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**UNREGULATED SETTINGS – PRACTICE GUIDANCE**

**1.0** **NATIONAL AND LOCAL CONTEXT**

The increase in looked after children and changes in the independent market have resulted in placement sufficiency challenges nationally and for the Trust. This has been further impacted by increase in demand for placements for unaccompanied children, shortages of welfare secure placements and shortage of tier 4 health provisions. As a consequence, this has resulted in a recent increase in the number of ‘unregulated placements’ for under 16-year olds.

From the 9th September 2021 it will be illegal to place children in unregulated provision.

Ofsted have set out their position in respect of their approach to inspection. Ofsted will consider whether the best possible decisions are being made for children; and if decision making is child-centred, well thought out and carefully risk assessed.

Our role is to be the best possible corporate parents for our children. We need to demonstrate consistently, how we strive to be the best we can, particularly, in the context of sufficiency challenges and the consequences of such.

**2.0 PURPOSE AND SCOPE**

This guidance and aligned practice standards must be followed for all under 16-year olds being considered for or placed in unregulated provision.

Our aim is to avoid this if at all possible.

The Placements and Commissioning Team are currently looking at a sufficiency plan but in the interim the Trust requires a consistent approach that can provide some assurance that children are safe when placed in unregulated arrangements.

Unregulated Placements are never acceptable however, as a Trust we endeavour to be realistic and ensure that above all else our children are safe and where there are at least some safeguards in place and management oversight and scrutiny is prioritised for these placements.

**3.0 APPROVAL TO PLACE IN UNREGULATED PROVISION**

Prior to placement approval must be sought from the Director of Practice (or delegated substitute, including out of hours on-call senior leaders) using the form below. This form should be added to a case note on the child’s case record. Depending on circumstances the form may get completed after the decision has been made, but needs to be completed as soon as possible and uploaded to the child’s case record.



In addition, the Placements Team require confirmation by e-mail that the placement has been authorised. This decision will be included in the chronology of the placement search record. The ‘verbal agreement’ can be recorded until the completed form is uploaded.

**4.0 ACTIONS REQUIRED**

A risk assessment/action plan should be completed within 24 hours of the placement to provide assurance that all necessary actions have been taken to ensure the safety of the child. This will be signed by the Head of Service



The following ‘flowchart’ should be referred to for a simple guide of what is required



**5.0 STANDARDS**

The following Standards will be applied to all unregulated settings (except for fostering as there is a specific Practice Guidance for these placements)





**6.0 PLACEMENTS/COMMISSIONING**

In addition to this Practice Guidance we are developing specific guidance for QA/Due Diligence Checks for Providers that will be followed routinely within Commissioning.

Commissioning is also producing guidance & training for Providers to support them to understand an implement the Standards and minimum expectations.

**7.0 MOVING PLACEMENTS**

Following the approval of the placement and the y/p being placed, it may be necessary to move the y/p to another unregulated placement for various reasons. If this occurs, the addendum section on the form will need to be completed and returned to the Director of Practice for approval. This updated form will be uploaded and recorded as a new case note.

The IRO must be informed of the move to a further unregulated placement.

A QA visit will be required for each placement.

There must be a clear audit trail of the decision making evident on the case record. This will include oversight by both the Area and the Placements & Commissioning Team.

A weekly update will be circulated by the Placements & Commissioning HofS and an update sent to Ofsted.