



<u>Committee and Date</u>	<u>Item</u>
People Overview Committee 20 November 2019	<u>Public</u>

## SHROPSHIRE'S USE OF UNREGULATED AND UNREGISTERED SETTINGS

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### 1. Summary

This report sets out information and assurance for Members regarding Shropshire's approach to the use of unregistered and unregulated settings for children and young people. Unregulated settings are homes/placements that Ofsted or the CQC have not inspected and agreed registration.

### 2. Recommendations

That Members of the People Overview Committee note the content of this report.

## REPORT

### 3. Risk Assessment and Opportunities Appraisal

This paper sets out Shropshire's use of unregulated placements and how this is kept to a minimum. There is a balance to be had between the Human Rights of the young person to have a safe home to live in and the need to place them in regulated placements. Shropshire Children's Services work to risk assess and mitigate any risk of placing a young person in an unregulated placement and wherever possible we use our own staff and provision,

whether that be assessed Supported Board and Lodgings or bespoke provision for highly complex young people.

#### **4. Financial Implications**

There are no specific financial implications from this report. All finance is included in relevant budget monitoring reports.

#### **5. Background**

- 5.1 There are a few situations where the decision is made to place a young person in 'other arrangements' that are not registered children's home and operate as a semi-independent provision. Unregistered provisions are not regulated by Ofsted and are mostly used for young people age 16/17 years in preparation for their independence. Despite their being no regulations governing semi-independent provisions, there is a responsibility placed on Local Authorities to assess the quality and suitability of these settings in accordance with the regulation 27 and Schedule 6 of the Care Planning, Placement and Case Review regulations 2010. These are referred to in the regulations as 'unregulated settings'.
- 5.2 There has been increasing Government scrutiny in recent years about the use of unregulated settings. The Government is concerned that the provision is being over used to place vulnerable and high-risk young people and in some situation's children under 16 in these provisions. Any increase nationally, in the use of these provisions must be seen in the context of a lack of appropriate and sufficient 'regulated' placements for children and young people which has placed Local Authorities with the challenge of having no available identified placements, especially for older, vulnerable and complex young people.
- 5.3 Whilst the Government and Ofsted accept that unregulated settings can be extremely effective for some young people transitioning to adulthood, their main concern is where providers are not just providing accommodation, which is acceptable, but they are providing care and accommodation, which should be a regulated activity. Examples of this could be where a young person is unable to self-medicate or to conduct themselves in the community without high levels of support and supervision.
- 5.4 Most semi -independent provisions are unregistered and therefore unregulated. The number of providers offering services is extensive, filling a gap in availability of regulated children's homes settings are often in high demand and are a costly option for young people.

**5.6 Shropshire's use of unregistered settings:**

At the point of writing, Shropshire has 12 young people in semi-supported accommodation which are unregistered. All of these young people are age over 16 years, and all are year 12 and year 13, so have completed their statutory education. Some of these young people are receiving an element of care, such as support hours to prepare for independence or to undertake specific tasks in the community to support transition to adulthood such as support with visits to supermarkets, banks etc. One young person is receiving significant support and is being provided with 1:1 support, this provision is in the process of becoming a registered provision. Shropshire are carefully monitoring this placement and we are satisfied we are meeting our obligations in line with the legislative framework outlined above.

5.7 Alongside these young people in semi-supported accommodation, we also have a number of 16- and 17-year olds and care leavers placed within internal supported board and lodgings (SBL) providers. These carers whilst unregulated have had their suitability to offer SBL scrutinised by a qualified social worker, presented to foster panel and approved as a provider by the Agency Decision Maker, which for Shropshire is a service manager.

5.8 There have been a number of Freedom of Information requests in recent months querying our use of unregulated settings for children under the age of 18 and most notably under the age of 16.

5.9 Shropshire's return for those 16-18 year olds has indicated that our overall use is low, this is highlighted in our current figures described above. For previous years, our use has been 0 placements on the 31<sup>st</sup> March 2016, 4 on the 31<sup>st</sup> March 2017 and 11 on the 31<sup>st</sup> March 2018. Whilst our use has increased in recent years, for the last two years it has remained fairly stable, this has to be seen in the context of our overall increase in looked after children numbers.

5.10 For those children below the age of 16, Shropshire's use is extremely low and has centred around the needs of two very specific young people whom scrutiny has previously been appraised off. Further details of these 2 specific situations are not provided due to confidentiality and the specific details will make the young people identifiable. The Director is fully appraised of these situations. Neither is currently placed in an unregulated setting.

**5.11 Conclusion**

There is an appropriate focus by the Government and from Ofsted on the high use of unregistered settings for a number of young people up and down the county. Whilst Shropshire's use is low, we have on rare occasions had to resort to using unregistered providers to care for our

young people in the absence of alternative options. These decisions are taken in consultation with the Assistant Director and Director, the placements are carefully monitored and the unregulated solution is used for as short a time as possible. The priority is the immediate safety of that child or young person. Shropshire are taking steps to manage our resource for some of our more complex children by expanding our homes, whilst a real positive step forward, there is a possibility Shropshire will in the future have to consider alternative resources. If this were to occur, we have mechanisms in place to monitor and support such placements, most notably the recently implemented Children's Commissioning Manager who will be working with providers to both quality-assure provision through contract monitoring, and to ensure our placement sufficiency is developed using internal carers and commissioned provision.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

**Cabinet Member (Portfolio Holder)**

Cllr Ed Potter

**Local Member**

All Members

**Appendices**