

SC036584

Registered provider: Walsall Metropolitan Borough Council

Full inspection

Inspected under the social care common inspection framework

Information about this children's home

The home is owned by Walsall local authority. The home is registered to provide care for up to four children up to the age of 17. Children are likely to have emotional and behavioural needs and may be trauma experienced.

The registered manager has been the manager of this home since 2019.

Due to COVID-19, at the request of the Secretary of State, we suspended all routine inspections of social care providers carried out under the social care common inspection framework (SCCIF) on 17 March 2020. We returned to routine SCCIF inspections on 12 April 2021.

We last visited this setting on 18 March 2021 to carry out a monitoring visit. The report is published on the Ofsted website.

Inspection dates: 15 and 16 March 2022

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: 23 January 2020

Overall judgement at last inspection: good

Enforcement action since last inspection: none

Recent inspection history

Inspection date	Inspection type	Inspection judgement
23/01/2020	Full	Good
20/11/2018	Full	Good
18/01/2018	Full	Good
10/03/2017	Interim	Sustained effectiveness

Inspection judgements

Overall experiences and progress of children and young people: inadequate

During this inspection, inspectors identified serious safeguarding failings resulting in children being placed at risk of harm. In response, Ofsted has issued a notice restricting accommodation at the home. In addition, two compliance notices are issued, under regulation 12 and regulation 13.

Leadership and management and safeguarding arrangements in the home are inadequate. Consequently, this has had a negative impact on the overall experiences and progress of some children.

There are currently three children living in the home. Two children who had lived in the home for several years moved out at the beginning of 2021. Four children have since moved into the home. Two of these children then moved out in an unplanned way due to the staff team being unable to ensure that children were safe. Another child is due to move out of the home in the next month.

Managers fail to consider children's needs before they move in and how they may impact on other children already living at the home. For example, two children moved into the home one week apart from each other. The impact of this on one of the children who had complex needs was not considered by the registered manager. Since this point, some children have been involved in serious safeguarding incidents together in the home which have put them at risk of harm. This has caused distress to the other children in the home. Children have also made formal complaints about the impact of other children on their well-being. This impacts on the progress children are able to make.

The home environment lacks a homely atmosphere. Carpets are stained in places, damage to sofas has not been promptly repaired. One child's bedroom had vertical blinds which do not offer sufficient privacy. The communal areas of the home lack personalisation. This does not send a message to children that they are valued and well cared for.

The approach to children's care when they are distressed has been punitive on a number of occasions. This has led to unnecessary restraints happening in the home. Staff described to inspectors the care in the home as feeling like 'firefighting'. Staff and the registered manager told the inspectors that they do not feel they have enough staff to safely care for the children in the home.

Some children are not consistently accessing education. The registered manager and staff team have worked well with other professionals to try different ways of engaging children in their education. Staff were observed by inspectors supporting children with their learning at home. This supports children to overcome difficulties to access education.

Despite the shortfalls identified, there are some areas of positive and good practice. For example, inspectors observed some warm and nurturing care being provided to children. Some staff demonstrated they know the children well, care for them and value them. In addition, some staff have regular conversations with children about important aspects of their life and care they receive. Most children engage well with this which demonstrates there are some positive relationships between some staff and children.

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

Staff do not keep children safe in safeguarding incidents. In one incident, when a child took the car keys and drove away in the home's car, staff failed to call the police or emergency services. The staff team did not work together or act promptly when opportunities arose to keep the child safe. The registered manager did not investigate these shortfalls in staff practice to reduce the risk of it happening again. This could have resulted in life-threatening injuries to the child or members of the public.

Staff do not keep children safe when they go missing from home. For example, when children have gone missing, staff do not follow, look for them or call them or their friends and families. Staff consistently fail to follow risk management plans. This leaves children at risk of harm.

Leaders and managers and staff fail to follow safeguarding procedures. In one incident, one member of staff witnessed another member of staff potentially physically harming a child. However, staff did not take immediate action to protect the child. Furthermore, there was a delay in reporting this to the registered manager, who then failed to report this promptly to safeguarding professionals. Recently, another child has made an allegation of harm and managers have failed to report this to the designated officer as required. This leaves children at risk of being harmed further.

Staff do not always care for children in a nurturing and positive way. Restraints that take place are not always necessary and proportionate. This has led to increasing numbers of restraints for one child, which have significantly impacted on their well-being and progress. Children's access to parts of the home has also been wrongfully restricted as a behaviour management strategy. This impacts on children's abilities to feel safe in the home.

Records of serious incidents are often illegible and do not include basic information about what has occurred. This impedes leaders and managers' ability to fully understand if children are safe in the home. Furthermore, the registered manager has failed to address poor recording.

The effectiveness of leaders and managers: inadequate

The registered manager has worked in this home for the last two years. The registered manager describes this time as being a turbulent period. This is due to

staff shortages in the last five months, COVID-related sickness and the complex needs of children who have arrived at the home over the last year.

Leaders and managers' oversight of the care of children is inadequate. A system to review significant incidents fails to demonstrate how managers use this information to review and analyse care provided to children. This means the registered manager does not understand how the care offered to children enables them to make progress.

Leaders and managers do not take action to address the poor care children receive and the experiences they have. For example, when staff have failed to safeguard children or follow statutory safeguarding procedures, the managers do not act quickly to address this. This inadequate leadership has an impact on the safety of children and the provision of care.

When there are shortfalls in the responses of other professionals, the registered manager does not challenge this, to ensure good care for children. For example, the registered manager failed to challenge poor advice from another professional which failed to protect a child. Consequently, due to this weak leadership, children are not protected sufficiently from harm.

Staff do not receive the training required to meet children's complex needs. For example, not all staff have training in mental health, positive behaviour management and attachment. The registered manager told inspectors that she felt that staff lacked skills in supporting children positively with their behavioural needs. However, this has not been addressed through further training of the staff team. In one team meeting, the registered manager actively encouraged a punitive approach to children's care.

Leaders and managers do not safely recruit staff. Senior leaders do not check gaps in employment, some references have not been verified, and when there is a mismatch in staff employment dates this is not checked by managers. This has the potential to leave children being cared for by adults who pose a risk of harm to them.

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
The quality and purpose of care standard is that children receive care from staff who— understand the children's home's overall aims and the outcomes it seeks to achieve for children; use this understanding to deliver care that meets children's needs and supports them to fulfil their potential. In particular, the standard in paragraph (1) requires the registered person to— ensure that the premises used for the purposes of the home are designed and furnished so as to— meet the needs of each child; enable each child to participate in the daily life of the home. (Regulation 6 (1)(a)(b) (2)(c)(i)(ii)) This specifically relates to the registered person ensuring that the home environment is clean and homely, that damaged furniture is removed and that children have curtains in their bedrooms.	10 April 2022
In meeting the quality standards, the registered person must, and must ensure that staff— seek to involve each child's placing authority effectively in the child's care, in accordance with the child's relevant plans; seek to secure the input and services required to meet each child's needs; 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	10 April 2022

child's needs are met in accordance with the child's relevant plans. (Regulation 5(a)(b)(c)) This specifically relates to the registered person ensuring that they pursue matters with placing authorities or other agencies when children's care requires an urgent review or additional support to keep them safe.	
The positive relationships standard is that children are helped to develop, and to benefit from, relationships based on— mutual respect and trust; an understanding about acceptable behaviour; and positive responses to other children and adults. In particular, the standard in paragraph (1) requires the registered person to ensure— that staff— meet each child's behavioural and emotional needs, as set out in the child's relevant plans; encourage each child to take responsibility for the child's behaviour, in accordance with the child's age and understanding; understand how children's previous experiences and present emotions can be communicated through behaviour and have the competence and skills to interpret these and develop positive relationships with children. (Regulation 11 (1)(a)(b)(c) (2)(a)(i)(iii)(ix)) The registered person must ensure that staff have an understanding of children's past traumatic experiences and any additional needs they may have, and that this understanding is used to support children with their behaviour in a nurturing and non-punitive way.	10 April 2022
*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—	10 April 2022

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; manage relationships between children to prevent them from harming each other; understand the roles and responsibilities in relation to protecting children that are assigned to them by the registered person; take effective action whenever there is a serious concern about a child’s welfare; and that the home’s day-to-day care is arranged and delivered so as to keep each child safe and to protect each child effectively from harm. (Regulation 12 (1) (2)(a)(i)(iii)(iv)(v)(vi)(b)) This specifically relates to the registered person ensuring that staff act in line with risk management plans to keep children safe and that they follow safeguarding procedures. It also relates to ensuring that staff plan the care of children to keep them safe and review any known risks and how these are managed.	
*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;	10 April 2022

ensure that staff work as a team where appropriate; ensure that staff have the experience, qualifications and skills to meet the needs of each child; ensure that the home has sufficient staff to provide care for each child; ensure that the home's workforce provides continuity of care to each child. 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)(a)(b)(c)(d)(e)(f)) This specifically relates to the registered manager ensuring that staff are trained and skilled to meet the needs of children. It also relates to ensuring that staff receive regular supervision in line with the home's policies. Also, to ensuring that there are sufficient staff to care for children and that staff work as a team to co-ordinate the care. Also, to ensuring the registered manager has effective oversight and monitoring of the quality of care.	
The care planning standard is that children— receive effectively planned care in or through the children's home; and have a positive experience of arriving at or moving on from the home. In particular, the standard in paragraph (1) requires the registered person to ensure— that children are admitted to the home only if their needs are within the range of needs of children for whom it is intended that the home is to provide care and accommodation, as set out in the home's statement of purpose. (Regulation 14 (1)(a)(b) (2)(a))	10 April 2022

This specifically relates to the registered person ensuring that when children move in or out of the home this is carefully planned, and all children's needs are considered when matching them.	
The registered person must ensure that— any limitation placed on a child's privacy or access to any area of the home's premises— is necessary and proportionate. (Regulation 21 (c)(ii)) This specifically relates to the registered person ensuring that children have access to all areas of the home. Any limitations on this should be to safeguard children's immediate welfare and only used as a last resort.	10 April 2022
The registered person must recruit staff using recruitment procedures that are designed to ensure children's safety. The registered person may only— employ an individual to work at the children's home; or 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). The requirements are that— the individual is of integrity and good character; the individual has the appropriate experience, qualification and skills for the work that the individual is to perform; the individual is mentally and physically fit for the purposes of the work that the individual is to perform; and full and satisfactory information is available in relation to the individual in respect of each of the matters in Schedule 2. (Regulation 32 (1) (2)(a)(b) (3)(a)(b)(c)(d))	10 April 2022
The registered person must ensure that—	10 April 2022

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;

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 (3) (a)(i)(ii)(iii)(iv)(v)(vi)(vii)(viii)(b)(i)(ii)(c))

This specifically relates to the registered person ensuring that someone independent of the restraint completes the debrief with children and staff members involved afterwards, that debriefs are completed with staff after restraints and that these are recorded.

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 registered person ensuring that the location risk assessment fully considers the risks that may be posed in the local community.	10 April 2022
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*These requirements are subject to a compliance notice.

Recommendation

- The registered person should have a workforce plan which can fulfil the workforce related requirements of regulation 16, schedule 1 (paragraphs 19 and 20) The plan should: detail the necessary management and staffing structure, (including any staff commissioned to provide health and education), the experience and qualifications of staff currently working within the staffing structure and any further training required for those staff, to enable the delivery of the homes Statement of Purpose; detail the processes and agreed timescales for staff to achieve induction, probation and any core training (such as safeguarding, health and safety and mandatory qualifications); detail the process for managing and improving poor performance; detail the process and timescales for supervision of practice (see regulation 33 (4) (b)) and keep appropriate records for staff in the home. ('Guide to the Children's Homes Regulations including the quality standards', paragraph 10.8, page 53).

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: SC036584

Provision sub-type: Children's home

Registered provider: Walsall Metropolitan Borough Council

Registered provider address: Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall WS1 1TP

Responsible individual: Jivan Sembi

Registered manager: Michaela Adamson

Inspectors

Fiona Roche, Social Care Inspector
Nicola Lownds, Regulatory Inspection Manager

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