

CHILDREN AND LIFELONG LEARNING SCRUTINY PANEL

DATE	19/01/2023
REPORT OF	Janice Spencer, Director of Children's Services
SUBJECT	Review of children with disabilities and complex health needs placed in residential settings within North East Lincolnshire
STATUS	Open

CONTRIBUTION TO OUR AIMS

Children's health, safety and wellbeing are all critical elements of our Council Plan

EXECUTIVE SUMMARY

This report will set out the findings for North East Lincolnshire Children's Services in respect of the national review into safeguarding children with disabilities and complex health needs in residential schools.

MATTERS FOR CONSIDERATION

To appraise scrutiny panel members of the outcome of the work that has been undertaken in North East Lincolnshire to comply with the requirements of the national review for children with disabilities or complex needs living in residential settings.

1. BACKGROUND AND ISSUES

- 1.1. In August 2022 all local authorities in England were notified that they must participate in a national review of children's residential schools which look after children with disabilities or complex needs. This was because an investigation in the Doncaster area had uncovered abuse of some children in these types of setting.
- 1.2. Five children in North East Lincolnshire met the criteria for the review which was carried out in September and October 2022.
- 1.3. The review found that our children with disabilities/complex needs who live in residential schools are all safe and well cared for.

2. RISKS AND OPPORTUNITIES

- 2.1 It is essential that when we have parental responsibility for children that we ensure they are safe and their needs are being met. There are significant financial and reputational risks to NELC if a child in our care was to experience abuse whilst living in a residential home that we had placed them in.

3. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 3.1 The executive summary of the report will be shared on our website, with a proactive media statement issued, to communicate that we have assured

ourselves and the national review panel that our children who live in residential schools are safe.

4. FINANCIAL CONSIDERATIONS

4.1 None.

5. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

5.1 This review positively impacts our children and young people with disabilities or complex needs

6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

6.1 No impact

7. MONITORING COMMENTS

7.1 In the opinion of the author, this report does not contain recommended changes to policy or resources (people, finance or physical assets). As a result no monitoring comments have been sought from the Council's Monitoring Officer (Chief Legal Officer), Section 151 Officer (Director of Finance) or Strategic Workforce Lead.

8. WARD IMPLICATIONS

8.1 None

9. BACKGROUND PAPERS

9.1 None

10. CONTACT OFFICER(S)

Tracy Morris, Assistant Director Safeguarding and Early Help

JANICE SPENCER
DIRECTOR OF CHILDREN'S SERVICES

Review of children with disabilities and complex health needs placed in residential settings within North East Lincolnshire

1. Purpose

This report will set out the findings for North East Lincolnshire Children's Services in respect of the National Review into safeguarding children with disabilities and complex health needs in residential schools.

2. History and context

On 23 August 2022 Local Authorities were notified that a National Review is taking place following allegations of widespread abuse (and which are subject to a live criminal and associated investigation) in the Doncaster area. It is estimated that there are around 1,700 children nationally who would meet the criteria and Local Authorities have been asked to undertake a review in respect of all children with complex needs or disabilities who attend residential schools 52 weeks per year and is looked after by the Local Authority.

3. Current needs across NEL

There are currently no residential schools within North East Lincolnshire and all residential schools used are out of area, mainly within neighbouring local authorities.

Five children met the criteria within North East Lincolnshire however two parents would not consent to the review taking place in respect of their children. The National panel have been consulted on this matter and are in agreement that if we have assurances that the children's needs are met via regular reviews then they will not be required to be part of the review.

The children considered within the review are aged between 12 – 17 years old and all have complex needs and disabilities. The children reviewed had a range of complex needs including autistic spectrum disorder, ADHD, PICA and had limited communication skills and they all required 1-1 care.

4. Methodology

Children's views have been gained through the support of the speech and language therapists (SALT) and communication plans have also assisted with this. When gaining the children's views, it was important that this was undertaken by someone with a trusted relationship, therefore a decision was made that the allocated social workers would undertake the direct work. Parent views were obtained, they were also invited to the quality and safety reviews which they all attended. Professionals involved with the children were all spoken to, case files were reviewed, child's plan's such as EHCP, behaviour management and communication plans were also considered. In addition, meetings were held with residential school managers to review training, medication plans/storage and staff ratios.

5. Findings

The residential schools provided to children within North East Lincolnshire are of good quality and meeting the children's overall needs. Children's needs are understood and staff at the residential schools know the children well. The children spoken to as part of this review shared no concerns however some children had limited language. Parents all shared that their children appear happy, settled and well cared for. One parent spoke about the difference she has seen in her son who previously refused to go to school, would be constantly heightened and would often become aggressive. She felt that the decision for her son to become looked after and be cared for in a 52 week placement was not taken lightly but due to the genuine care the staff provide, her son is now progressing both socially and academically. Parents reported that they receive daily updates each morning and evening from the staff about their child's day which they felt reassuring. The feedback regarding the schools was extremely positive and no concerns were raised by any parent about any of the residential schools.

Quality and Safety Reviews have been undertaken in respect of all three children considered within this review. There was good attendance and participation by professionals and parents. Up to date communication and behaviour management plans are in place and regularly reviewed. Information shared at the reviews demonstrated that appropriate support is in place for the children's specific needs and that education, health and care plans are reviewed on an annual basis.

In respect of contractual agreements currently NASS (National Association of Independent & none maintained schools) and White Rose is used within North East Lincolnshire. Individual placement agreements are required to ensure the arrangements for children in residential settings are in place. This is particularly important when considering staffing levels for each child and whether high staffing levels would be considered as a deprivation of liberty arrangement which would require the Courts approval and oversight. All the children considered as part of this review required 1-1 care both within the setting and outside and therefore, they are restricted which could be considered as a deprivation of liberty arrangement. Reviews of the Individual placement agreements should be taking place on an annual basis, and these are reviews are currently being undertaken within North East Lincolnshire.

Training for staff within the residential schools has been reviewed and there appears to be a good variety of training provided to all staff on a regular basis. Within two settings the MEARS approach is used which appears to be effective and no restraints have been made to the children considered within this review. Appropriate safeguarding training, Makaton training, deprivation of liberty, epilepsy, and communication training to name a few is provided to all staff which is reviewed on a regular basis by the manager. All incident reports are recorded by the school or residential home and parents and the allocated social worker are notified. This is recorded by the school or residential staff on School Pod which is an electronic system which is reviewed daily and any actions are signed off by a manager.

Notification and discussions have been held with the host Local Authorities to review any Local Authority Designated Officer (LADO) actions regarding the setting within their area. The host authority LADO have been advised that they are required to progress any outstanding enquiries being carried out regarding staff employed in the residential school. Checks have also been undertaken regarding the specific children open to North East Lincolnshire to ensure any LADO actions have been reviewed and acted upon. In respect of the children considered within this review no LADO referrals had been made.

6. Summary

Children within North East Lincolnshire who attend a residential school needs are met and understood by the setting. Children receive appropriate care and support from staff who are well trained and staffing levels are appropriate. Staffing ratios meet the needs of children within the residential schools and there is significant training for all staff which is regularly monitored. The children who were spoken to as part of the review raised no concerns and the parents spoke highly of the care their children are receiving.

7. Recommendations

The National panel to consider policies to be in place regarding contractual issues for residential schools.

Those children subject to this review where staffing levels may potentially be a deprivation of liberty should be subject to a formal review to determine if the children concerned meet the threshold for an application to the court for a DOLs.

All individual placement agreements to be reviewed by the North East Lincolnshire Children with Disability and Commissioning Team.

Contract reviews to be undertaken by North east Lincolnshire's commissioning team on all the cases considered as part of this review.

	Questions for RISL review on LA returns	Y / N / NA	Comment
LA	North East Lincolnshire		
1	Does the report confirm Urgent action 1 has been carried out as per the panel's letter (set out in Annex A)? Specifically:	Y	<p>Five children met the criteria within North East Lincolnshire however two parents would not consent to the review taking place in respect of their children. The National panel have been consulted on this matter and are in agreement that if we have assurances that the children's needs are met via regular reviews then they will not be required to be part of the review.</p> <p>Quality and Safety Reviews have been undertaken in respect of all three children considered within this review.</p> <p>The residential schools provided to children within North East Lincolnshire are of good quality and meeting the children's overall needs.</p>
	The Quality and Safety Reviews have ensured that:		
a	Children's communication plans are in place, updated and there is evidence of how they are used.	Y	Up to date communication and behaviour management plans are in place and regularly reviewed.
b	Children have positive behaviour plans in place, and staff are trained and supported to use them.	Y	Up to date communication and behaviour management plans are in place and regularly reviewed.
c	Children have accurate, up to date medication records and medications are securely stored and that there is appropriate use of medication (e.g., consider use of Pro Re Nata (PRN) medication).	Y	In addition, meetings were held with residential school managers to review training, medication plans/storage and staff ratios.
d	Children's physical and mental health needs are met and understood.	Y	Children within North East Lincolnshire who attend a residential school needs are met and understood by the setting.
e	Children are attending school and have clear progress targets.	N/A	No specific reference to school attendance or targets.
f	Children are supported to have the maximum contact with those who care about them, including parents/carers and siblings.	Y	Parents reported that they receive daily updates each morning and evening from the staff about their child's day which they felt reassuring. The feedback regarding the schools was extremely positive and no concerns were raised by any parent about any of the residential schools.
	Reviewers have ensured they have heard the voice of the child and know what their day-to-day experience of care is like by:		
g	Using the methodology of the communication plan to obtain the maximum opportunity of hearing directly about the child's experience, (this must include seeing the child face to face).	Y	<p>Children's views have been gained through the support of the speech and language therapists (SALT) and communication plans have also assisted with this.</p> <p>The children who were spoken to as part of the review raised no concerns and the parents spoke highly of the care their children are receiving.</p> <p>The children spoken to as part of this review shared no concerns however some children had limited language.</p>
h	Talking directly to families about the child and about how they experience the child's placement.	Y	<p>Parent views were obtained, they were also invited to the quality and safety reviews which they all attended.</p> <p>The children who were spoken to as part of the review raised no concerns and the parents spoke highly of the care their children are receiving.</p> <p>Parents all shared that their children appear happy, settled and well cared for.</p>
i	Talking to key professionals in the child's life and ask about their experience of placement.	Y	Professionals involved with the children were all spoken to, case files were reviewed, child's plan's such as EHCP, behaviour management and communication plans were also considered. In addition, meetings were held with residential school managers to review training, medication plans/storage and staff ratios.

j	Ensuring the child is seen in both home and school.	N/A	No specific reference to visiting children in at home.
	Reviewers have ensured that the child is receiving a safe, quality placement by:		
k	Checking if any safeguarding issues have been raised and, if so, that these have been followed up appropriately. This will include looking at all notifications in the last 12 months and all physical intervention records and if necessary, ensure appropriate follow up is in place.	N/A	No specific reference to safeguarding concerns.
l	Assuring themselves that liberty protection safeguards are in place where needed.	Y	All the children considered as part of this review required 1-1 care both within the setting and outside and therefore, they are restricted which could be considered as a deprivation of liberty arrangement.
m	Looking at staffing records to ensure children have the ratios agreed by the contract.	Y	Staffing ratios meet the needs of children within the residential schools and there is significant training for all staff which is regularly monitored. Individual placement agreements are required to ensure the arrangements for children in residential settings are in place. All the children considered as part of this review required 1-1 care both within the setting and outside and therefore, they are restricted which could be considered as a deprivation of liberty arrangement.
n	Assuring themselves that all outstanding actions from Annual Reviews have been completed.	Y	Information shared at the reviews demonstrated that appropriate support is in place for the children's specific needs and that education, health and care plans are reviewed on an annual basis.
2	Does the report confirm Urgent action 2 has been carried out as per the panel's letter? Specifically:	Y	
a	That the host authority LADO for each individual establishment has reviewed all information on any LADO referrals, complaints and concerns over the last 3 years relating to the workforce in such establishments to ensure these have been appropriately actioned.	Y	Notification and discussions have been held with the host Local Authorities to review any Local Authority Designated Officer (LADO) actions regarding the setting within their area. The host authority LADO have been advised that they are required to progress any outstanding enquiries being carried out regarding staff employed in the residential school.
b	The host authority LADO subsequently contacted any local authorities who currently have children placed in the establishments in their area if there are any outstanding enquiries being carried out regarding staff employed in the home.	Y	Checks have also been undertaken regarding the specific children open to North East Lincolnshire to ensure any LADO actions have been reviewed and acted upon. In respect of the children considered within this review no LADO referrals had been made.
3	Has the LA confirmed the report has been to the relevant boards for review (safeguarding, corporate parenting)? Y/N	N	Email to DCS needed to confirm this has taken place.

Recommendations following review

The National panel to consider policies to be in place regarding contractual issues for residential schools. Those children subject to this review where staffing levels may potentially be a deprivation of liberty should be subject to a formal review to determine if the children concerned meet the threshold for an application to the court for a DOLs.

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