

# SC478707

Registered provider: ERA Care Limited

Full inspection

Inspected under the social care common inspection framework

## Information about this children's home

This home is run by an independent provider. This home provides care and accommodation for up to four children, irrespective of gender, who may have behavioural and/or emotional difficulties. The registered manager has been in post since 2019.

**Inspection dates:** 2 to 3 October 2019

<b>Overall experiences and progress of children and young people,</b> taking into account	<b>inadequate</b>
-------------------------------------------------------------------------------------------	-------------------

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 and their welfare is not promoted or safeguarded.

**Date of last inspection:** 25 January 2018

**Overall judgement at last inspection:** sustained effectiveness

**Enforcement action since last inspection:** none

## Recent inspection history

Inspection date	Inspection type	Inspection judgement
19/09/2017	Full	Requires improvement
25/01/2018	Interim	Sustained effectiveness
05/07/2016	Interim	Not judged
12/04/2016	Full	Inadequate

## 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 positive relationships standard is that children are helped to develop, and to benefit from, relationships based on–</p> <p>mutual respect and trust;</p> <p>an understanding about acceptable behaviour; and</p> <p>positive responses to other children and adults.</p> <p>In particular, the standard in paragraph (1) requires the registered person to ensure–</p> <p>that staff–</p> <p>meet each child's behavioural and emotional needs, as set out in the child's relevant plans;</p> <p>help each child to develop socially aware behaviour;</p> <p>encourage each child to take responsibility for the child's behaviour, in accordance with the child's age and understanding;</p> <p>help each child to develop and practise skills to resolve conflicts positively and without harm to anyone;</p> <p>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;</p> <p>help each child to understand, in a way that is appropriate according to the child's age and understanding, personal, sexual and social relationships, and how those relationships can be supportive or harmful;</p> <p>help each child to develop the understanding and skills to recognise or withdraw from a damaging, exploitative or harmful relationship;</p>	15/11/2019

<p>strive to gain each child's respect and trust;</p> <p>de-escalate confrontations with or between children, or potentially violent behaviour by children.</p> <p>(Regulation 11(1)(a)(b)(c), (2)(a)(i)(ii)(iii)(iv)(v)(vi)(vii)(viii)(xi))</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–</p> <p>that staff–</p> <p>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;</p> <p>help each child to understand how to keep safe;</p> <p>have the skills to identify and act upon signs that a child is at risk of harm;</p> <p>manage relationships between children to prevent them from harming each other;</p> <p>understand the roles and responsibilities in relation to protecting children that are assigned to them by the registered person;</p> <p>take effective action whenever there is a serious concern about a child's welfare; and</p> <p>are familiar with, and act in accordance with, the home's child protection policies;</p> <p>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.</p> <p>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.</p> <p>(Regulation 12(1), (2)(a)(i)(ii)(iii)(iv)(v)(vi)(vii)(b)(d))*</p>	<p>15/11/2019</p>
<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–</p> <p>helps children aspire to fulfil their potential; and</p>	<p>15/11/2019</p>

<p>promotes their welfare.</p> <p>In particular, the standard in paragraph (1) requires the registered person to–</p> <p>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;</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>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>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)(c)(d)(f)(h))*</p>	
<p>The care planning standard is that children–</p> <p>receive effectively planned care in or through the children’s home; and</p> <p>have a positive experience of arriving at or moving on from the home.</p> <p>In particular, the standard in paragraph (1) requires the registered person to ensure–</p> <p>that arrangements are in place to–</p> <p>ensure the effective induction of each child into the home;</p> <p>manage and review the placement of each child in the home; and</p> <p>plan for, and help, each child to prepare to leave the home or to move into adult care in a way that is consistent with arrangements agreed with the child’s placing authority. (Regulation 14(1)(a)(b), (2)(b)(i)(ii)(iii))</p>	<p>15/11/2019</p>

<p>The registered person must–</p> <p>keep the statement of purpose under review and, where appropriate, revise it; and</p> <p>notify HMCI of any revisions and send HMCI a copy of the revised statement within 28 days of the revision. (Regulation 16(3)(a)(b))</p>	<p>15/11/2019</p>
<p>The registered person must ensure that–</p> <p>children can access all appropriate areas of the children’s home’s premises; and</p> <p>any limitation placed on a child’s privacy or access to any area of the home’s premises–</p> <p>is intended to safeguard each child accommodated in the home;</p> <p>is necessary and proportionate;</p> <p>is kept under review and, if necessary, revised; and</p> <p>allows children as much freedom as is possible when balanced against the need to protect them and keep them safe. (Regulation 21(b)(c)(i)(ii)(iii)(iv))</p>	<p>15/11/2019</p>
<p>The registered person must ensure that–</p> <p>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–</p> <p>the name of the child;</p> <p>details of the child’s behaviour leading to the use of the measure;</p> <p>the date, time and location of the use of the measure;</p> <p>a description of the measure and its duration;</p> <p>details of any methods used or steps taken to avoid the need to use the measure;</p> <p>the name of the person who used the measure (“the user”), and of any other person present when the measure was used;</p> <p>the effectiveness and any consequences of the use of the measure; and</p>	<p>26/10/2019</p>

<p>a description of any injury to the child or any other person, and any medical treatment administered, as a result of the measure;</p> <p>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")–</p> <p>has spoken to the user about the measure; and</p> <p>has signed the record to confirm it is accurate; and</p> <p>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))</p>	
<p>The registered person must ensure that the following items, which may be kept in electronic form, are kept in an accessible manner–</p> <p>records of the use of measures of control, discipline or restraint (see regulation 35);</p> <p>children's case records (see regulation 36). (Regulation 38(h)(i))</p>	15/11/2019
<p>The registered person must notify HMCI and each other relevant person without delay if–</p> <p>there is any other incident relating to a child which the registered person considers to be serious. (Regulation 40(4)(e))</p>	15/11/2019
<p>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).</p> <p>When conducting the review, the registered person must consult, and take into account the views of, each relevant person. (Regulation 46(1), (2))</p> <p>In particular, review the location risk assessment in light of new information.</p>	15/11/2019

\* These requirements are subject to a compliance notice.

## Recommendations

- As set out in regulations 31–33, the registered person is responsible for maintaining good employment practice. They must ensure that recruitment, supervision and performance management of staff safeguards children and minimises potential risks to them. ('Guide to the children's homes regulations including the quality standards', page 61, paragraph 13.1)



## Inspection judgements

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

Children experience poor, inadequate care. The staff have failed to provide children with supervision and clear guidance. This has compromised the children's welfare and safety.

During extreme difficulties in an unsettled home, the management team admitted a new child. The child had complex behavioural needs. The manager failed to assess whether the staff could adequately meet the child's needs or the potential impact of this child on the existing children. This exacerbated a highly charged situation. Consequently, a new child was assaulted by another child within 24 hours of moving in. This prevents children from feeling physically safe or emotionally secure.

The staff do not have the skills or the experience to meet the children's individual needs. Consequently, notice has been served to end the placements of all three children. Placements are short lived, as the longest time that a child has lived at the home is eight weeks. One social worker said: 'We asked for a disruption meeting, but the organisation went straight to giving notice. They [the staff] say they cannot manage his behaviour, but we gave them all of the child's information and there was a clear transition plan.' The children experience disruption and unplanned placement endings.

On one occasion, a child with asthma complained of chest pain. The staff said that they would bring his inhaler when he returned to his bedroom. Consequently, the child contacted Childline and paramedics attended. Although the child did not suffer any ill health, this could have placed the child at serious risk of harm.

The car provided by the organisation has not been working for some time. This has caused difficulty in arranging the children's family contact and attendance at school meetings. This also prevents the staff from engaging the children in activities outside the home. This frustrates children, especially when they do not attend full-time education. The lack of purposeful activity and structure contributes to children displaying negative behaviours.

The quality of the environment is poor. The hall radiator is broken and leaks, and some radiator covers are damaged. One child's wardrobe is broken, pictures have been removed and substances have stained the walls. These stains have not been cleaned, and they remain visible in areas.

The staff have been unable to help the majority of children to make progress. However, the staff have worked positively with one child. The child is beginning to show signs of progress and the manager has reviewed the decision to end their placement. The child is positive about their experiences at the home. The child said: 'I love this place. It's giving me the help and the support I need.' This child's social worker said, 'He [the child] has found a home where he loves to be. This is a big change for him.'

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

The manager is the designated safeguarding lead. However, she is not properly trained, has a lack of safeguarding knowledge and shows poor judgement. The manager has failed to report to the designated officer a safeguarding allegation about a member of agency staff. Therefore, safeguarding professionals have been unable to carry out their investigative duties, and this removes this intended safeguard for children.

The children place themselves and others at risk in the busy road outside the home. They run up and down in the road and have thrown items at passing vehicles. One child opened the car door while the staff were driving and then walked in front of the car. The staff have not managed these situations safely or eliminated these risks. One child cycled up the road in the wrong direction, towards the oncoming traffic, and then continued at speed across the carriageway in front of moving vehicles. The child showed no awareness of the risks.

The staff lack the skill and experience to challenge the children's poor behaviour effectively. The children do not respect the local community, and their relationships with the neighbours can be confrontational. The manager said, 'I know that the children are out of control'. The children's unsafe and antisocial behaviour outside the home has caused serious altercations with the neighbours and members of the public. On one occasion, a group of men got out of a passing car and verbally threatened the children. The staff believe that they posed a serious threat to the children. Local residents have threatened the children with physical aggression. One record describes how a neighbour 'came out with a baseball bat'. There is no evidence that the staff reported these threats to the police. The staff have not addressed these incidents or the children's risk-taking behaviours.

The children have verbally threatened each other and said that they have weapons. One child has been found to have a knife and a blade in his bedroom. The children have physically assaulted each other on at least three occasions.

The children's individualised risk assessments have not been consistently updated to reflect emerging risks. These risks include road safety, antisocial behaviour, sexually harmful behaviour, threats to the neighbours and violence to other residents. The manager has no clear or comprehensive strategy to reduce these and keep the children safe.

The staff fail to supervise the children safely. On one occasion, at 3:45am the staff left two children in a bedroom overnight as the staff 'couldn't hear any noise'. This is despite one child saying they did not want the other child in their bedroom. The staff were unable to get the other child to leave, and they did not intervene or wake the children up. This was despite existing concerns regarding the sexually harmful behaviour of one of the children. The staff failed to safeguard the children and to provide safe care for them. This places the children at significant risk.

There have been few incidents of children going missing from the home and, for one

child, this is a noticeable improvement. However, the discussions with the children on their return are very brief. The electronic incident-recording system is complicated and unhelpful as, at midnight, an incident form is closed and populated with a return time of '00:00', even if the child has not actually returned; a separate form then has to be made out for the following day. However, there is no automatic link to this form, therefore important information could be missed.

The staff are required to use their own, personal mobile telephones, including to make calls to the children. This is inappropriate and could potentially place both the children and the staff at risk.

The manager has failed to review the use of physical intervention properly. Physical intervention has been used on only one occasion. Even so, there is no review of the effectiveness of the measure or a record made of any discussion with the child following the intervention.

The manager failed to inform the inspector of the current risk-management strategy for one child for talking to the child in private. This potentially placed the child and the inspector at risk.

There are a number of hazards in the building. The gas meter cupboard has no door, despite a notice stating that the door should be locked at all times. The kitchen and lounge fire doors are wedged open and the kitchen fire door has been significantly damaged. Therefore, the fire prevention measures can no longer be relied upon to prevent the spread of fire. This places the children and the staff at risk.

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

The home's management team has failed to manage the home with sufficient competence or skill. Internal and external quality assurance processes are poor. The management and oversight of the home fail to ensure that the children are safe.

The staff are unable to provide safe or effective care for the children. The staff and the manager are exhausted, by their own admission. Long, arduous shifts when the children have been unsettled until the early hours have left the staff on shift without enough sleep. This compromises their decision-making and resilience in dealing with the children's challenging behaviours. Staff who are regularly tired and depleted potentially place the children at risk. Despite practice concerns, an agency member of staff continued to work the shift and was subsequently subject to a safeguarding allegation. This fails to safeguard the children or promote their welfare.

On one occasion, the staff withheld a child's medication as a behaviour management technique. The manager failed to recognise this as a prohibited form of control.

The staff do not form good relationships with all of the children. They are unable to manage complex situations effectively without the manager's direct input. The staff routinely lock the kitchen door each night. This restriction does not provide the

children with reasonable access to all areas of the home.

The majority of the children are, or have been, either affiliated to a gang or subject to child criminal exploitation. Despite this, the staff have not received suitable training to help them to identify and respond to this.

Employment checks are neither comprehensive nor consistently detailed. Although the manager completes checks prior to employment, the information provided is not scrutinised. Employment histories lack dates and chronology. This potentially enables unsuitable applicants to provide a misleading employment history. When information about a new staff member raised potential concerns, there was no clear rationale about the decision-making process to employ the applicant.

The manager has failed to notify Ofsted of significant events. This prevents Ofsted, as the regulator, from understanding what is happening at the home. This lack of transparency reduces this external safeguard.

The manager has not updated the location risk assessment. This is despite there being new risks to children. These risks are not reflected in the risk assessment, and the strategy to reduce these risks is unclear.

The records are unclear and poorly maintained. This undermines the manager's ability to take prompt, effective action and understand the severity of events.

The home's statement of purpose has been recently updated, yet it has not been sent to Ofsted. Therefore, Ofsted has not been made aware of changes. Overall, the home is not operating in accordance with the statement of purpose or to an acceptable standard.

## **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 difference 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:** SC478707

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

**Registered provider:** ERA Care Limited

**Registered provider address:** Unit G22, Allen House, Station Road, Sawbridgeworth, Hertfordshire CM21 9JX

**Responsible individual:** Stephen Milton

**Registered manager:** Jane Coulson

## Inspector

Joanna Heller, social care inspector

The Office for Standards in Education, Children's Services and Skills (Ofsted) regulates and inspects to achieve excellence in the care of children and young people, and in education and skills for learners of all ages. It regulates and inspects childcare and children's social care, and inspects the Children and Family Court Advisory and Support Service (Cafcass), schools, colleges, initial teacher training, further education and skills, adult and community learning, and education and training in prisons and other secure establishments. It assesses council children's services, and inspects services for looked after children, safeguarding and child protection.

If you would like a copy of this document in a different format, such as large print or Braille, please telephone 0300 123 1231, or email [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk).

You may reuse this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit [www.nationalarchives.gov.uk/doc/open-government-licence](http://www.nationalarchives.gov.uk/doc/open-government-licence), write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

This publication is available at [www.gov.uk/government/organisations/ofsted](http://www.gov.uk/government/organisations/ofsted).

Interested in our work? You can subscribe to our monthly newsletter for more information and updates: <http://eepurl.com/iTrDn>.

Piccadilly Gate  
Store Street  
Manchester  
M1 2WD

T: 0300 123 1231  
Textphone: 0161 618 8524  
E: [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)  
W: [www.gov.uk/ofsted](http://www.gov.uk/ofsted)

© Crown copyright 2019