

Kent County Council

Unregulated & Crisis Placement Compliance Guidance

Strategic Commissioning

Total Placement Service

Corporate Parenting, Integrated Children's Services

This guidance defines what both an unregulated and crisis placement are in relation to Kent County Council's Integrated Children's Services placements. It outlines the process carried out when considering such placements and the risk mitigations in place.

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Placement Types that are Deemed as an Unregulated Placement

Some establishments and types of accommodation are not required to register with Ofsted. These are sometimes known as unregulated settings.

A service where the accommodation is **not permanent**, such as a tent, or is **constantly moving**, such as a boat, narrow boat or a motorised caravan, or has **no permanent base** is unlikely to meet the definition of a children's home and will not be required to register with Ofsted.

Supported accommodation is not Ofsted registered and is therefore deemed as an unregulated setting. Kent County Council (KCC) commissions the following unregulated services:

- Spot purchased Semi-Independent accommodation
- Shared Housing
- Supported Accommodation in a Family Environment (SAiFE)
- Young People Supported Accommodation & Floating Support (YP SAFS)
- Millbank

Where a service is providing **care** for a child who is under 18-years old in a static placement, this service **must** be registered by Ofsted. Failure of the service doing so results in the placement being unregistered and therefore illegal. It is the Council's policy that we do not place our children who require care in an unregistered setting.

Placement types that are Deemed as a Crisis Placement

For the purpose of this guidance, a crisis placement is related to a placement that is available for a child or young person **immediately** for a **set period**.

Crisis placements can be activity-based placements, outward bound placements or placements in a children's home for a **limited time period**.

The duration of a crisis placement will vary and is usually set by the Provider. The duration ranges from 28-90-days.

Unregulated or Unregistered Fact Sheet

Care or support being provided	Placement type	Should this placement be regulated?
Care	+ Mobile placement	= UNREGULATED
Care	+ Static placement	= REGULATED – If the placement is not registered with Ofsted, CIW or CIS then this is an unregistered placement and therefore is illegal.
Support	+ Static placement	= UNREGULATED

Exceptions to the Rules Outlined Above

- If a child or young person is currently in a regulated placement and the provider is taking the child away for a holiday, the placement they go to for the holiday does not need to be registered as their usual main placement is within a regulated placement. This type of arrangement can only be for up-to 28-days.
- Some mobile placements are regulated, this only applies to those that registered with Ofsted prior to May 2017, an example being the provider Care Afloat.

Care + Mobile Placements

Examples of such placements are:

Crisis placements on a barge, powers such as exceptional care offer this.

Crisis placement in a tent, the Council does not use this placement type.

Care + Static Placement

Example of such placements are:

Crisis placements in a home.

Residential short or long-term placements.

Post-16 placements where care is being provided in line with Ofsted appendix 1.

Support + Static Placement

Examples of such placements are:

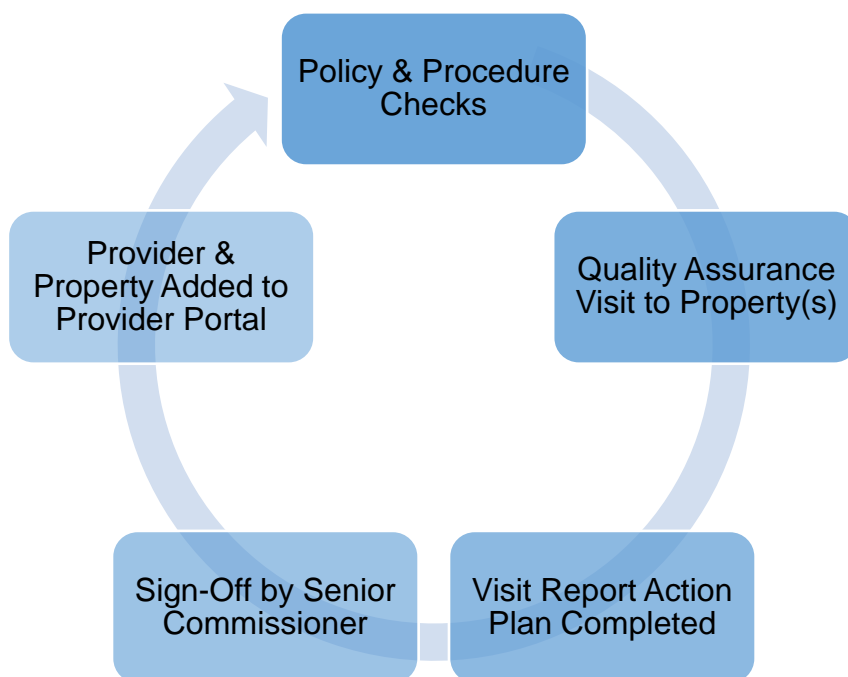
Post-16 placements in a shared house with communal facilities.

Post-16 placements in supported accommodation in a family environment.

Post-16 placements in self-contained flats with floating support.

Post-16 placements in solo occupancy buildings with staff.

Compliance Process before Placement in a New Unregulated Spot-Purchased Provision



Commissioning's Role in Completing New Provider Checks

Before any placements can be made with a supplier of unregulated spot-purchased accommodation the Provider must have completed a Quality Assurance check and authorised by a Senior Commissioner to be placed on the Council's Approved Provider list.

Requests for a new provider to be placed on the Approved Provider List should be forwarded to Commissioning via the following email address:

CICCommissioning@kent.gov.uk

Commissioning will advise the new supplier that the authority will be undertaking a quality assurance check with them which will consist of two elements:

- A desk top evaluation of their policies, procedures, insurances, and DBS checks.
- A visit to the accommodation that the young people will be living in.

Please see Annex One for a full checklist of the Policy & Procedures etc., reviewed by Commissioning.

As part of the desktop exercise, Commissioning will also request documentation relating to the individual properties which will include:

- Landlord Licence Agreement (if applicable)
- Absence Monitoring Record
- Complaints Book
- Gas Safety Certificate
- Fire Log
- Tenants Handbook
- Incident Book
- Medication Recording

Corporate Parenting, Integrated Children Services Role in Completing New Provider Checks

The Quality Assurance (QA) visits to the accommodation are to be completed by a Personal Advisor or Social Worker. During this visit the Personal Advisor or Social Worker will undertake a walk-through check of the property and interview a member of staff supporting the young people.

The Personal Advisor or Social Worker will be required to complete the Unregulated QA Compliance Report (Annex 2). This report will include any actions that the Provider is required to complete. The report will be shared with Commissioning and the Provider.

It will be Commissioning's responsibility to liaise with the Provider to ensure all identified actions in the report have been addressed. Once Commissioning are satisfied that all QA compliance checks, and actions have been met, the Senior Commissioner will authorise and notify the Total Placement Service and the Provider.

Should the Provider fail to carry out the actions set out in the report then Commissioning will report this to the Total Placement Service and implement an embargo on the placement and notify the Provider accordingly.

Total Placement Service Role in Completing New Provider Checks

Once authorisation is received from the Senior Commissioner the Provider's details will be added to the Provider Portal.

Compliance Process for Properties not Inspected as Above

A Social Worker or Personal Advisor will be required to undertake an Unregulated QA Compliance Report (Annex 2) should a property with an existing spot-purchased unregulated provider have not been completed historically by Commissioning. This will also apply to new properties identified by an approved provider.

This QA visits will ideally be needed to be completed prior to the commencement of the placement. Final authorisation for these properties is to be confirmed by the Senior Commissioner.

In the case of a crisis placement then the Social Worker or Personal Advisor will need to undertake a risk assessment of the property where the child or young person is to reside. A Placement Planning Meeting will then need to be held outlining how the needs and any risks to or from the young person will be managed, as well as regular reviews of the placement. This will include who is responsible for any actions and timescales where these are applicable.

Identifying Unregulated Placements

The Total Placement Service's placement search is carried out based upon the referral. The service will exhaust all regulated options in line with the child or young person's Care Plan and the placement plan request prior to considering an unregulated or crisis placement.

Any unregulated or crisis placement offers received will be scrutinised by the Total Placement Service Manager in line with Ofsted guidance as to what is unregulated and to avoid any use of an unregistered service.

Should a Crisis Placement be required (or placement of an under 16-year old) in an unregulated placement it will be the requirement a Personal Advisor or Social Worker to visit the accommodation within 5 days of placement. Outcomes of the visit will be recorded in the Placement Plan including the patterns of activities required. Extra visits to the accommodation will be required to support reviewing of the placement and arrangements. This will include 4 weekly visits by Service Managers and for an IRO to review the placement after 28-days.

Every effort must be taken to identify an alternative appropriate placement.

Placement of a Child Under 16-Years Old in an Unregulated Placement

Exceptionally, should this need to be considered, the Service Manager of the Total Placement Service will provide information on all placement searches and the outcome to the Directors of Integrated Children's Services and the relevant decision-making Assistant Director. The Total Placement Service Manager will also provide details of any unregulated provision that may need to be considered.

Approval for the Placement Sought

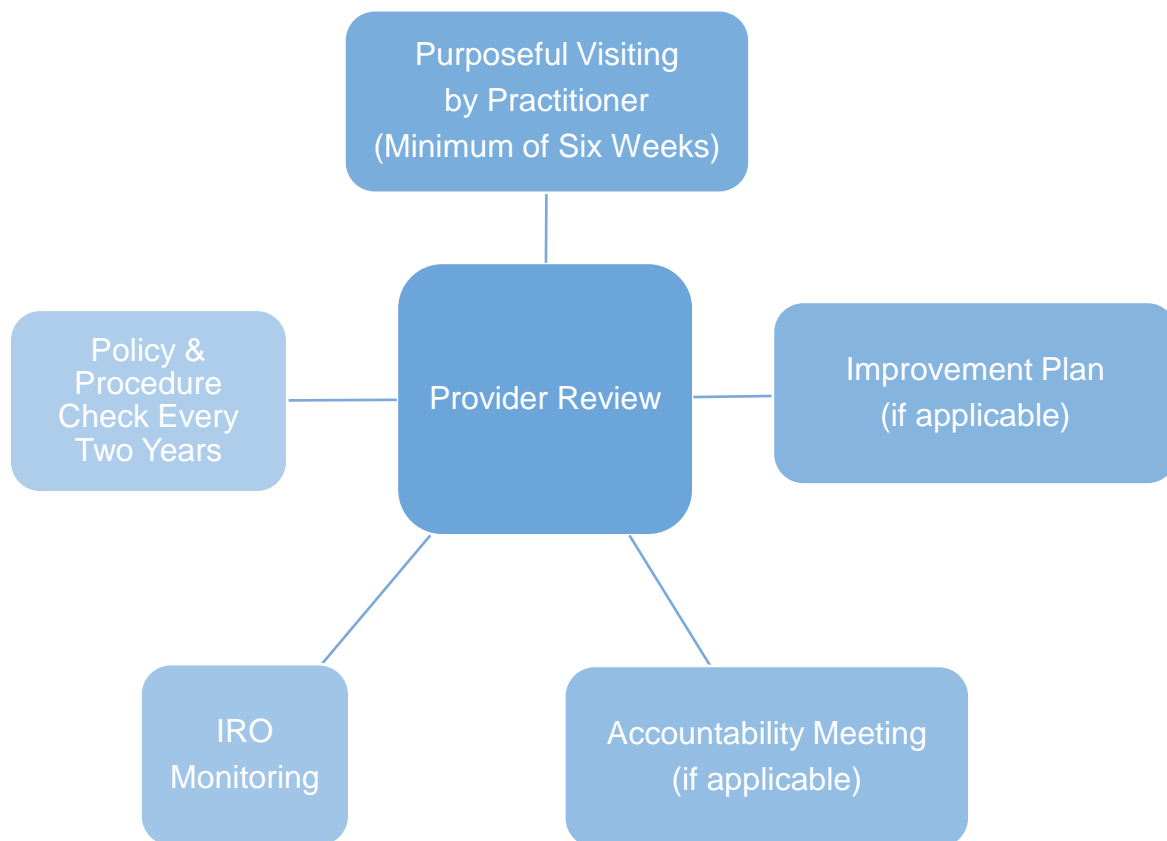
Funding requests are sent to the relevant manager as per the approvals process through the Total Placement Service.

Confirmation of Commissioning policy and procedure checks, endorsements, Quality Assurance Property Visit Reports and Social Worker or Personal Advisor Risk Assessments must be included.

Crisis and Unregulated Placement Data

Management Information Unit (MIU) will provide a weekly report on regulated placements which will be shared with Service Managers and Assistant Directors.

On-Going Review of Unregulated Provision



Purposeful Visiting

The Purposeful Visiting template (please see Annex 3), will need to be completed by the Practitioner at six weekly visits. Dependent on any concerns identified an Improvement Plan would need to be agreed (please see Annex 4) and an Accountability Meeting of the Standards Monitoring flowchart would need to be signed-off.

Contained within existing Liberi LAC review documentation is the requirement for IRO's to comment on the suitability of the home being provided and the child or young person's view on their home. These questions will need to be mandatory and completion monitored.

The review of placements will assist in assessing the quality of unregulated accommodation and the information will be used to prioritise those properties requiring a full quality assurance compliance.

If the visiting Personal Advisor or Social Worker is not satisfied with the day to day support of the child or young person, adherence to the Care/Pathway Plan and agreed outcomes, they should address this directly with the Provider and be clear as to what the issue(s) is, how this should be rectified and the timescales for doing so. They should alert their Team Manager and Service Manager to the concern(s). Where the concern(s) persist undertake the following:

1. Team Manager to address with Provider.
2. If this is unsuccessful the Service Manager to address with the Provider and carryout a visit to the Provider.
3. Service Manager to alert Commissioning and the Total Placement Service to determine next steps.
4. Mandatory visit to the Provider by the Assistant Director, Safeguarding Unit lead, and lead Commissioner to inform decision making.
5. Accountability meeting/plan and recording.
6. Review

If, as a result of the visit, the assessment concludes that the child or young person's welfare is not adequately safeguarded and promoted by the placement the Personal Advisor or Social Worker will be required to undertake the relevant steps to safeguard the child commencing with reporting to the Team Manager and raising a safeguarding alert if applicable.

Please refer to the [Children's Homes Regulations Guidance](#) where appropriate:

Reporting

The following reporting mechanisms are in place:

- The Management Information Unit will provide weekly statistics within the current activity report around unregulated and crisis placement use.
- Social Worker and the IRO will monitor the progress regarding a Move-on Plan or placement for those in crisis time limited unregulated placements. This information will feedback to the decision-making Assistant Director.
- The Total Placement Service Manager will seek authorisation should any placement for a child under 16-years be required, who may need to be placed in an unregulated provision from the Director of Children's Services and relevant decision-making Assistant Director.
- For a child aged 16/17-years requiring a placement in unregulated accommodation, the Total Placement Service Referral Unit will seek permission from the Service Manager.

[Annex One - Semi-Independent Accommodation – Policies and Procedures Checklist](#)

[Annex Two - Quality Assurance Compliance Checklist & Action Plan Template](#)

[Annex Three - Purposeful Visiting Template](#)

[Annex Four – Improvement Plan Template](#)