

SC360599

Registered provider: Blackburn with Darwen Borough Council

Full inspection

Inspected under the social care common inspection framework

Information about this children's home

This local authority children's home is registered to provide care for up to four children. The home's statement of purpose states that it provides care for children who, for various reasons, are unable to live with their own families.

The home does not have a registered manager in post.

Inspection dates: 6 and 7 September 2022

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 widespread failures that mean children and young people are not safeguarded and the care and experiences of children and young people are poor.

Date of last inspection: 11 May 2022

Overall judgement at last inspection: requires improvement to be good

Enforcement action since last inspection:

This children's home was judged requires improvement at the full inspection on 11 and 12 May 2022. Following the full inspection, a compliance notice was issued in respect of the leadership and management of the home. A monitoring visit was carried out on 19 July 2022. It was determined that insufficient action had been taken to meet the notice and a further notice was issued.

Recent inspection history

Inspection date	Inspection type	Inspection judgement
11/05/2022	Full	Requires improvement to be good
14/03/2022	Interim	Sustained effectiveness
13/12/2021	Full	Requires improvement to be good
04/03/2020	Full	Good

Inspection judgements

Overall experiences and progress of children and young people: inadequate

At this visit, inspectors carried out a full inspection and reviewed the action taken towards meeting the compliance notice issued following the monitoring visit on 19 July 2022. Significant and serious failures were identified in respect of safeguarding children and the leadership and management of the home. Children's overall experiences and progress were also judged to be inadequate.

Children's needs in respect of their safety and well-being are not being met. The direct work carried out with children does not include discussions with them regarding all issues that are currently affecting their safety and well-being. For example, staff have not discussed incidents of self-harm or suicide ideation, despite one child recently exhibiting these behaviours. This does not demonstrate that children are receiving effective support from staff to meet their needs and reduce risks.

The support from staff to manage children's behaviour effectively is insufficient. On one occasion, an incident escalated, and a child was escorted upstairs to their room. Staff then prevented the child from leaving the bedroom by holding the door handle. Inspectors were not provided with reports of the incident or risk assessments that demonstrated a justifiable and proportionate rationale for the restriction being imposed. Punitive measures and unnecessary restrictions imposed on children have a negative impact on their feelings of safety and security. This practice is not in line with the legislation relating to deprivation of liberty or the provider's safeguarding and intervention procedures and does not maintain a nurturing or caring home for children.

Children have not had positive experiences of moving out of the home. Due to staff being unable to manage one child's unsafe behaviours and risks, the child was moved to an alternative service. This move has not prevented children posing a risk to one another, as contact was subsequently promoted without strategies to manage risk. Another child is due to move from the home imminently, however, there is no transition plan available in the home for staff to follow to prepare the child for a positive move. This does not demonstrate good-quality placement planning for children.

Positively, children continue to engage in activities. One child continues to go fishing with staff. He benefits from this dedicated time and continues to enjoy this regular activity. With the support of staff, another child continues to engage in education, is progressing in this area and has excellent levels of attendance. Children's meetings are well attended and are positively chaired, promoting good relationships between children.

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

One child has displayed indicators of sexual exploitation. Staff are not following agreed multi-agency strategies to protect children and reduce risk to them from child sexual exploitation. This includes staff not taking the agreed protective action to make phone and internet use safer.

Investigations arising from allegations made by children are not robust. This includes decisions being made about staff suitability to resume duties in the home without full investigations being completed. This practice does not protect children from harm.

One child living at the home has been supported by staff to have planned time with another child who recently moved out. Both children posed a significant risk to each other's safety in respect of going missing from home, criminality, substance misuse and sexually harmful behaviour. There were no assessments in place to assess or mitigate the potential risks children posed to one another.

Risk assessments to protect children are of poor quality and contain limited detail. The documents do not include all the known risks posed to children or all serious and significant incidents. The assessments do not accurately reflect the level of risks that children face. This includes a low assessment of risk when there is a significant risk of online sexual exploitation and grooming. The limited detail and lack of information included in risk assessments mean that staff do not have clear guidance or sufficient information to manage or mitigate significant risks to children.

Shortfalls were identified at the previous inspection in respect of the home's location risk assessment. The assessment does not include known areas of concern in the local community. This includes the locations of others who pose a significant risk to children.

In most cases, incidents when children have been missing have been managed well. Staff have been proactive and continued to search for children, demonstrating that staff care about children and want them to return home quickly and safely.

The effectiveness of leaders and managers: inadequate

At the time of the inspection, a new manager had been employed and had started working in the home very recently. There has been no registered manager overseeing this home since September 2021. Succession planning for management cover in the long-term absence of a registered manager has not been successful. This has contributed to continued shortfalls across several areas of leadership and management and has a negative effect on children's outcomes.

Since the last inspection, agency staff have been used to work more than 100 shifts. This does not provide children with good continuity of care. Checks on agency

workers are not thorough. Staff were unable to demonstrate that the necessary Disclosure and Barring Service checks were in place and that managers had verified checks made for agency staff. This means that leaders and managers cannot be confident that all those working in the home are safe to do so.

On one occasion, a child was able to leave the home unnoticed, due to an agency worker falling asleep. Leaders and managers have not ensured that all agency workers are fully aware of what is expected of them, nor provided them with clear direction and procedures in respect of monitoring children and how to respond to incidents effectively.

Some progress has been made to improve the knowledge of staff through training. External agencies have been used to provide staff with additional training and guidance. Staff have also completed training to understand and support children who misuse substances. However, staff have not received training in areas which were particularly relevant to children's current risks and behaviours, such as sexually harmful behaviour and online safety. Staff were found to have limited understanding of these topics, meaning that they do not have the necessary skills or knowledge to respond effectively in instances when children are at significant risk of harm.

There are widespread shortfalls in monitoring and reviewing of incidents by leaders and managers. This has been a recurrent concern. Not all serious incidents or concerns related to children have been recorded thoroughly. An incident lasting several hours, which included deeply concerning thoughts and behaviours presented by a child, was recorded in an email. There is no evidence that the incident was reviewed or a plan developed to identify how the child was to be supported or how the behaviour should be managed.

Managers have failed to review all restrictive physical holds effectively. Additionally, children and staff have not received the required debriefs, and children have not been given the opportunity to discuss any incidents of being held with someone independent. This means that staff practice has not been reviewed and that opportunities for learning to reduce incidents have been missed.

Not all serious incidents have been notified to the regulator. This has prevented the necessary and required external monitoring and review of serious incidents in the home. This does not demonstrate effective leadership and management in the home and hinders children's safety.

Some requirements made at previous inspections have not been met. This means that concerns and shortfalls have not been addressed in a timely manner.

Positively, as a result of the inspection, steps were taken by senior leaders to begin to address some of the shortfalls identified. In addressing the shortfalls identified a strategy meeting was held in relation to managing concerns relating to sexual exploitation. Furthermore, some staff members had completed online safety training, which they said they found beneficial.

Following the inspection, and before a case review took place to consider any further action, the provider made the decision to voluntarily cancel the home's registration.

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> <p>understand the children's home's overall aims and the outcomes it seeks to achieve for children;</p> <p>use this understanding to deliver care that meets children's needs and supports them to fulfil their potential.</p> <p>In particular, the standard in paragraph (1) requires the registered person to—</p> <p>understand and apply the home's statement of purpose;</p> <p>ensure that staff—</p> <p>understand and apply the home's statement of purpose;</p> <p>protect and promote each child's welfare;</p> <p>treat each child with dignity and respect;</p> <p>provide personalised care that meets each child's needs, as recorded in the child's relevant plans, taking account of the child's background. (Regulation 6 (1)(a)(b) (2)(a)(b)(i)(ii)(iii)(iv))</p>	<p>23 October 2022</p>
<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>23 October 2022</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>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.</p> <p>(Regulation 11 (1)(a)(b)(c) (2)(a)(i)(ii)(iii)(iv)(v)(vi)(x))</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>23 October 2022</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 effectiveness of the home’s child protection policies is monitored regularly. (Regulation 12 (1) (2)(a)(i)(ii)(iii)(iv)(v)(vi)(b)(e))</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>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 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’s workforce provides continuity of care to each child;</p>	<p>23 October 2022</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>demonstrate that practice in the home is informed and improved by taking into account and acting on—</p> <p>feedback on the experiences of children, including complaints received; and</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)(b)(c)(e)(f)(g)(ii)(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>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;</p> <p>that each child’s relevant plans are followed. (Regulation 14 (1)(a)(b) (2)(b)(ii)(iii)(c))</p>	23 October 2022
<p>No measure of control or discipline which is excessive, unreasonable or contrary to paragraph (2) may be used in relation to any child.</p> <p>The following measures may not be used to discipline any child—</p> <p>any form of corporal punishment;</p>	23 October 2022

<p>any punishment involving the consumption or deprivation of food or drink. (Regulation 19 (1) (2)(a)(b))</p>	
<p>Restraint in relation to a child is only permitted for the purpose of preventing—</p> <p>injury to any person (including the child);</p> <p>serious damage to the property of any person (including the child); or</p> <p>a child who is accommodated in a secure children’s home from absconding from the home.</p> <p>Restraint in relation to a child must be necessary and proportionate. (Regulation 20 (1)(a)(b)(c) (2))</p>	<p>23 October 2022</p>
<p>The registered person must prepare and implement a policy ("the behaviour management policy") which sets out—</p> <p>how appropriate behaviour is to be promoted in the children’s home; and</p> <p>the measures of control, discipline and restraint which may be used in relation to children in the home.</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>23 October 2022</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>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.</p> <p>(Regulation 35 (1)(a)(b) (3)(a)(i)(ii)(iii)(iv)(v)(vi)(vii)(viii)(b)(i)(ii)(c))</p>	
<p>The registered person must notify HMCI and each other relevant person without delay if—</p> <p>there is an allegation of abuse against the home or person working there.</p> <p>(Regulation 40 (4)(c))</p>	23 October 2022
<p>The registered person must complete a review of the quality of care provided for children ("a quality of care review") at least once every 6 months.</p> <p>In order to complete a quality of care review the registered person must establish and maintain a system for monitoring, reviewing and evaluating—</p> <p>the quality of care provided for children;</p> <p>the feedback and opinions of children about the children's home, its facilities and the quality of care they receive in it; and</p>	23 October 2022

<p>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 ("the quality of care review report").</p> <p>The registered person must—</p> <p>supply to HMCI a copy of the quality of care review report within 28 days of the date on which the quality of care review is completed. (Regulation 45 (1) (2)(a)(b)(c) (3) (4)(a))</p>	
<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>	23 October 2022

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: SC360599

Provision sub-type: Children's home

Registered provider: Blackburn with Darwen Borough Council

Registered provider address: Town Hall, King William Street, Blackburn with Darwen BB1 7DY

Responsible individual: Judith Fennell

Registered manager: Post vacant

Inspectors

Natalie Bennett, Social Care Inspector

Pauline Yates, Social Care Inspector

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