

# 1225887

Registered provider: Benecare Limited

Full inspection

Inspected under the social care common inspection framework

## Information about this children's home

This home is owned by a private company. Its statement of purpose specifies that it will provide care and accommodation for up to two children aged from eight to 18 who have emotional and/or behavioural difficulties.

There has been no registered manager at the home since 30 June 2019.

**Inspection dates:** 10 to 11 September 2019

**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/or widespread failures that mean children and young people are not protected or their welfare is not promoted or safeguarded and/or the care and experiences of children and young people are poor and they are not making progress.

**Date of last inspection:** 21 May 2019

**Overall judgement at last inspection:** inadequate

**Enforcement action since last inspection:**

The home was subject to two compliance notices issued in relation to the protection of children standard and the employment of staff standard. A restriction of accommodation notice is in place.

## Recent inspection history

Inspection date	Inspection type	Inspection judgement
21/05/2019	Full	Inadequate
29/08/2018	Full	Good
09/01/2018	Interim	Improved effectiveness
11/07/2017	Full	Good

## 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
<p>The quality and purpose of care standard is that children receive care from staff who—</p> <ul style="list-style-type: none"> <li>understand the children's home's overall aims and the outcomes it seeks to achieve for children;</li> <li>use this understanding to deliver care that meets the children's needs and supports them to fulfil their potential.</li> </ul> <p>In particular, the standard in paragraph (1) requires the registered person to—</p> <ul style="list-style-type: none"> <li>ensure that staff—</li> <li>understand and apply the home's statement of purpose;</li> <li>protect and promote each child's welfare; and</li> <li>treat each child with dignity and respect.</li> </ul> <p>(Regulation 6 (1)(a)(b)(2)(b)(i)(ii)(iii))</p>	13/10/2019
<p>The positive relationships standard is that children are helped to develop, and to benefit from, relationships based on—</p> <ul style="list-style-type: none"> <li>mutual respect and trust;</li> <li>an understanding about acceptable behaviour; and</li> <li>positive responses to other children and adults.</li> </ul> <p>In particular, the standard in paragraph (1) requires the registered person to ensure—</p> <ul style="list-style-type: none"> <li>that staff—</li> <li>meet each child's behavioural and emotional needs, as set out in the child's relevant plans;</li> <li>help each child to develop socially aware behaviour;</li> <li>help each child to develop and practise skills to resolve conflicts positively and without harm to anyone;</li> <li>communicate to each child expectations about the child's behaviour and ensure that the child understands those expectations in accordance with the child's age and understanding;</li> <li>strive to gain each child's respect and trust;</li> <li>understand how children's previous experiences and present emotions can be communicated through behaviour and have the</li> </ul>	13/10/2019

<p>competence and skills to interpret these and develop positive relationships with children; are provided with supervision and support to enable them to understand and manage their own feelings and responses to the behaviour and emotions of children, and to help children to do the same; de-escalate confrontations with or between children, or potentially violent behaviour by children; and that each child is encouraged to build and maintain positive relationships with others. (Regulation 11 (1)(a)(b)(c)(2)(a)(i)(ii)(iv)(v)(viii)(ix)(x)(xi)(b))</p>	
<p>The protection of children standard is that children are protected from harm and enabled to keep themselves safe.</p> <p>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; help each child to understand how to keep safe; 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 are familiar with, and act in accordance with, the home’s child protection policies; 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)(ii)(iv)(v)(vi)(b)) [sections (2)(a)(iii) and (vii) are not subject to compliance]</p>	13/10/2019
<p>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.</p> <p>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</p>	13/10/2019

<p>approach and ethos, and delivers the outcomes, set out in the home's statement of purpose;</p> <p>ensure that staff work as a team where appropriate;</p> <p>ensure that staff have the experience, qualifications and skills to meet the needs of each child;</p> <p>ensure that the home has sufficient staff to provide care for each child;</p> <p>ensure that the home's workforce provides continuity of care to each child; and</p> <p>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.</p> <p>(Regulation 13 (1)(a)(b)(2)(a)(b)(c)(d)(e)(f))</p>	
<p>The registered person must ensure that the requirements of the Regulatory Reform (Fire Safety) Order 2005 (30) and any regulations made under it are complied with in respect of the home.</p> <p>(Regulation 25 (2)(b))</p>	13/10/2019
<p>The registered provider must appoint a person to manage the children's home if—</p> <p>there is no registered manager in respect of the home.</p> <p>(Regulation 27 (1)(b))</p>	13/10/2019
<p>The registered person must—</p> <p>ensure that each employee completes an appropriate induction.</p> <p>The registered person must operate a disciplinary procedure which, in particular—</p> <p>provides for the suspension from work of an employee if necessary in the interests of the safety or welfare of children;</p> <p>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.</p> <p>(Regulation 33 (1)(a)(2)(a)(b))</p> <p>*[sections (2)(a) and (b) are subject to a compliance notice]</p> <p>Specifically, new staff should receive a thorough induction, focusing on their role and responsibilities. In addition, all existing staff who are promoted or acting in another role should receive a full induction to their new role.</p>	13/10/2019
<p>Schedule 4 sets out the other information that the registered person must keep in relation to a children's home.</p>	13/10/2019

<p>The registered person must— maintain in the home the records in Schedule 4; ensure that the records are kept up to date; and retain the records for at least 15 years from the date of the last entry. (Regulation 37 (1)(2)(a)(b)(c))</p>	
<p>The independent person must produce a report about a visit (“the independent person’s report”) which sets out, in particular, the independent person’s opinion as to whether— children are effectively safeguarded; and the conduct of the home promotes children’s well-being.</p> <p>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 (4)(a)(b)(5))</p>	13/10/2019
<p>In order to complete a quality of care review the registered person must establish and maintain a system for monitoring, reviewing and evaluating— the quality of care provided for children; the feedback and opinions of children about the children’s home, its facilities and the quality of care they receive in it; and any actions that the registered person considers necessary in order to improve or maintain the quality of care provided for children.</p> <p>After completing a quality of care review, the registered person must produce a written report about the quality of care review and the actions which the registered person intends to take as a result of the quality of care review. (Regulation 45 (2)(a)(b)(c)(3))</p> <p>Specifically, the report must contain relevant and accurate information, including responses to significant changes at the home, Ofsted requirements and compliance notices. It should not contain generic information from the statement of purpose.</p>	13/10/2019

\* These requirements are subject to a compliance notice.

## Recommendations

- The registered person should have a system in place so that all serious events are notified, within 24 hours, to the appropriate people. The system should cover the action that should be followed if the event arises at the weekend or on a public holiday. Notification must include details of the action taken by the home's staff in response to the event. ('Guide to the children's homes regulations including the quality standards', page 63, paragraph 14.13)
- The behaviour management strategy should be understood and applied at all times by staff and must be kept under review and revised where appropriate. ('Guide to the children's homes regulations including the quality standards', page 46, paragraph 9.34)

## Inspection judgements

### Overall experiences and progress of children and young people: inadequate

This report covers the period from the full inspection on 21 May 2019 to date. There have been no children living in the home since July 2019. The requirements and recommendations from the May 2019 inspection have not been met.

The children living at this home had experienced punitive care from tired staff. Staff had failed to consider how children's life experiences impact on their behaviour. Staff lacked the understanding required to deliver the level of care stated in the home's statement of purpose.

Staff failed to adequately engage the children. They did not plan to mitigate potential problems. As a result, the children frequently became unsettled and behaviour escalated beyond staff's control.

Incompetent staff made poor judgements and decisions. For example, a child was fined for breaking a lamp. There was no plan for the child to engage in restorative activities, instead her pocket money was docked each week. Staff failed to understand that this was not a restorative approach.

Routine checks and maintenance are inconsistently conducted. A room soiled with bird droppings at the monitoring visit in August remains in the same condition. Intumescent strips on fire doors have not been replaced and doors in the empty property had been left wedged open. As a result, the home is in a poor state.

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

Staff were unable to resolve minor issues without resorting to physical restraint. On one occasion, staff asked a child to stop playing to have dinner. When the child refused, staff physically intervened and this resulted in a 40-minute restraint. During this incident, staff

also tried to move the child to her bedroom. This practice is unsafe.

Staff do not demonstrate the skills to safeguard children. One staff member observed a child using a video app. However, despite not knowing what the app was, or how safe it was, she took no further action to ensure the child's safety. This lack of professional curiosity fails to keep children safe.

Staff failed to communicate effectively with the children. One child asked about a staff member leaving. The response was poor, resulting in the child questioning how she could trust adults. Little action was taken to reassure the child.

Records are poor. They fail to demonstrate that children received nurturing care or make progress.

### **The effectiveness of leaders and managers: inadequate**

There is no manager at this home. The responsible individual has failed to cover the day-to-day running of the home. The building has been left unoccupied.

New staff have left during their probationary period. The inspector was told that they 'weren't suited'. However, incident records demonstrate that the staff member was being targeted by the children. On one occasion, she was injured by a child. There was no evidence that she had received a debrief, support or any guidance to help manage her feelings while working at the home.

The plans for one staff member returning to work were ineffective. The initial supervision and development plan failed to consider how concerns regarding their conduct would be managed. Furthermore, the risk assessment was weak. It did not provide monitoring or the rationale for allowing this staff member to lone work for periods of up to four hours. The plan did not guide staff on how to keep children safe.

Insufficient monitoring of staff from this home, who are now working in other homes run by the provider, continues. Concerns regarding staff's conduct are not being cohesively monitored by the organisation. As a result, staff's poor practice is impacting on other homes within the organisation.

Managerial shortfalls at the home have not been identified through monitoring by the independent visitor. Leaders and managers are failing to use the reports to improve the quality and purpose of care. The serious and widespread failures that continue at this home have not been addressed by the independent visitor or the responsible individual. Insufficient internal monitoring and oversight continue to impede progress against the identified shortfalls.



## **Information about this inspection**

Inspectors have looked closely at the experiences and progress of children and young people. Inspectors considered the quality of work and the differences made to the lives of children and young people. They watched how professional staff work with children and young people and each other and discussed the effectiveness of help and care provided. Wherever possible, they talked to children and young people and their families. In addition, the inspectors have tried to understand what the children's home knows about how well it is performing, how well it is doing and what difference it is making for the children and young people whom it is trying to help, protect and look after.

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:** 1225887

**Provision sub-type:** Children's home

**Registered provider:** Benecare Limited

**Registered provider address:** 113a St John's Hill, Sevenoaks TN13 3PE

**Responsible individual:** Stephen Richmond

**Registered manager:** Post vacant

## **Inspector**

Sarah Olliver: social care inspector

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