

# CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY

**31 AUGUST 2017**

## **AUT EVEN OFSTED INSPECTION**

Report from: Ian Sutherland, Director of Children and Adults Services

Author: Linda Jackson, Interim Assistant Director, Adult Care Services

### **Summary**

Ofsted carried out an unannounced inspection of Aut Even – Short Breaks Service – on 25 and 26 July, the outcome of the inspection is that Aut Even has been rated inadequate. This report will give an overview of the inspection findings and provides members with an action plan which, is being implemented to improve the service.

### **1. Budget and Policy Framework**

- 1.1 This is within the Council's Budget and Policy Framework.
- 1.2 This item has been added to the agenda, because the Chairman of the Committee is of the opinion that it should be considered at this meeting as a matter of urgency as permitted under section 100B of the Local Government Act 1972. This is to enable the Committee to consider a report of an unannounced Ofsted Inspection of Aut Even at the end of July and the associated action plan to address the Ofsted findings. Ofsted has set a deadline of 28 September 2017 for the Council to respond and take action in a number of areas which is ahead of the next scheduled meeting of this Committee. The report was not available in time for despatch with the main agenda as officers needed time to prepare the report following the publication of the Ofsted findings on Friday 18 August.

### **2. Background**

- 2.1 Aut Even is a residential respite unit for young people with disabilities, based in Twydall.
- 2.2 The Council has a statutory duty to offer 'short breaks' to children with disabilities set out in the Children and Families Act 2014. Whilst the priority is to reduce the dependency on residential placements there is not the availability of suitable alternatives in the market yet. For that reason it is

essential that Aut Even remains an integral service to meet our statutory duties.

- 2.3 This is a jointly-funded service through Partnership Commissioning between the Council and NHS Medway Clinical Commissioning Group.
- 2.4 In December 2016, the unit was rated by Ofsted as 'good', having made improvements since its previous inspection in September 2015 when it received 'requires improvement' as its grade.
- 2.5 Ofsted carried out an unannounced inspection at Aut Even on 25 and 26 July, the outcome of the inspection is that Aut Even has been rated 'inadequate'.

### 3. Advice and analysis

3.1 The inspection identified that the service was inadequate because:

- Members of staff have worked with children without full vetting procedures being completed
- The induction of new staff had not ensured that they have the training and skills needed to safely care for the children
- Leadership in the service has been divisive and disruptive. This has undermined team working and the effective running of the service
- Managers' responses to safeguarding incidents have been poor and lessons learnt have not been used to improve the service

3.2 The inspection highlighted areas of strengths:

- A small core of committed staff has maintained a basic service during a period of significant disruption and uncertainty
- Newly appointed staff display commitment to the service and remain focused on the well-being of the children
- A new management structure has very recently been put in place. The new interim manager and his deputy fully recognise all the identified failings and shortfalls and display the urgency to address these.

### 4. Risk management

4.1 The following risks have been outlined below. However the Committee are asked to note the detailed action plan in Appendix 2 outlines corrective action to improve standards and mitigate against any further risks.

Risk	Description	Action to avoid or mitigate risk
Not achieving the required standards	There is potential of enforcement action should unacceptable corrective action be put in place	Detailed action plan in place to improve on all areas to ensure all corrective action is acceptable as part of Ofsted's standards.

Parents stop using Aut Even	Due to the Ofsted rating there is a potential that there will be a decline in use of the service.	The interim Manager and deputy manager are in close communication with all parents, with support or the 0-25 team.
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## 5. Consultation

- 5.1 Prior to the published report being available, stakeholders such as parents of users and Ward Members have been contacted to inform them of the inspection outcomes and provide reassurance if required.

## 6. Implications for Looked After Children

- 6.1 Within the current cohort of service users at Aut Even, there are no Looked After Children.

## 7. Financial implications

- 7.1 The improvement plan identifies a need to recruit staff both on a temporary and permanent basis.
- 7.2 Cabinet agreed to carry out consultation on 4 April regarding the future options for both Aut Even and Parklands, due to the poor state of the environment at Aut Even. This consultation is to start in September 2017 and return to Cabinet on 19 December 2017.

## 8. Legal implications

- 8.1 Services which are found to be inadequate which do not make sufficient effort or progress to improve can be subject to enforcement action by the regulators.
- 8.2 The Council has a statutory duty to offer 'short breaks' to children with disabilities set out in the Children and Families Act 2014.

## 9. Recommendations

- 9.1 The Committee is asked to acknowledge the work to date on the service improvements and to note that an update report will be provided to the Committee in October 2017.

### Lead officer contact

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### Appendices

Appendix 1 - Inspection report July 2017  
Appendix 2 - Action plan

### Background papers

None



# SC066166

Registered provider: Medway Council

Full inspection

Inspected under the social care common inspection framework

## Information about this children's home

The home provides short breaks for up to five children at a time who have severe learning disabilities and who may have an associated physical disability and/or present challenging behaviour. Currently, there are 49 children registered with the service. The local authority, primary care trust and clinical commissioning group fund the home.

**Inspection dates:** 25 to 26 July 2017

**Overall experiences and progress of children and young people, taking into account** **inadequate**

How well children and young people are helped and protected **inadequate**

The effectiveness of leaders and managers **inadequate**

There are serious and widespread failures that mean children and young people are not protected or their welfare is not promoted or safeguarded, and the care and experiences of children and young people are poor and they are not making progress.

**Date of last inspection:** 20 December 2016

**Overall judgement at last inspection:** Good

**Enforcement action since last inspection**

None

## Key findings from this inspection

This children's home is inadequate because:

- Staff have worked with children without full vetting procedures being completed.
- The induction of new staff has not ensured that they have the training and skills needed to safely care for the children. This has left children exposed to potential harm.
- Leadership in the service has been divisive and disruptive. This has undermined team working and the effective running of the service.
- Managers' responses to safeguarding incidents have been poor and lessons learned have not been used to improve the service.

The children's home's strengths:

- A small core of committed staff has maintained a basic service during a period of significant disruption and uncertainty.
- Newly appointed staff display commitment to the service and focus on the well-being of the children.

## Recent inspection history

Inspection date	Inspection type	Inspection judgement
20/12/2016	Full	Good
01/06/2016	Interim	Improved effectiveness
02/02/2016	Interim	Declined in effectiveness
09/09/2015	Full	Requires improvement

## What does the children's home need to do to improve?

### Statutory requirements

This section sets out the actions that the registered person must take to meet the Care Standards Act 2000, Children's Homes (England) Regulations 2015 and the 'Guide to the children's homes regulations including the quality standards'. The registered person must comply within the given timescales.

Requirement	Due date
<p>12.</p> <p>(1) The protection of children standard is that children are protected from harm and enabled to keep themselves safe.</p> <p>(2) In particular, the standard in paragraph (1) requires the registered person to ensure—</p> <p>(a) that staff—</p> <p>(i) assess whether each child is at risk of harm, taking into account information in the child's relevant plans, and, if necessary, make arrangements to reduce the risk of any harm to the child;</p> <p>(ii) help each child to understand how to keep safe;</p> <p>(iii) have the skills to identify and act upon signs that a child is at risk of harm;</p> <p>(iv) manage relationships between children to prevent them from harming each other;</p> <p>(v) understand the roles and responsibilities in relation to protecting children that are assigned to them by the registered person;</p> <p>(vi) take effective action whenever there is a serious concern about a child's welfare; and</p> <p>(vii) are familiar with, and act in accordance with, the home's child protection policies.</p>	<p>25/09/2017</p>
<p>13.</p> <p>(1) The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children's home that—</p> <p>(a) helps children aspire to fulfil their potential; and</p> <p>(b) promotes their welfare.</p> <p>(2) In particular, the standard in paragraph (1) requires the registered person to—</p>	<p>25/09/2017</p>

<p>(a) lead and manage the home in a way that is consistent with the approach and ethos, and delivers the outcomes, set out in the home's statement of purpose;</p> <p>(b) ensure that staff work as a team where appropriate;</p> <p>(c) ensure that staff have the experience, qualifications and skills to meet the needs of each child;</p> <p>(d) ensure that the home has sufficient staff to provide care for each child;</p> <p>(e) ensure that the home's workforce provides continuity of care to each child;</p> <p>In particular, ensure that each shift has sufficient staff with the knowledge and skills necessary to care for the children staying at that time.</p>	
<p>*32.</p> <p>(1) The registered person must recruit staff using recruitment procedures that are designed to ensure children's safety.</p> <p>(2) The registered person may only—</p> <p>(a) employ an individual to work at the children's home; or</p> <p>(b) if an individual is employed by a person other than the registered person to work at the home in a position in which the individual may have regular contact with children, allow that individual to work at the home,</p> <p>if the individual satisfies the requirements in paragraph (3).</p> <p>(3) The requirements are that—</p> <p>(a) the individual is of integrity and good character;</p> <p>(b) the individual has the appropriate experience, qualification and skills for the work that the individual is to perform;</p> <p>(c) the individual is mentally and physically fit for the purposes of the work that the individual is to perform; and</p> <p>(d) full and satisfactory information is available in relation to the individual in respect of each of the matters in Schedule 2.</p> <p>(Regulation 32(1) and (2)(a)(b) and (3)(a)(b)(c)(d))</p> <p>In particular, ensure that all recruitment files contain the evidence that safer recruitment requirements are fully met.</p> <p>Also, to ensure that policies and procedures for the safe recruitment of staff are fully implemented, monitored and audited.</p>	25/09/2017
<p>33.</p> <p>(1) The registered person must—</p>	25/09/17



<p>(a) ensure that each employee completes an appropriate induction; and</p> <p>(b) ensure that each permanent appointment of an employee is subject to the satisfactory completion of a period of probation.</p> <p>In particular, review the induction of recently appointed staff and ensure that all actions necessary to confirm completion of a satisfactory probation period are undertaken.</p>	
<p>33.</p> <p>(2) The registered person must operate a disciplinary procedure which, in particular—</p> <p>(a) provides for the suspension from work of an employee if necessary in the interests of the safety or welfare of children.</p> <p>In particular, review any significant incidents that have occurred during this inspection period and implement any measures that may be applicable.</p>	25/09/17
<p>33.</p> <p>(4) The registered person must ensure that all employees—</p> <p>(b) receive practice-related supervision by a person with appropriate experience.</p>	25/09/17
<p>40.</p> <p>(4) The registered person must notify HMCI and each other relevant person without delay if—</p> <p>(a) a child is involved in or subject to, or is suspected of being involved in or subject to, sexual exploitation;</p> <p>(b) an incident requiring police involvement occurs in relation to a child which the registered person considers to be serious;</p> <p>(c) there is an allegation of abuse against the home or a person working there;</p> <p>(d) a child protection enquiry involving a child—</p> <p>(i) is instigated; or</p> <p>(ii) concludes (in which case, the notification must include the outcome of the child protection enquiry); or</p> <p>(e) there is any other incident relating to a child which the registered person considers to be serious.</p>	25/09/17

\* This requirement is the subject of a compliance notice.

## Inspection judgements

### **Overall experiences and progress of children and young people: inadequate**

New staff are inadequately prepared to understand and meet the complex needs of the children in their care. Key information about children's communication, dietary and personal care needs is not readily available to staff. Information that is available is often outdated and unclear. Staff are unable to provide children with the care that they need to keep them safe or help them achieve their potential. For example, staff without training in managing epilepsy were working with children who have this diagnosis.

New staff are given insufficient time to learn and understand the complex needs of the children before working directly with them. Not all staff are aware of the methods of communication used by the children. This makes it difficult for the children to form secure and trusted relationships with staff or effectively communicate their wishes and feelings.

Plans for children's stays are unclear, unspecific or absent. Important issues such as managing hygiene and addressing challenging behaviours are not sufficiently detailed in children's plans. As a result, some staff do not have sufficient knowledge to meet the children's needs. Opportunities to increase independence and expand dietary and activity choices are being missed.

Children are not benefiting from joined-up working between the service, their school and parents/carers to help them make progress and overcome difficulties. There is no system in place to provide parents and carers with timely feedback on their child's stay, or of feedback from parents and carers being sought or provided. This limits children's progress and makes building on achievements and gains and sustaining progress difficult.

### **How well children and young people are helped and protected: inadequate**

Standards of safeguarding practice have been significantly compromised and this has left vulnerable children at unacceptable levels of risk.

Significant shortfalls were identified in recruitment practices. These included:

- evidence of name changes not being verified
- references not being verified
- the authenticity of some questionable references not being challenged.

Records showed that at least five members of staff, one promoted to a key managerial role, were appointed and working with children without the requirements for safer recruitment having been met.

The inadequate arrangements made for the induction of new staff have exposed the children to further risks. Eight new staff have started working with children without having completed a satisfactory induction. New staff have not completed key mandatory training, such as child protection for complex needs, epilepsy safety and the

administration of medication. In addition to the increased safety risks for the children, this has placed an additional burden on experienced staff who are undertaking the necessary tasks to care for the children, as well as supervising and guiding inexperienced staff.

Key documents do not contain sufficient detail to guide staff. Most risk management plans are outdated and important information is difficult to access. This makes it difficult for staff to respond appropriately to issues of emerging risk, such as triggers for self-injurious behaviours, and leaves children vulnerable to harm from avoidable incidents.

A failure by staff to apply risk plans and follow standard procedures led to an incident that could have resulted in serious injury to children and staff. This incident has not been fully investigated in accordance with the home's procedures. Consequently, learning has not been sufficient to identify failings in practice, training needs or to improve services. This leaves children at risk of similar incidents occurring again.

Untrained staff have prepared meals and not followed hygiene procedures, leaving children at risk of ill-health.

### **The effectiveness of leaders and managers: inadequate**

There have been wholesale failures by managers and leaders at all levels of the organisation. Unsafe recruitment practice has not been fully rectified, despite senior managers being alerted to concerns some months ago. As a result, children using the service have continued to be exposed to possible risk.

Staff have not been able to work effectively as a team and this has undermined their capacity to maintain a proper focus on the welfare of children. The service has not been run in accordance with the statement of purpose. Serious allegations have been made against the appointed manager and the subsequent investigation is ongoing. The allegations include concerns such as nepotism and favouritism. Grievances against colleagues have been lodged and staff have expressed a general dissatisfaction with how the home is managed.

Following the suspension of the manager, interim arrangements have been made. An interim manager has been appointed who has very limited experience in residential care and does not have a thorough working knowledge of the regulations. She has been able to address some of the staffing dynamics through effective team meetings and has focused on ensuring that children are able to have their planned stays.

Leaders and managers have failed to make sure that proper plans are in place that will ensure that children have a safe and beneficial stay that effectively meets their needs for respite, enjoyment, social development, and increased independence.

There has been a widespread failure to provide staff with regular supervision and team meetings have been irregular, with minutes not being circulated. This has added to poor staff morale and cohesion. There are significant failures in making notifications to Ofsted in terms of regulation 40, within the required timeframe.

A new management structure has very recently been put in place. The new interim manager and his deputy fully recognise all the identified failings and shortfalls and

display an urgency to address these.

## **Information about this inspection**

Inspectors have looked closely at the experiences and progress of children and young people. Inspectors considered the quality of work and the difference made to the lives of children and young people. They watched how professional staff work with children and young people and each other and discussed the effectiveness of help and care provided. Wherever possible, they talked to children and young people and their families. In addition, the inspectors have tried to understand what the children's home knows about how well it is performing, how well it is doing and what difference it is making for the children and young people who it is trying to help, protect and look after.

Using the 'Social care common inspection framework', this inspection was carried out under the Care Standards Act 2000 to assess the effectiveness of the service, how it meets the core functions of the service as set out in legislation, and to consider how well it complies with the Children's Homes (England) Regulations 2015 and the 'Guide to the children's homes regulations including the quality standards'.

## Children's home details

**Unique reference number:** SC066166

**Provision sub-type:** Children's home

**Registered provider address:** Medway Council, Gun Wharf, Dock Road, Chatham, Kent ME4 4TR

**Responsible individual:** Ian Sutherland

**Registered manager:** Post vacant

## Inspector

John Pledger, social care inspector

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Home: Aut Even

Target Date for Completion: 28/09/2017 Plan Number: 1

Aim of Plan: Improved Effectiveness at Interim / Good at next Inspection

Compiled by: David Ballard Date: 15/08/2017

Updated – 24.08.2017

<b>Statutory Requirement</b> This section sets out the actions that the registered person must take to meet the Care Standards Act 2000, Children’s Homes (England) Regulations 2015 and the ‘Guide to the children’s homes regulations including the quality standards’. The registered person must comply within the given timescales.	<b>Action Required</b>	<b>By Whom/ Person Responsible</b>	<b>Timescale For Completion</b>	<b>Comments and Signature to Confirm Completion of Action</b>
Regulation 12.  (1) The protection of children standard is that children are protected from harm and enabled to keep themselves safe.  (2) <b>In particular:</b> the standard in paragraph (1) requires the registered person to ensure— (a) that staff— (i) assess whether each child is at risk of harm, taking into account information in the child’s relevant plans, and, if necessary, make arrangements to reduce the risk of any harm to the child; (ii) help each child to understand how to keep safe;	Review needs of all current young people cross reference with staff rotas for those groups  Ensure essential information is available to all staff about young	Caren Smith  Caren Smith	28.09.2017  28.09.2017	

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<p>(iii) have the skills to identify and act upon signs that a child is at risk of harm;</p> <p>(iv) manage relationships between children to prevent them from harming each other;</p> <p>(v) understand the roles and responsibilities in relation to protecting children that are assigned to them by the registered person;</p> <p>(vi) take effective action whenever there is a serious concern about a child’s welfare; and</p>	<p>people’s needs</p> <p>Explore other records systems as advised by Ofsted</p> <p>Implement a revised recording system that includes all relevant up to date information and risk assessment/management documents. Training for the new records will be arranged as part of an implementation plan</p>	<p>Caren Smith and David Ballard</p> <p>D Ballard Caren Smith HR</p>	<p>28.09.2017</p> <p>28.09.2017</p>	
<p>(vii) are familiar with, and act in accordance with, the home’s child protection policies.</p>	<p>Ensure all members of staff are aware of the homes child protection policies and understand procedures.</p>	<p>Caren Smith and David Ballard</p>	<p>28.09.2017</p>	
<p>Regulation 13.</p> <p>(1) The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children’s home that—</p> <p>(a) helps children aspire to fulfil their potential; and (b) promotes their welfare.</p> <p>(2) <b>In particular,</b> the standard in paragraph (1) requires the registered person to—</p> <p>(a) lead and manage the home in a way that is consistent with the approach and ethos, and delivers the outcomes, set out in the home’s statement of purpose;</p> <p>(b) ensure that staff work as a team where appropriate;</p>	<p>Update (rewrite) Statement of Purpose</p> <p>Plan monthly team meeting dates</p> <p>Arrange and deliver staff team away day with HR and training to address the issues that have</p>	<p>D Ballard</p> <p>D Ballard Jo Sherry</p> <p>D Ballard HR &amp; training</p>	<p>01.09.2017</p> <p>11.08.2017</p> <p>28.09.2017</p>	



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<p>(c) ensure that staff have the experience, qualifications and skills to meet the needs of each child;</p> <p>(d) ensure that the home has sufficient staff to provide care for each child;</p> <p>(e) ensure that the home’s workforce provides continuity of care to each child;</p> <p><b>In particular,</b> ensure that each shift has sufficient staff with the knowledge and skills necessary to care for the children staying at that time.</p>	<p>emerged from recent changes and additions to the team</p> <p>Review Induction of recently recruited staff linked to young people’s needs to prioritise deficiencies, e.g. Epilepsy, response, Medication, manual handling etc.</p> <p>Plan recruitment of additional bank staff and filling posts on the establishment including use of agency staff to where suitable.</p> <p>Review each group prior to attendance to ensure that sufficient suitably experienced and trained staff can meet the needs of the young people in the group</p> <p>Monitor current practice, support staff and ensure appropriate care is provided to young people.</p>	<p>D Ballard HR &amp; training</p> <p>D Ballard</p> <p>Caren Smith</p> <p>Caren Smith D Ballard</p>	<p>30.08.2017</p> <p>30.09.2017</p> <p>Ongoing</p> <p>Ongoing</p>	
<p>Regulation 32.</p> <p>(1) The registered person must recruit staff using recruitment procedures that are designed to ensure children’s safety.</p> <p>(2) The registered person may only—</p> <p>(a) employ an individual to work at the</p>	<p>All nominated staff will complete the e-learning Safer Recruitment module available on the Medway Safeguarding Children Board portal.</p>	<p>Chief People Officer and respective Assistant Director</p>	<p>28.09.2017</p>	

<p>children's home; or</p> <p>(b) if an individual is employed by a person other than the registered person to work at the home in a position in which the individual may have regular contact with children, allow that individual to work at the home, if the individual satisfies the requirements in paragraph (3).</p> <p>(3) The requirements are that—</p> <p>(a) the individual is of integrity and good character;</p> <p>(b) the individual has the appropriate experience, qualification and skills for the work that the individual is to perform;</p> <p>(c) the individual is mentally and physically fit for the purposes of the work that the individual is to perform; and</p> <p>(d) full and satisfactory information is available in relation to the individual in respect of each of the matters in Schedule 2.</p> <p>(Regulation 32(1) and (2)(a)(b) and (3)(a)(b)(c)(d))</p> <p><b>In particular,</b></p> <p>ensure that all recruitment files contain the evidence that safer recruitment requirements are fully met.</p> <p>Also, to ensure that policies and procedures for the safe recruitment of staff are fully implemented, monitored and audited.</p>	<p>Review the content of and roll-out Safer Recruitment Training to all Recruiting Managers (and their deputies where recruitment is delegated).</p> <p>Review the need for HR staff who support the recruitment activity to complete the same Safer Recruitment module.</p> <p>Training completion reports to be circulated to respective Assistant Directors on a monthly basis from the HR Organisational Development team and copied to the HR Resourcing Team</p> <p>All new managers' working within Children's Services will be required to complete the e-learning module within the first month of employment</p> <p>HR to confirm with the Recruiting Manager at the point of the commencement of the recruitment process and cross reference with the training report that he/she has completed the Safer Recruitment module.</p> <p>Review a sample of recruitment files to ensure compliance with Safer Recruitment requirements</p>			
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	<p>Review the current suite of policies covering recruitment activity to ensure that they are:</p> <ul style="list-style-type: none"> <li>a) compliant with the requirements of Regulation 32.</li> <li>b) fit-for-purpose and mirror best practice.</li> <li>c) included into a monitoring and audit regime.</li> </ul> <p>Review the need for coaching sessions with managers' on the details and practical application on the respective policies</p> <p>Undertake a comprehensive review of all current employee files for Staff at Aut Even to ensure they meet Safer Recruitment requirements. Take immediate relevant action on findings.</p>	<p>HR and Audit &amp; Counter Fraud Service</p>	<p>28.09.2017</p>	
<p>Regulation 33. (1) The registered person must—</p>				
<p>(a) ensure that each employee completes an appropriate induction; and</p>	<p>Review Induction of recently recruited staff linked to young people's needs to prioritise deficiencies, e.g. Epilepsy, response, Medication, manual handling etc.</p>	<p>D Ballard and Training</p>	<p>31.08.2017</p>	



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<p>Regulation 33 <i>cont</i></p> <p>(4) The registered person must ensure that all employees—</p> <p>(b) receive practice-related supervision by a person with appropriate experience.</p>	<p>Review supervision files</p> <p>Agree temporary Senior RSW's to provide supervision Training/briefing for those appointed</p> <p>Establish new supervision rota, linked to Medway policy</p>	<p>D Ballard</p> <p>D Ballard and HR</p> <p>D Ballard</p>	<p>31.08.2017</p> <p>30.09.2017</p>	
<p>Regulation 40.</p> <p>(4) The registered person must notify HMCI and each other relevant person without delay if—</p> <p>(a) a child is involved in or subject to, or is suspected of being involved in or subject to, sexual exploitation;</p> <p>(b) an incident requiring police involvement occurs in relation to a child which the registered person considers to be serious;</p> <p>(c) there is an allegation of abuse against the home or a person working there;</p> <p>(d) a child protection enquiry involving a child—</p> <p>(i) is instigated; or</p> <p>(ii) concludes (in which case, the notification must include the outcome of the child protection enquiry); or</p> <p>(e) there is any other incident relating to a child which the registered person considers to be serious.</p>	<p>Review all notifications and incident logs</p> <p>Ensure staff team are aware of the type of incident or event which requires notification</p> <p>Establish a routine for notification between Registered Manage and Deputy.</p>	<p>D Ballard</p> <p>D Ballard</p> <p>D Ballard</p>	<p>21.08.2017</p> <p>31.08.2017</p> <p>31.08.2017</p>	