- Ongoing staff welfare?
- All the good things achieved by the team(s)



# RI issues to consider within the regulatory framework

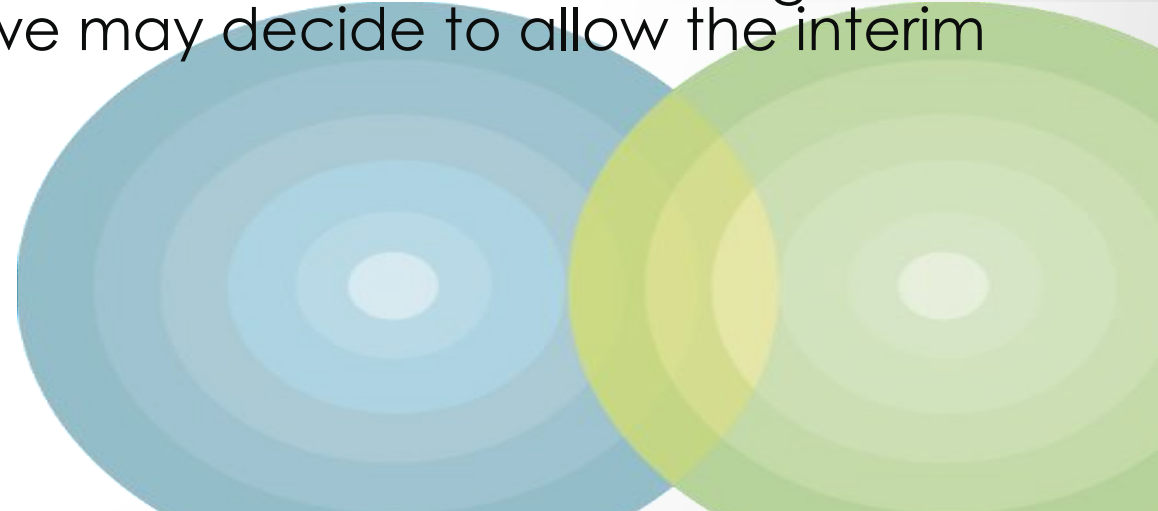
- RM registration
- RI changes
- Being aware of Ofsted's / CIW / CQC- powers
- Are you consistently supervising the management of the home? Does your evidence base show this?



# Regulatory issues which can arise....

- **Registering an interim manager**

- The interim manager must register with Ofsted as soon as possible if either of the following apply:
- they are expected to be in day-to-day charge for more than 90 days
- they are appointed to be the registered manager of the service
- If interim arrangements continue for more than 90 days, we will take this into account when we look at the effectiveness of leaders and managers at our next inspection.
- If you need to extend the interim arrangements, both you and the manager must put the reasons in writing for Ofsted to consider. We will make decisions on a case-by-case basis. For example, if there is evidence that the registered manager will return shortly after 90 days, we may decide to allow the interim manager to continue without registration.



# Regulatory issues which can arise.....

- **Responsible individuals**
- The 'responsible individual' is the person who represents their organisation. **You must have a responsible individual in post at all times.** If there is an emergency, you should appoint a responsible individual as soon as possible.
- Unlike a registered manager, a responsible individual is not registered by Ofsted. However, they are connected to the registration.
- **We expect you to tell Ofsted before the responsible individual changes, if possible.** If you do not do this as soon as possible, you have breached regulations or committed an offence and we may take action (for example, we may issue a statutory requirement notice).





# Regulatory issues which can arise.....

- **Checks on responsible individuals**
- You must ensure that the responsible individual you appoint can meet the requirements of regulation, including all suitability checks. Ofsted's inspectors will review the steps that you have taken to check their suitability. See [more information about the requirements for a responsible individual's skills and knowledge](#).
- Once we know about a change in responsible individual, we will send you a certificate with the new person's name. We will also send a letter to ask what checks you have done to ensure that they are suitable for the role. You must respond within 10 working days. If we do not receive the information within 10 working days, we will hold a case review to decide whether further action is required.
- Once we have received your response, **an inspector decides whether to interview the responsible individual.**





## Any other inspection issues?

- Group discussion
- What does your evidence base look like ?



## What next?

- Sure of your evidence base?
- Used the SCCIF to make your own outline judgement on where the home is in terms of grading?
- Sure of and evidence of the role of the
  - Regulation 45 report in development
  - Regulation 44 reports

Any final thoughts and comments?

Thank you.

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