

SC037588

Registered provider: Portsmouth City Council

Full inspection

Inspected under the social care common inspection framework

Information about this children's home

In accordance with the home's statement of purpose, the home provides a short-break service for up to six children with learning and/or physical disabilities. The home is owned and managed by the city council. The short-break service operates from Tuesdays to Sundays.

This home does not have a registered manager. The post has been vacant since 23 June 2022.

Inspection dates: 16 and 17 November 2022

Overall experiences and progress of children and young people, taking into account	inadequate
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How well children and young people are helped and protected	inadequate
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The effectiveness of leaders and managers	inadequate
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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: 26 January 2022

Overall judgement at last inspection: good

Enforcement action since last inspection: none

Recent inspection history

Inspection date	Inspection type	Inspection judgement
26/01/2022	Full	Good
11/03/2020	Full	Outstanding
14/02/2019	Full	Good
20/09/2017	Full	Good

Inspection judgements

Overall experiences and progress of children and young people: inadequate

Serious and widespread failures of senior leaders to provide safe care have left highly vulnerable children exposed to the risk of harm. Leaders and managers' responses to serious incidents are ineffective and poor practice goes unchallenged. Following this inspection, an emergency suspension notice was served on the provider.

The manager witnessed a child in distress being held and did not take appropriate action following the incident. The manager failed to get an account of what had happened from the staff involved, including other members of staff that had also witnessed the incident. The manager's failure to respond adequately to this safeguarding incident left the child unprotected.

The manager continued to fail to act when more information was known about the extent of the physical restraint and serious safeguarding concerns about the staff member's practice. The member of staff was then able to work during the weekend without any adequate safety measures being put in place.

Records of other incidents do not demonstrate that children have been spoken to following the incidents or their comments recorded. This does not give children the opportunity to express their views and feelings.

During an incident, another child had an object thrown at his head. No incident report was completed. Consequently, there was no assessment of the child's injury and whether medical assistance was required. The manager was unable to evidence what arrangements were put in place to monitor the child following the incident.

One child's care during their short-break stay is provided by external carers. These arrangements are not captured in the child's care plan or risk assessments. Staff are not given the necessary guidance regarding the expectations around the child's care and their role in providing support.

There was a hole in the wall and a hole in the ceiling in a child's bedroom that have not been addressed. Another bedroom has a mobile hoist stored in the room. Items which are no longer used are left out in full view in a communal room while children are present. This is despite the manager stating that they are moved prior to children coming to stay. Concerns about the environment were noted at the last inspection and there has been an ongoing failure to ensure that the home environment is maintained to an acceptable standard.

At the time of the inspection, the children receiving a short break were observed to enjoy their time at the home. The staff were responsive to the children's needs and allowed them the freedom to join in with activities or relax in their bedrooms.

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

There is an ongoing police investigation in relation to the actions of members of staff. Senior managers, while aware of concerns around staff practice, have failed to take appropriate action to ensure that children are not at risk of harm.

An inappropriate restraint was carried out by a member of staff while a child was distressed, despite the child's risk assessment stating that restraint is an 'inappropriate' measure to use. Other members of staff who observed the incident did not intervene, despite seeing that the intervention used was potentially harmful and not in line with the child's care plan.

The child was placed away from her communication methods, contrary to her care plan. Further mistreatment of this child took place, with food being withheld from her, despite her indicating to staff that she was hungry.

The manager failed to obtain accurate accounts from the staff involved in the incidents and only asked for witness accounts when directed to do so by an external professional. This meant that leaders and managers were not given the full account to make decisions to safeguard the children over the weekend. One of the members of staff involved in the incident was a senior member of staff who was also leading the team at the weekend.

A staff member who witnessed the incident and failed to intervene was asked to report any concerns. There was no evidence that the manager had explored the reasons for her not intervening to prevent harm to the child, or the delay in reporting the incident. This does not demonstrate safe practice.

Another physical intervention record and an incident form were reviewed by the inspectors. They were found to be poorly recorded and did not include an accurate description of the duration of the incident. Both reports had limited information about measures taken to prevent the need for an intervention to take place. The manager was not informed until four days after the physical intervention. There was no record of the child's views or manager's comments in either report. The manager has not ensured that the children were safeguarded, that any learning is addressed, and action swiftly taken. Furthermore, leaders and managers have not made satisfactory arrangements to review incidents in the manager's absence.

The fire risk assessment records do not evidence when recommendations to improve fire safety have been addressed. The manager has not reviewed the fire risk assessment to satisfy herself that all actions have been taken. The manager's lack of understanding relating to the importance of fire safety is a concern.

The effectiveness of leaders and managers: inadequate

There are serious failures in the safeguarding of children in this home.

The manager still did not take decisive action when additional information regarding the incident on 2 November became known. Consequently, members of staff directly involved in the incident continued to work with children until 6 November 2022.

Managers failed to notify Ofsted of the incident on 2 November 2022 until 9 November 2022. The information shared with Ofsted gave minimal detail and did not reflect the full severity of the incident. At a meeting held with Ofsted on 11 November 2022, with managers did not enable Ofsted to have a full understanding of the incident. As a result, the regulator was prevented from making an informed evaluation about the safety and welfare of children and the leaders and managers' responses to these concerns.

The manager's failure to report the additional information, obtain timely and detailed accounts of the incidents and act to safeguard children has not been investigated. There are serious failures in the oversight of the leadership of the home. There is insufficient managerial oversight to identify and address these shortfalls.

The manager has been in post since 15 July 2022. However, leaders and managers have failed to ensure that the manager has applied to register with Ofsted. The recruitment arrangements have not ensured that the manager meets the requirements to be a registered manager of the home.

The manager was not trained in the home's physical intervention method until 15 November 2022. This delay in providing the necessary training has compromised her ability to evaluate and analyse incidents.

Waking night staff have also not received physical intervention refresher training.

Staff are not supervised regularly in line with the home's supervision policy. The staff supervision files reviewed demonstrate that one member of staff has received one supervision since the last inspection, and another member of staff had received an appraisal but no supervision. The manager was unable to gain access to records for other members of staff. The lack of regular supervision was identified as a requirement at the last inspection.

One new member of staff has no recent direct experience of working with children in a short breaks setting. Despite their lack of experience, the member of staff has not received a formal induction. It is of serious concern that an inexperienced member of staff has not received formal management guidance, monitoring and support.

The manager has not carried out all required recruitment checks in line with Schedule 2 regarding a child who is cared for by community nurses. The community nurses' names are not recorded in the diary sheets, and this potentially undermines any investigation should any safeguarding or care concern emerge.

The manager's responsibility in respect of training, supervision and monitoring the staff has not been clarified. This lack of accountability puts the staff and children at risk.

Leaders and managers have failed to take effective action to rectify shortfalls following the last inspection.

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 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; take effective action whenever there is a serious concern about a child's welfare; and are familiar with, and act in accordance with, the home's child protection policies; that the premises used for the purposes of the home are designed, furnished and maintained so as to protect each child from avoidable hazards to the child's health. (Regulation 12 (1) (2)(a)(i)(iii)(v)(vi)(vii)(d))	8 January 2023
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.	8 January 2023

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; ensure that staff work as a team where appropriate; 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; 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)(b)(f)(h))	
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 each child’s relevant plans are followed. (Regulation 14 (1)(a)(b) (2)(c)) In particular, the registered manager must ensure that the children’s care plans and risk assessments are fully understood and followed, and that they are up to date and reflect the plans agreed by the child’s placing authority, families/carers, health providers and education providers.	8 January 2023
No measure of control or discipline which is excessive, unreasonable or contrary to paragraph (2) may be used in relation to any child. The following measures may not be used to discipline any child— any punishment involving the consumption or deprivation of food or drink;	8 January 2023

withholding any aids or equipment needed by a disabled child. (Regulation 19 (1) (2)(b)(h))	
Restraint in relation to a child is only permitted for the purpose of preventing— injury to any person (including the child); serious damage to the property of any person (including the child); or a child who is accommodated in a secure children's home from absconding from the home. Restraint in relation to a child must be necessary and proportionate. (Regulation 20 (1)(a)(b)(c) (2))	8 January 2023
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))	8 January 2023
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;	8 January 2023

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)) In particular, the registered manager should have full access to and oversight of all recruitment checks for staff and all people working at the home, and that they are recruited in line with Schedule two, and records are available in one place.	
The registered person must ensure that all employees— undertake appropriate continuing professional development; receive practice-related supervision by a person with appropriate experience; and have their performance and fitness to perform their roles appraised at least once every year. (Regulation 33 (4)(a)(b))	8 January 2023
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; 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	8 January 2023

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)(iv))	
The registered person must notify HMCI and each other relevant person without delay if— an incident requiring police involvement occurs in relation to a child which the registered person considers to be serious; there is an allegation of abuse against the home or a person working there; a child protection enquiry involving a child— is instigated; or concludes (in which case, the notification must include the outcome of the child protection enquiry); or there is any other incident relating to a child which the registered person considers to be serious. (Regulation 40 (4)(b)(c)(d)(i)(ii))	8 January 2023

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: SC037588

Provision sub-type: Children's home

Registered provider address: Portsmouth City Council, Civic Offices, Guildhall Square, Portsmouth PO1 2EA

Responsible individual: Sam Bushby

Registered manager: Post vacant

Inspector

Suzy Lemmy, Social Care Inspector

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