

2484180

Registered provider: Bryn Melyn Care Limited

Full inspection

Inspected under the social care common inspection framework

Information about this children's home

This home is operated by a large private company. It provides care and accommodation for up to four children who exhibit complex behaviours because of their childhood experiences. It was registered by Ofsted in October 2018.

The manager was registered with Ofsted to manage the home in April 2021.

Due to COVID-19 (coronavirus), at the request of the Secretary of State, we suspended all routine inspections of social care providers on 17 March 2020.

Ofsted last visited this setting on 19 November 2020 to carry out a monitoring visit. There were no serious and widespread concerns identified and the report is published on our website.

Inspection dates: 30 June to 1 July 2021

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.

Date of last inspection: 6 March 2020

Overall judgement at last inspection: sustained effectiveness

Enforcement action since last inspection: none

Recent inspection history

Inspection date	Inspection type	Inspection judgement
06/03/2020	Interim	Sustained effectiveness
16/04/2019	Full	Good

Inspection judgements

Overall experiences and progress of children and young people: inadequate

Serious safeguarding concerns were identified during this inspection. As a result, compliance notices were issued under regulations 12 and 13.

Staff and managers failed to take swift and effective action in response to an allegation of abuse made by children against staff. For example, in April 2021 a child made an allegation of physical abuse against a member of staff. This incident was not reported promptly or recorded appropriately by staff. When the registered manager became aware of the concern, he failed to take any action in response to the allegation of abuse he had received. Such failure to respond, left the child and other children living in the home at further risk of harm.

Leaders and managers do not address known issues in the staff team or take action to challenge areas of poor practice and misconduct. During the inspection, the inspector identified a number of incidents when staff had failed to safeguard children. However, the registered manager was unable to demonstrate that he had challenged or addressed staff's poor practice. This raises concerns regarding the manager's ability to take appropriate action when concerns arise, or that staff will be supported to learn from their errors and mistakes to improve their safeguarding practice.

One child requires specialist support in relation to their mental health. However, there have been significant delays in setting up therapy to meet their needs. The registered manager stated that these delays have been caused by discussions about funding agreements with the placing authority and COVID-19 restrictions. However, staff and managers have failed to challenge or escalate their concerns with the relevant professionals. As a result, the child is yet to receive the specialist support recommended by health professionals.

Overall, staff administer children's medication effectively. Following a recent error, managers have ensured that additional training has been undertaken by the staff team. However, staff have reported concerns with the recording process for medication and feel the system in place could lead to further errors. This has not been identified or explored further by managers.

Children make some progress with their education and staff support important transitions for children well. For example, one child was supported by his keyworker to attend a taster day at his new school in preparation for the new academic year. In contrast, external professionals have raised concerns with some levels of support provided by staff for children's education. For example, one professional commented that one child's inconsistent school attendance was a concern and that staff needed to improve communication with partner agencies. Another professional stated that 'Staff have been late collecting [the child] from school and they have been

uncontactable when there were health concerns at school.' These shortfalls have the potential to impact on children's progress.

Children share positive relationships with staff. One child was observed by the inspector telling a member of staff that he loved her. Furthermore, children are encouraged by staff to use their manners and show respect for one another. This means that children feel valued and develop important life skills.

Staff manage children's transitions into the home well. One child has moved in recently. The move was well planned, and she was given the opportunity to visit and stay overnight before moving in. This planning means that children feel welcomed and settle quickly in the home.

Children are provided with regular opportunities to see their family and friends. For example, one child is supported to travel out of the area to see loved ones independently. In addition, staff support other children to visit who are important to them. This support helps children to maintain positive relationships and enhances their well-being.

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

Managers and staff have failed to consistently implement the home's policy for safeguarding children from abuse. Significant safeguarding concerns are poorly recorded, insufficiently assessed and are not communicated to the relevant people. For example, the registered manager failed to share details of an allegation made by a child against an adult working in the home, with senior leaders. Also, he did not ensure that an internal investigation into this took place. This leaves children at risk and does not protect their welfare.

The staff team's approach to safeguarding children at risk of going missing from home is inadequate. On occasions, staff have failed to adequately supervise and monitor children in the home. Consequently, this has led to children going missing without staff being aware. Furthermore, staff do not always respond appropriately when children go missing from the home. On one occasion, when a child was missing, a room search of the child's bedroom was not carried out until the following day. In addition, staff did not take action to search for the child or follow up on intelligence shared by external partners as to the child's whereabouts. This means that staff did not take sufficient action to support the child to return to the home safely, resulting in the child being left at risk of harm.

Staff and leaders do not consistently challenge the relevant professionals to ensure that they obtain the outcome of a child's return home interview following a missing-from-home incident. This means that important intelligence to safeguard children is missed.

Staff fail to safeguard children at risk of criminal and sexual exploitation effectively. During one incident, when a child was missing from the home, staff searched for the child and were able to locate him. However, he refused to return to the home, and

staff made the decision to leave him with an individual who potentially placed him at risk of harm. This is a further example of staff failing to take effective action in relation to a serious concern about a child's welfare.

Children's risk assessments do not provide staff with clear guidance on how to keep children safe. For example, one child's missing-from-home plan does not specify when staff should report him missing to the police. It also fails to provide staff with information on what actions to take if he is missing from the home. This has the potential to compromise children's safety.

Staff do not consistently follow protocols to keep children safe. For example, following an incident requiring physical intervention with a child, staff failed to record or report the incident to managers. Leaders were made aware of the incident one week later. Following a review of the incident, managers failed to assess the effectiveness of the measure used. Furthermore, it was concluded that staff's poor planning had contributed to the incident and that it could have been avoided. These inadequacies leave children vulnerable and at risk of harm.

Staff do not always fully understand or explore risks to children. Furthermore, they do not use professional curiosity to keep children safe. For example, during the inspection, one child at risk of exploitation was transported by staff to meet a friend in the community. However, staff were unaware of the child's friend and did not carry out any checks on this person to assure themselves that the child was safe. Another child is allowed to use the internet unsupervised in her bedroom. This child's risk assessment stated that important internet safety training was to be undertaken before they were allowed access to the internet. However, the manager was unable to provide any evidence that the child had completed this course. Consequently, children are not effectively safeguarded and are exposed to the risk of harm.

Leaders have reviewed the home's location risk assessment. When completing the assessment, the views of key professionals have been considered and local crime statistics are clearly recorded. However, the risks from the local area, including child exploitation concerns, have not been sufficiently assessed. Therefore, the assessment of risks to children from the local area has not been fully conducted.

The effectiveness of leaders and managers: inadequate

Since the last inspection, the registered manager has been subject to an internal investigation into his safeguarding practice and has been absent from the home for some of the time. As a result, two managers from the company have provided leadership support to the staff. The registered manager returned to work, before this inspection, but the investigation into his practice remains ongoing.

Leaders and managers have failed to ensure that allegations made about staff by children are responded to promptly. The registered manager failed to take any action in response to an allegation of physical abuse by a member of staff, made by a child. He did not speak to staff or the child and no records of the incident were

reviewed. Even when the concern was shared with the registered manager through the company's whistleblowing procedure, he failed to take any action in response to the allegation of abuse. Such poor leadership and management and the failure to follow safeguarding procedures leaves children at risk of harm.

Leaders do not ensure that actions identified as part of child protection investigations are followed up. For example, specific training about recording and reporting was identified as urgent training to be completed by all staff working at the home. However, four staff have failed to complete the training. Furthermore, an external professional had requested that physical restraint practice with children was reviewed with staff at a team meeting. The registered manager was unable to provide evidence that this had taken place. This means that staff are not receiving training to equip them to care for children safely and competently.

Management oversight in the home is inadequate. Monitoring and review systems are ineffective and shortfalls in the recording and reporting of significant incidents have not been identified or addressed by leaders and managers. This means that important information is missed, and systems are not in place for children to be sufficiently protected from harm.

An independent person has recently returned to visiting the home every month. On occasions, the reports produced have identified a small number of recommendations for the registered manager to implement. However, they fail to consistently offer adequate challenge or drive improvement. Consequently, the external monitoring systems do not improve the quality of care for children.

Significant incidents, such as allegations made by children, have not been reported to Ofsted. A failure to share information with all relevant people compromises the safety and welfare of children. Furthermore, the regulator is unable to carry out its monitoring function to ensure that appropriate action is taken by the provider to safeguard children. This demonstrates that leaders do not understand their roles and responsibilities in relation to safeguarding children.

At the last inspection, the home received five requirements and one recommendation. Managers have failed to demonstrate that they have met four of these requirements and the one recommendation.

An up-to-date copy of the home's statement of purpose has not been submitted to Ofsted. This means that the regulator is not provided with accurate information about the home.

Senior leaders in the organisation have recently become more involved in the day-to-day running of the home. Some action has been taken to safeguard children and challenge poor practice. For example, the registered manager is receiving weekly supervision support from the responsible individual. However, it is too early to measure the impact of this.

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

Statutory requirements

This section sets out the actions that the registered person(s) 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(s) must comply within the given timescales.

Requirement	Due date
In meeting the quality standards, the registered person must, and must ensure that staff— if the registered person considers, or staff consider, a placing authority's or a relevant person's performance or response to be inadequate in relation to their role, challenge the placing authority or the relevant person to seek to ensure that each child's needs are met in accordance with the child's relevant plans. (Regulation 5 (c)) This relates to the registered manager escalating concerns to the police and local authority to ensure that there is a joined-up approach when a child is missing from home. This also relates to effective communication with the professionals in children's lives and the need to raise concerns when a child is not receiving recommended specialist support.	30 August 2021
*The protection of children standard is that children are protected from harm and enabled to keep themselves safe. In particular, the standard in paragraph (1) requires the registered person to ensure — that staff— 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; have the skills to identify and act upon signs that a child is at risk of harm; understand the roles and responsibilities in relation to protecting children that are assigned to them by the registered person;	30 August 2021

take effective action whenever there is a serious concern about a child's welfare. Regulation 12 (1) (2)(a)(i)(iii)(v)(vi)) This relates to the registered manager's assessment of risk for children. Staff must understand their responsibilities in safeguarding children and take action to ensure that children are safe and their welfare is promoted. Furthermore, leaders and managers must ensure that action is taken in relation to allegations of abuse against members of staff and with regards to poor staff practice, in line with the companies safeguarding policy and wider safeguarding practice.	
The protection of children standard is that children are protected from harm and enabled to keep themselves safe. In particular, the standard in paragraph (1) requires the registered person to ensure— that staff— help each child to understand how to keep safe. (Regulation 12 (1) (2)(a)(ii)) In particular, managers and staff must understand and carry out their roles in keeping children safe, particularly with regards to risks of self-harm, child exploitation and internet safety. This requirement was made at the last monitoring visit and is restated.	30 August 2021
The protection of children standard is that children are protected from harm and enabled to keep themselves safe. In particular, the standard in paragraph (1) requires the registered person to ensure— that staff— are familiar with, and act in accordance with, the home's child protection policies: that the effectiveness of the home's child protection policies is monitored regularly. (Regulation 12 (1) (2)(a)(vii) (e))	30 August 2021

In particular, managers and staff must record and report on incidents when a child makes an allegation of abuse in the home. They must act to safeguard the children's welfare and understand their roles in relation to this duty.	
*The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children's home that— helps children aspire to fulfil their potential; and promotes their welfare. In particular, the standard in paragraph (1) requires the registered person to— 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; use monitoring and review systems to make continuous improvements in the quality of care provided in the home. (Regulation 13 (1)(a)(b) (2)(a)(h)) This relates to the manager's responsibility for safeguarding children and ensuring that the home's child protection and safeguarding policies are followed in the home. Managers must also have clear monitoring and review systems in place to improve practice and understand children's progress. This requirement was made at the last monitoring visit and is restated.	30 August 2021
The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children's home that— helps children aspire to fulfil their potential; and promotes their welfare. In particular, the standard in paragraph (1) requires the registered person to— ensure that staff work as a team where appropriate; ensure that staff have the experience, qualifications and	30 August 2021

skills to meet the needs of each child. (Regulation 13 (1)(a)(b) (2)(b)(c)) In particular, ensure that the staff work as a team and that they provide consistent and continuous care to children. Managers must ensure that staff complete specific training, suitable to the needs of the home. This requirement was made at the last monitoring visit and is restated.	
The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the children's home that— helps children aspire to fulfil their potential; and promotes their welfare. In particular, the standard in paragraph (1) requires the registered person to— understand the impact that the quality of care provided in the home is having on the progress and experiences of each child and use this understanding to inform the development of the quality of care provided in the home; (Regulation 13 (1)(a)(b) (2)(f)) Managers must also have clear systems in place to understand and improve children's experiences and the quality of care they receive. This requirement was made at the last monitoring visit and is restated.	30 August 2021
The registered person must compile in relation to the children's home a statement ("the statement of purpose") which covers the matters listed in Schedule 1. The registered person must— notify HMCI of any revisions and send HMCI a copy of the revised statement within 28 days of the revision. (Regulation 16 (1) (3)(b)) In particular, managers must review and submit an up-to-date copy of the home's statement of purpose to Ofsted within 28 days of the revision.	30 August 2021

A person may only manage a children's home if— having regard to the size of the home, its statement of purpose, and the number and needs (including any needs arising from any disability) of the children— the person has the appropriate experience, qualification and skills to manage the home effectively and lead the care of children. (Regulation 28 (1)(b)(i)) This specifically relates to the skills of the registered manager in relation to providing care that safeguards children in the home.	30 August 2021
The registered person must operate a disciplinary procedure which, in particular— provides for the suspension from work of an employee if necessary in the interests of the safety or welfare of children; and provides that the failure on the part of an employee to report an incident of abuse, or suspected abuse, whether past or present, in relation to a child to the appropriate person is a ground on which disciplinary proceedings may be instituted. (Regulation 33 (2)(a)(b)) In particular, managers must ensure that appropriate action is considered and taken with staff when they have failed to report an incident of abuse in relation to a child.	30 August 2021
The registered person must prepare and implement a policy ("the behaviour management policy") which sets out— how appropriate behaviour is to be promoted in the children's home; and the measures of control, discipline and restraint which may be used in relation to children in the home. The registered person must ensure that— within 24 hours of the use of a measure of control, discipline or restraint in relation to a child in the home, a record is made which includes— the name of the child;	30 August 2021

details of the child's behaviour leading to the use of the measure; the date, time and location of the use of the measure; a description of the measure and its duration; details of any methods used or steps taken to avoid the need to use the measure; the name of the person who used the measure ("the user"), and of any other person present when the measure was used; the effectiveness and any consequences of the use of the measure; and a description of any injury to the child or any other person, and any medical treatment administered, as a result of the measure; within 48 hours of the use of the measure, the registered person, or a person who is authorised by the registered person to do so ("the authorised person")— has spoken to the user about the measure; and has signed the record to confirm it is accurate; and within 5 days of the use of the measure, the registered person or the authorised person adds to the record confirmation that they have spoken to the child about the measure. (Regulation 35 (1)(a)(b) (3)(a)(i)(ii)(iii)(iv)(v)(vi)(vii)(viii)(b)(i)(ii)(c)) This specifically relates to the recording and reporting of a physical restraint with a child within the required timescales. In particular, managers must ensure that the effectiveness of the measure used is evaluated and recorded. This requirement was made at the last monitoring visit and is restated.	
The registered person must notify HMCI and each other relevant person without delay if— there is an allegation of abuse against the home or a person	30 August 2021

working there; there is any other incident relating to a child which the registered person considers to be serious. (Regulation 40 (4)(c)(e)) In particular, managers must ensure that notifications of significant incidents are made to the regulator accurately and in a timely manner. This requirement was made at the last monitoring visit and is restated.	
The registered person must ensure that an independent person visits the children's home at least once each month. The independent person's report may recommend actions that the registered person may take in relation to the home and timescales within which the registered person must consider whether or not to take those actions. (Regulation 44 (1) (5)) In particular, the independent person's report must provide actions that the registered person may take to improve the quality of care received by children in the home.	30 August 2021
The registered person must review the appropriateness and suitability of the location of the premises used for the purposes of the children's home at least once in each calendar year taking into account the requirement in regulation 12(2)(c) (the protection of children standard). (Regulation 46 (1)) This specifically relates to the home's location risk assessment and the need for the registered manager to review, update and include all risks to children based on the environment and the home's location.	30 August 2021

* These requirements are subject to a compliance notice.

Recommendation

- The registered person should ensure that staff take good care to ensure prescribed medicines are only administered to the individual for whom they are prescribed. Medicines must be administered in line with a medically approved protocol. Records must be kept of the administration of all medication, which

includes occasions when prescribed medication is refused. Regulation 23 requires the registered person to ensure that they make suitable arrangements to manage, administer and dispose of any medication. These are fundamentally the same sorts of arrangements as a good parent would make but are subject to additional safeguards. Where the home has questions or concerns about a child's medication, they should approach an expert such as a General Medical Practitioner, community pharmacist or designated nurse for children looked after. ('Guide to the children's homes regulations including the quality standards', page 35, paragraph 7.15)

Information about this inspection

Inspectors have looked closely at the experiences and progress of children and young people, 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: 2484180

Provision sub-type: Children's home

Registered provider: Bryn Melyn Care Limited

Registered provider address: Atria, Spa Road, Bolton BL1 4AG

Responsible individual: Neil Hedges

Registered manager: John Price

Inspector

Dean Wilton, Social Care Inspector

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