



**WOKINGHAM
BOROUGH COUNCIL**

Unregulated Placements and Quality Assurance Process Flows

Document Control Information

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Version	Date	Description
1.0	Feb 2020	Policy drafted by Christina Appleton
2.0	March 2020	Policy drafted by Christina Appleton incorporating feedback from Natalie McConnachie (4/03/20), Jasmine Grimshaw (06/03/20) and Becca Morley (06/03/20)
3.0	March 2020	Incorporating comments from Wesley Hedger (09/03/20)
4.0	June 2020	Incorporating updated Briefing paper Appendix B and comment from John Mythen (02/06/20)
5.0	October 2020	John Mythen updated version that needs to be signed off by CDLT
6.0	June 2022	Review and Refresh of process maps, Hayley Rees Children’s Commissioning
6.1	October 2022	Policy approved – Children’s Directorate Leadership Meeting (5 th October 2022)

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Context

Unregulated provisions are settings which are used when a child (usually over the age of 16) needs support to live independently rather than needing full-time care. This type of provision gives a much higher level of independence to young people, in comparison to young people living in a children's home. Sometimes settings which call themselves unregulated accommodation may be offering a level of help to children that meets the definition for care rather than support. In these cases, the accommodation is effectively an unregistered children's home and is operating illegally.

Unregulated provision is allowed in law but is not regulated by Ofsted. However, within the ILACS framework, Ofsted will investigate this area of practice to ensure it is robustly managed, is subject to effective quality assurance and overseen by senior managers.

As a result, when young people live in unregulated settings, usually referred to as semi-independent living (SiL) placements, the local authority must take steps to ensure that their accommodation is suitable and that they are protected against any risks to their safety or welfare.

Unregulated provisions should not be confused with unregistered services. An unregistered service is one where a child is being provided with some form of 'care' and is living somewhere that is not registered with OFSTED. Once an unregulated provider delivers a care element as well as accommodation, they must register as a children's home with OFSTED, it's an offence not to.

OFSTED has sought to clarify its position on unregulated and unregistered provision.

*A provider can provide accommodation for young people over the age of 16 without registration. If they provide care and accommodation, then they should be registered. However, the level of care provided is not specified in the Care Standards Act and clearly some young people as they move into independent living require some level of support in order to make the transition. This level of care usually reduces over time and does not include the provision of meals, medication, personal care etc. The young people are free to come and go as they wish. Staff may be present for parts of the day and even overnight for security reasons but are not providing direct care. These are unregulated settings and can operate without registration.*¹

The council has developed a set of processes (outlined below) which aim to assess two things:

- 1) Whether a SiL Provider offering a placement for a young person is providing an unregulated or unregistered service.
- 2) The quality of the provision and service being provided and assure the council that certain quality standards are being met

¹ Letter (4 May 2017) to all Directors of Children's Services, Lisa Pascoe, Deputy Director, Social Care Policy, OFTSED)

The following documents have specifically been developed in order to support the assessment process, as well as ensure also robust governance around decision making:

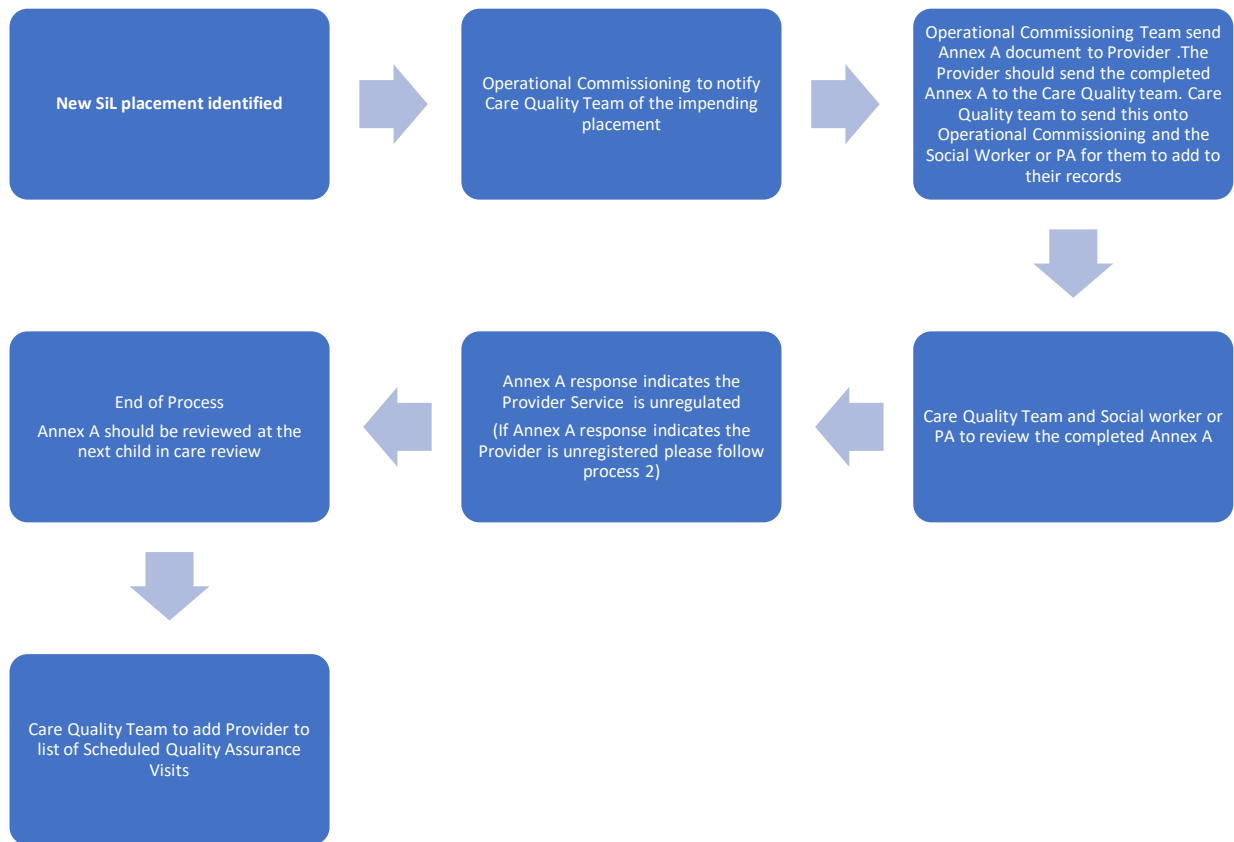
- a self-assessment questionnaire known as Annex A: Supported Accommodation² (See [Appendix A](#)). This enables the council to assess and determine whether a SiL provides a regulated or unregistered service
- a quality assurance visit template covering a range of areas that are reviewed as part of the quality assurance visit ([Appendix B](#)).

It is also helpful to note that there are additional safeguards and mechanisms in place to assist assessment and decision making around placements. These include:

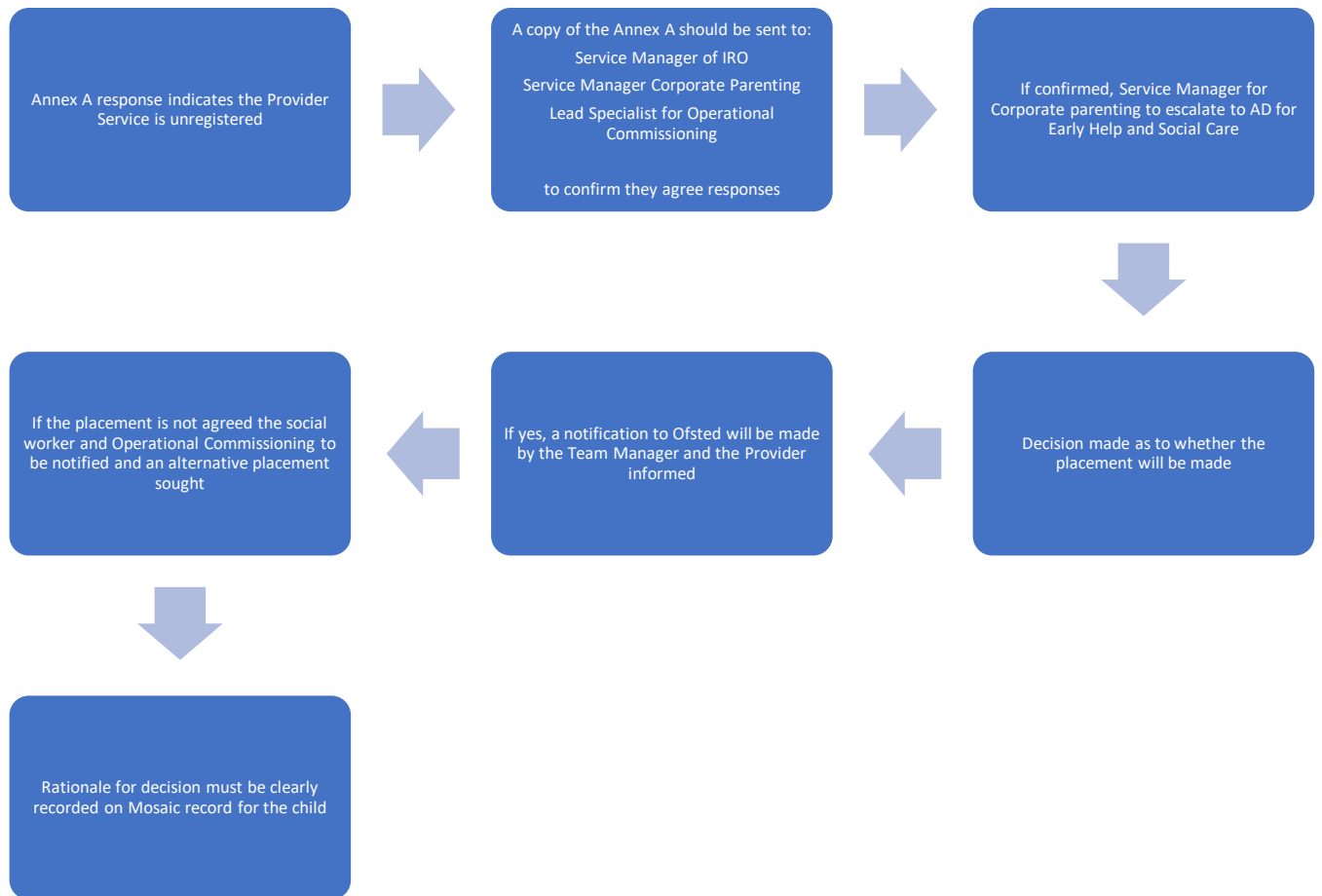
- Wokingham Borough Council being part of the South-Central Framework for 16+ Provision
- Social Work Visits (frequency is determined by needs of the child, a minimum of a monthly meeting. The frequency of visits will be determined at the placement planning meeting).
- Placement Planning meeting within 7 days of the child being placed
- Statutory Children in Care Review, with oversight and involvement from the IRO.
- Safety Planning around the risk assessment

² Web document (July 2018) *Introduction to children's homes: A Children's social care guide to registration*, OFSTED

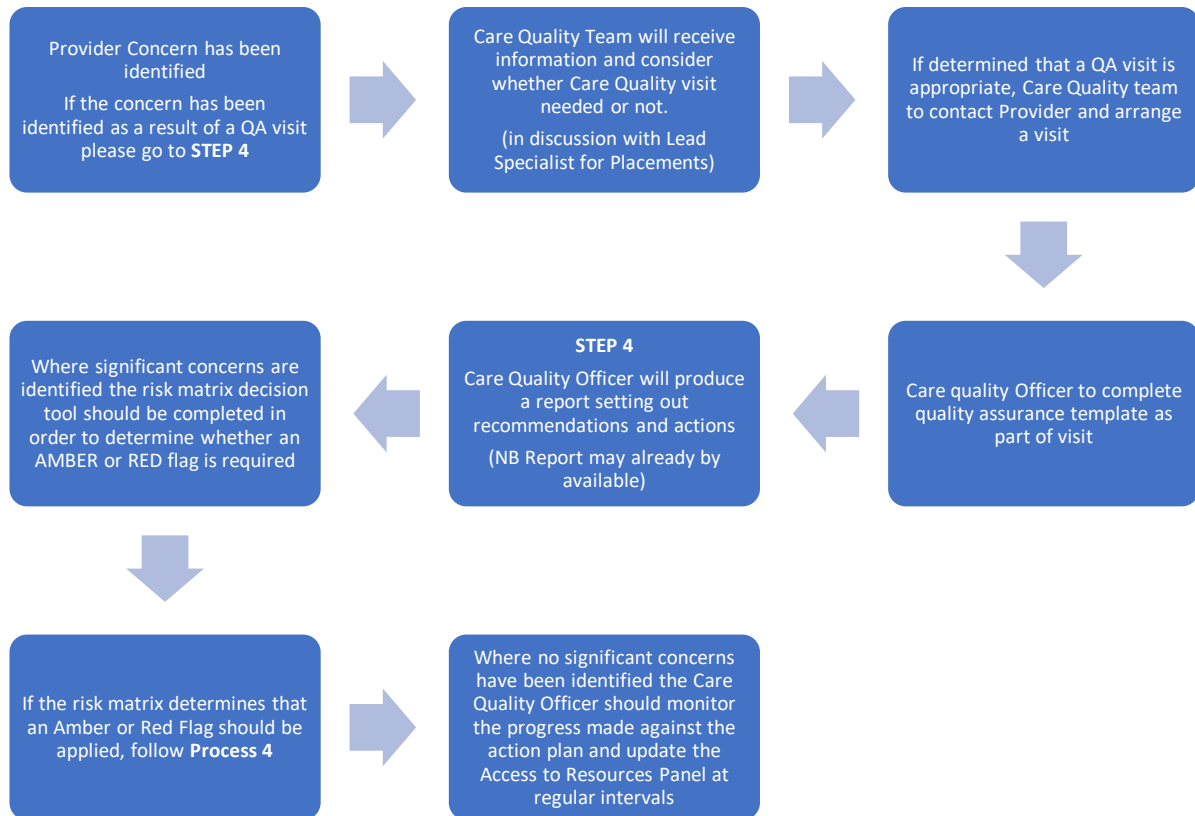
Process 1 – COMPLETION OF ANNEX A (Provider Service has been assessed as unregulated)



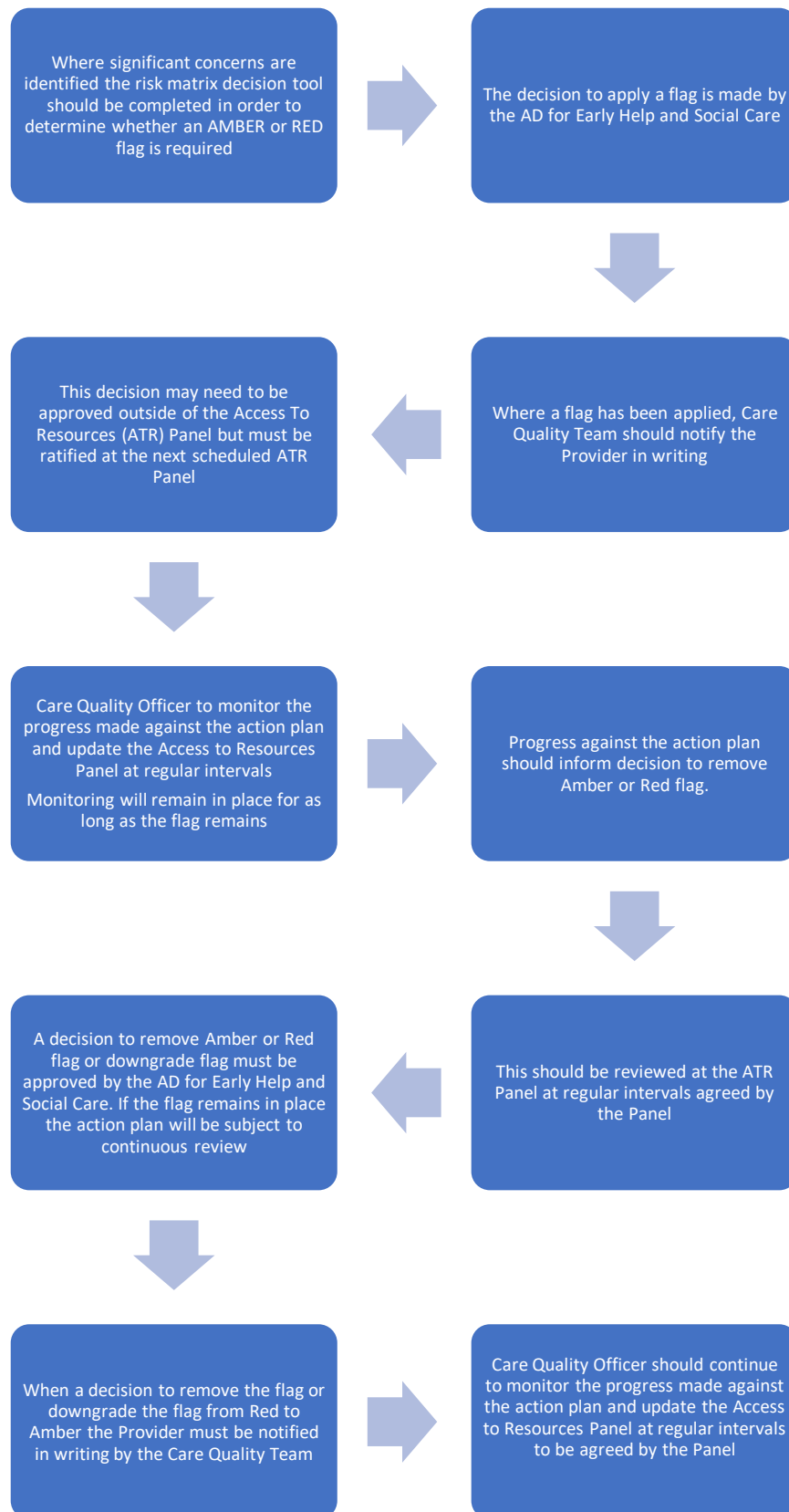
Process 2 – Provider Service has been assessed as unregistered



Process 3 – Quality Assurance of Provider Services



Process 4 – Quality Assurance of Provider Services (Significant Concerns Identified)



Please note: If a Provider of concern is on the South-Central Framework the Care Quality Officer should request that the Operational Commissioning Team contact the other Local Authorities on framework to advise of any concerns identified.

RISK MATRIX

Risk

	Severity			
	1	2	3	4
Probability				
1	2	3	4	5
2	3	4	5	6
3	4	5	6	7
4	5	6	7	8

Probability

1. may have occurred but is unlikely to reoccur
2. has occurred and is likely to reoccur, but is not currently occurring
3. has occurred or is occurring and is likely to reoccur *or* has not yet occurred but risk of occurrence is high
4. is occurring and there are no (or limited) protective factors

Severity

1. Standard – no harm has been caused and impact of any future harm would be low
2. Moderate - some harm, but there is no significant or lasting impact for the individual
3. High - has caused or carries risk of significant harm, including to health, pain, injury, psychological harm, permanent harm, or death
4. Critical - immediate safety is of significant concern

Summary of Concerns to be addressed						
Serial	Identified Risk	Evidence Base	Severity	Probability	Risk	Actions already taken

Summary of Concerns to be addressed						
Serial	Identified Risk	Evidence Base	Severity	Probability	Risk	Actions already taken

Summary of Other Recommendations	

PROVIDER FLAG

Amber flag - New placements are made with caution on a case-by-case basis. Existing placements will be closely monitored, and movements made where deemed necessary

These will have a robust agreed action plan in place which will be closely and regularly monitored.

Red flag - No new placements will be made. Existing placements will be closely monitored, and movements made where deemed necessary. These will have a robust agreed action plan in place which will be closely and regularly monitored.

Appendix A – Annex A

Wokingham Borough Council - Annex A: Provider Self-Assessment for Semi Independent Living Services	
Name of Provider:	
Providers Address :	
Details of Person Completing this form;	
Initials of Young Person :	
Placement Address :	
Please answer the following questions : (One form to be completed for each Young Person placed with your service)	
1. Can young people go out of the establishment without staff permission?	
2. Do young people have full control of their own finances?	
3. Do young people have control over what they wear and of the resources to buy clothes?	
4. Are young people in charge of meeting all of their health needs, including such things as arranging GP or specialist health care appointments?	
5. Are young people in full control of their medication?	

6. Do staff have any access to any medical records?	
7. Can young people choose to stay away overnight?	
8. Is there a sanctions policy that goes beyond house rules and legal sanctions that would be imposed on any adult?	
9. If the establishment c both adults and young people, do those under 18 have any different supervision, support, facilities or restrictions?	

Appendix B - Quality Assurance visit template

<https://proceduresonline.com/trixcms2/media/16895/care-quality-visit-template.docx>