



Llywodraeth Cynulliad Cymru
Welsh Assembly Government

NATIONAL MINIMUM STANDARDS FOR CHILDREN'S HOMES

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A statement of national minimum standards applicable to children's homes made by the Minister for Health and Social Services of the Welsh Assembly Government under the powers conferred by section 23(1) of the Care Standards Act 2000

A handwritten signature in black ink that reads "Jane Hutt". The signature is written in a cursive style with a large initial 'J'.

Minister for Health and Social Services
Welsh Assembly Government
17th April 2002

The statement is applicable to children's homes (as defined by section 1 of the Care Standards Act 2000) from 22nd April 2002

The statement is accompanied, for explanatory purposes only, by an introduction to the statement as a whole.

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INTRODUCTION: NATIONAL MINIMUM STANDARDS FOR CHILDREN'S HOMES

1. This document sets out National Minimum Standards for Children's Homes issued by the Welsh Assembly Government under Section 23 of the Care Standards Act 2000 (CSA). These standards will be used by the Assembly's Care Standards Inspectorate for Wales (CSIW) when determining whether children's homes are providing adequate care, meeting the needs of the children and young people who live there and otherwise being carried on in accordance with relevant requirements. The National Assembly will keep the standards under review, and may publish amended standards as appropriate.
2. The relevant requirements are set out in the Children's Homes (Wales) Regulations 2002 ('the Regulations') and under the CSA. Decisions of CSIW must be justified by reference to these regulatory requirements; and when making decisions CSIW must take these standards into account. Other agencies involved in the regulatory scheme, such as the relevant Tribunal, and the Courts, must also take the standards into account when making decisions under the CSA. For example, regulation 20 of the Regulations says "the registered person shall promote and protect the health of the children accommodated in a children's home". When considering whether or not this requirement is met CSIW will take into account standard 17.3 which is part of standard 17 about good health and well-being. This says that there should be a health plan for every child. If there is no health plan for a child, CSIW may conclude regulation 20 is not being met and take appropriate enforcement action.
3. These are "minimum" standards, rather than "best possible" practice. Many homes will more than meet the national minimum standards and will aspire to exceed them in many ways.
4. Subject to certain exemptions, a children's home is defined in Section 1 of the CSA as an establishment which provides care and accommodation wholly or mainly for children. These include private, voluntary and local authority children's homes, and both mainstream and special boarding schools accommodating or arranging accommodation for any child for over 295 days a year. Some children's homes will be specialist establishments for children requiring therapeutic support or for children with disabilities, others may be secure units.
5. Minimum standards do not mean standardisation of provision. The standards are designed to be applicable to the wide variety of different types of establishment that come within the category of children's homes, and to enable rather than prevent individual homes to develop their own particular ethos and approach to care for children with different needs.

6. It is hoped that the standards will be used for a range of purposes, and not just as part of the regulatory process. They may be used by providers and staff of homes in self-assessment of their own homes, provide a basis for the induction and training of staff and they can provide guidance on what is required when setting up a home. They can also be used by parents, children and young people as a guide to what they should expect a home to provide and to do. Those involved with children's homes in any way are encouraged to make full use of these standards.

REGULATORY CONTEXT

7. These standards are made under section 23 of the CSA by the Minister for Health and Social Services of the Welsh Assembly Government. They will apply from 22 April 2002, as the provisions of the Regulations apply, unless otherwise stated.
8. The CSA reforms the regulatory system for care services in England and Wales. It replaces the provisions of the Children Act 1989 about the registration and regulation of children's homes, and associated regulations, which are to be repealed, subject to transitional arrangements, from 1 April 2002. The CSA establishes the National Assembly as the social care and independent health care registration authority for Wales. For the time being these functions are discharged through its division known as the Care Standards Inspectorate for Wales (CSIW). The CSIW will take over the registration of social and health care services previously registered with local councils and health authorities. In addition, the CSA provides for the scope of registration to be extended to other services not currently registered, such as domiciliary care agencies, fostering agencies and residential family centres.
9. The CSA confers a broad range of regulation making powers upon the National Assembly in relation to Wales covering, amongst other matters, the management, staff, premises, and conduct of social and healthcare establishments and agencies. Section 23 confers powers upon the National Assembly to publish statements of national minimum standards that the CSIW and others must take into account when making decisions (as described in paragraph 2). These standards will, where applicable, often form the basis for judgements made by the CSIW regarding applications for registration, the imposition of conditions for registration, variation of any conditions and enforcement of compliance with the CSA, including decisions about cancellation or prosecution.
10. The CSIW will therefore consider the degree to which a regulated service complies with the relevant standards when determining, for the purposes of its registration functions, if a provision of the Regulations has been breached. Any decision made by CSIW in the exercise of its registration functions may be appealed to an independent tribunal.

STRUCTURE AND APPROACH

11. The national minimum standards for children's homes focus on achievable outcomes for children and young people – that is, the impact on the individual of the facilities and services of the home. The standards are grouped under a series of key topics:
 - **Choice of Service**
 - **Planning for Individual Needs and Preferences**
 - **Quality of Life**
 - **Quality of Care and Treatment**
 - **Staffing**
 - **Conduct and Management of the Service**
 - **Concerns, Complaints and Protection**
 - **The Physical Environment**
 - **Specialist Provision**

Each standard deals with a particular aspect of a children's home and is preceded by a statement of the outcome for service users intended to be achieved by the children's home. The regulations and standards have been designed to promote the achievement of that outcome.

The 'standard' dealing with a particular aspect of a children's home is actually made up of a set of standards which are the numbered paragraphs beneath the 'outcome' box. Each of these numbered paragraphs should, for the purposes of the CSA, be treated as a separate standard under s.23 of the CSA.

Wherever possible, all the regulations that the set of standards are linked to have been listed. However, other regulations may also be relevant and the note should be taken as a general guide rather than the comprehensive legal reference. The standards are intended to be qualitative, in that they provide a tool for judging the quality of life experienced by services users, but they are also designed to be measurable.

In some instances, to ease comprehension, the standards repeat the requirements of the regulations. This should not be taken to mean that the particular regulatory requirement is altered in nature – the provisions of the regulations must still all be met by the registered person.

12. Inspecting against the regulations and these standards, the CSIW will follow a consistent inspection methodology and reporting format across the country. In assessing whether or not a home meets a particular regulatory requirement, the CSIW will consider if it meets each of the relevant standards. Regulators will look for evidence that the requirements are being met and that a good quality of life is being enjoyed by those cared for in the home.

13. It is intended that the standards will be used, both by homes and by the CSIW, to focus on securing positive welfare, health and education outcomes for children and young people, and reducing risks to their welfare and safety, rather than upon structures and systems for their own sake. All providers and staff of children's homes should aim to provide the best care possible for the children in their care, and taking account of these standards is an essential part, but only a part, of the overall responsibility to safeguard and promote the welfare of each individual child accommodated.

CONTEXT AND PURPOSE

14. These national minimum standards, and the regulatory framework within which they operate, are part of a broader National Assembly policy to improve the quality of care received by children and young people looked after by local authorities. A variety of initiatives, for example, the Children First programme, have been launched to promote children's services.
15. The standards have been prepared following an extensive consultation programme. This involved a public consultation exercise as well as a series of stakeholder consultation days involving children and young people, current regulators, providers, purchasers and practitioners, and specialists in therapeutic and disabled provision. An Internet address was established for those unable to attend these sessions to feed in their views, and an extensive literature review was undertaken. These standards incorporate the views expressed during the consultation, and are intended to be realistic, proportionate, fair and transparent.

INTERPRETATION

In this statement-

'1989 Act' means the Children Act 1989;

'CSA' means the Care Standards Act 2000;

'CSIW' means the Care Standards Inspectorate for Wales;

'registered person' means a registered provider or registered manager;

'the manager' means

(i) where the person carrying on the home is not also the manager, the registered manager;

(ii) where the person carrying on the home is also the manager, that person.

'the Regulations' means the Children's Homes (Wales) Regulations 2002; unless the contrary intention appears, a reference to a regulation is to a regulation of the Children's Homes (Wales) Regulations 2002.

CHOICE OF SERVICE

STANDARD 1 - STATEMENT OF THE HOME'S PURPOSE

OUTCOME

Children and young people are guided through and know what services they can expect from the home, how they will be cared for and who they are likely to share with, and a clear statement of how the home operates is available for parents and others needing this information.

- 1.1 The home has a written Statement of Purpose and a children's guide, which accurately describe what the home sets out to do for children it accommodates, and the manner in which care is provided.
- 1.2 The statement of purpose provides all the information required in Schedule 1 to the Children's Homes (Wales) Regulations 2002.
- 1.3 The statement of purpose is in a form that can be understood by placing social workers, staff, and any parent or person with parental responsibility for a child. For some disabled children, young children and those for whom English is not the preferred language, alternative methods of communicating the statement of purpose are sought (eg Makaton, pictures, tape recording, translation into another language).
- 1.4 All those working in the home are aware of the contents of the statement of purpose, and a copy is easily accessible.
- 1.5 The children's guide to the home is suitable for the children in the home, includes a summary of what the home sets out to do for children, is provided to children on admission to the home and is readily available thereafter.
- 1.6 The children's guide is available in formats which can be understood by children accommodated in accordance with the home's statement of purpose, taking account of language, disability, age and understanding.
- 1.7 The children's guide contains information on how a child can secure access to an independent advocate, how to make a complaint and how to contact the Children's Commissioner for Wales.
- 1.8 The home's policies, procedures and any written guidance to staff accurately reflect the Statement of Purpose.
- 1.9 The registered provider formally approves the statement of purpose of the home, reviews it at least annually and updates and modifies it where necessary.

Changes are made in consultation with the children, staff placing authorities and any person with parental responsibility. Any changes or modifications are notified to the Care Standards Inspectorate Wales before implementation.

Relevant regulatory requirements

Regulation 4 – statement of purpose and children’s guide

Regulation 5 – review of the statement of purpose and children’s guide

STANDARD 2 - MOVING IN AND LEAVING THE HOME

OUTCOME

Children experience planned and sensitively handled admission and leaving processes.

- 2.1 There are procedures for introducing children to the home, the staff and the children living there which cover planned and, where permitted under the home's statement of purpose, emergency admissions.
- 2.2 The home's expectations of the child and what s/he can expect of staff are clearly explained prior to admission wherever possible, and where not possible are explained immediately on admission, and are reiterated as often as is necessary to ensure that the child fully understands.
- 2.3 Children are encouraged to bring favourite possessions with them when they move into the home. Consideration is given to the possibility of children keeping pets and the feasibility of bringing items of high value
- 2.4 There are procedures for children leaving the home covering both planned and emergency departures.
- 2.5 On moving to or leaving the home children are provided with written and verbal information which is designed to be appealing and understandable, providing facts which they need and wish to have. Such information should be available in forms appropriate for the language, disability, age and understanding of children¹.
- 2.6 The registered person does not admit children in an emergency unless this is provided for in its statement of purpose, and the home is at the time of admission able to provide a bed and appropriate facilities in the home.
- 2.7 A review of the appropriateness of the admission is initiated as soon as possible, and never later than 72 hours, after any emergency admission. The review considers whether it is in the child's best interests to remain at the home, or to move to a different placement.
- 2.8 Both the needs of the child concerned, and the likely effects of his/her admission upon the existing group of residents, are taken into account in decisions on admission to the home.

¹ See standard 1.3, Children's Guide

Relevant regulatory requirements

Regulation 4 – statement of purpose and children’s guide

Regulation 11 – promotion of welfare

PLANNING FOR INDIVIDUAL NEEDS AND PREFERENCES

STANDARD 3 - PLACEMENT PLANS

OUTCOME

Children have their needs assessed effectively and comprehensively, and a written plan outlines how these needs will be met and are implemented.

- 3.1 The placement plan for each child sets out clearly how the assessed needs of the child will be met.
- 3.2 The placement plan sets out:
- the detailed objectives of the placement and how these are to be met by the registered provider on a day to day basis
 - the contribution to be made by the staff of the home, and
 - how the effectiveness of the placement is to be assessed in relation to each major element of the plan.
- 3.3 The placement plan deals with:
- health needs and health promotion
 - care needs including safeguarding and promoting welfare
 - physical and emotional needs
 - education needs and attainment targets
 - cultural, religious, language and racial needs and how they will be met
 - leisure needs
 - contact arrangements with family, friends and significant others.
- 3.4 The placement plan is consistent with any plan for the care of the child prepared by the placing authority (where other plans cover the above, the placement plan may simply draw on the existing documents, without any need for duplication).
- 3.5 Each child's placement plan is monitored by their key worker within the home who ensures that the requirements of the plan are implemented in the day-to-day care of that child and discusses any changes with the child. The key worker also provides individual guidance and support to the child and regularly makes time available to the child to enable the child to seek guidance, advice and support on any matter. Where

homes do not use key working schemes, this responsibility passes to the registered person or to another member of staff nominated by the registered person.

- 3.6 The child's wishes are sought and taken into account in the selection of their key worker and their wishes are taken into account if they request a change of their key worker or other such person as noted in 3.5 above. Support is provided for disabled children with communication difficulties to help them become active in making decisions about their lives.
- 3.7 The registered person regularly and frequently seeks the views of individual children, their parents (unless, in accordance with the Regulations, this is inappropriate) and the social worker in their placing authority on the content and implementation of their placement plan, takes these views into account in initiating and making changes to the plan and reports on progress at the review.
- 3.8 The registered person ensures that the home has a copy of all relevant documentation for each child in its care. For children looked after by a local authority this should include all LAC documentation, the child's personal education plan and personal health care plan. The registered person should ensure that children in the home can access and discuss these and contribute to them².

Relevant regulatory requirements

Regulation 12 – child's placement plan

² The registered person is exempt from this requirement where the level of understanding of the child makes awareness of the plans impossible. Under such circumstances, the registered person must demonstrate that this is the case. The registered person will also be exempted from this requirement where access to the records may be restricted under the Data Protection Act 1998, or other law.

STANDARD 4 - CONSULTATION

OUTCOME

Children are encouraged and supported to make decisions about their lives and to influence the way the home is run.

- 4.1 Children's opinions, and those of their families or significant others³, are sought over key decisions which are likely to affect their daily life and their future. There are systems in place for doing this, such as written agreements, private interviews, key worker sessions, children's or house meetings.
- 4.2 The systems take account of children's different communication needs and no child is assumed to be unable to communicate their views.
- 4.3 Staff take into account the religious, racial, cultural and linguistic backgrounds of children and their families.
- 4.4 Each child is, as far as practicable, able to attend the services of, receive instruction in, and observe any requirement of (including dress, diet or otherwise) their religious persuasion.
- 4.5 Significant views and expressed opinions of children are recorded promptly in their case records.
- 4.6 The opinions and views of children on all matters affecting them, including day-to-day matters, are ascertained on a regular and frequent basis and are not taken for granted.
- 4.7 Children, their families and significant others receive feedback following consultation.
- 4.8 The opinions and views of the parents of children at the home are ascertained on a regular and frequent basis, including views on the following:
 - children's care at the home and the operation of the home.
 - the adequacy of staff looking after children at any given time
 - the adequacy of space and furnishings in children's bedrooms
 - the privacy of washing facilities
 - facilities for contacting significant people in the children's lives, and
 - children's sense of personal freedom.

³ 'Significant other' refers to someone who the child or young person considers important in their lives, for example, a close friend of the family, godparent, independent advocate, teacher or partner.

- 4.9 Where consultation with and involvement of a child's family is, in accordance with the regulations, inappropriate, staff explain to children why this is so, and consult with significant others or an independent visitor, as appropriate.
- 4.10 Suitable means are provided, frequently, for any child with communication difficulties to make their wishes and feelings known regarding their care and treatment in the home. This includes availability of different adults who understand how the child communicates.
- 4.11 The way the home functions enhances every child's independence and opportunity to make everyday choices.
- 4.12 Staff regularly, and frequently, seek the views of the relevant contact officers in children's placing authorities, on the care of the children concerned and the overall operation of the home.
- 4.13 The views of children, parents and placing authorities are taken into account in the development and any necessary change in the operation of the home.

Relevant regulatory requirements

- Regulation 4 - statement of purpose and children's guide
- Regulation 11 – promotion of welfare
- Regulation 12 – child's placement plan
- Regulation 19 – religious observance
- Regulation 24 – representations and complaints
- Regulation 33 – review of quality of care

STANDARD 5 – REVIEWS

OUTCOME

Children's needs and development are reviewed regularly in the light of their care and progress at the home.

- 5.1 The registered person ensures active participation by staff of the home in the review of each child's placement plan and, for a child who is looked after, the care plan. The registered person ensures that the child participates in the review process and ensures the implementation of the agreed outcome of reviews as necessary in the day-to-day care of the child.
- 5.2 The registered person ensures that all aspects of the plan for the child, which the home is responsible for implementing, are carried out within agreed timescales. The registered person informs the child's social worker and other relevant persons where the home is unable to meet its responsibilities for implementing the plan.
- 5.3 The registered person assists each child to contribute her/his views and wishes to the review process, including agreeing the time and place of such reviews, and assists with arrangements for the involvement of an advocate in accordance with the needs and wishes of the child. Where age, disability or other factors make direct participation difficult, the registered person ensures that the child's needs and views, as far as they are known, are taken into consideration.
- 5.4 The registered person contacts the placing authority to request a statutory review for any child when due if the placing authority has not made arrangements for one, or if one is necessary (eg change in the child's circumstances or failure of the current plan).
- 5.5 The result of all statutory reviews is recorded and placed on the child's case record. The day-to-day care of the child is altered as necessary to reflect the outcome of each review, and individuals responsible for pursuing actions at the home arising from reviews are clearly identified.
- 5.6 The home's staff, including where appropriate the child's key worker, contribute effectively to all reviews on the child's progress and any difficulties in the placement. Staff attend meetings concerning the child at the request of that child's placing authority; provide relevant information on request to the child's placing authority; and specifically highlight the achievements of the child.
- 5.7 Written copies of their reviews are made available to children, and they are assisted to understand them and to store them safely. Where necessary, reviews are translated or communicated in a form best suited to the child.

Relevant regulatory requirements

Regulation 12 – child’s placement plan

STANDARD 6 - CHILDREN'S INDIVIDUAL CASE RECORDS

OUTCOME

Children's needs, development and progress are recorded to reflect their individuality.

- 6.1 Each child has a permanent, private and secure record of their history and progress which can, in compliance with legal requirements, be seen by the child and by the child's parents as appropriate.
- 6.2 Each child's file is securely stored and contains the necessary information as detailed in Schedule 3 of the Regulations.
- 6.3 All files are well ordered and structured and record entry is positive in style and nature.
- 6.3 Children are made aware that they may read their files (with the exception of confidential or third party information unless the permission of the relevant parties for disclosure has been obtained or may otherwise be lawfully dispensed with) and are actively encouraged and, where necessary, supported to do so and to correct errors and personal statements.

Relevant regulatory requirements

Regulation 28 - records

STANDARD 7 – PRIVACY AND CONFIDENTIALITY

OUTCOME

Children's privacy is respected and information is confidentially handled.

- 7.1 The home and staff respect each child's wish for privacy and confidentiality as is consistent with good parenting and the need to protect the child.
- 7.2 The registered person provides procedural guidelines on privacy and confidentiality covering:
- access to case records by staff and others
 - passing on information with child protection implications
 - practical details about the way children's rooms are entered
 - entry/interruptions without permission in emergencies or where children are considered at risk
 - showering and bathing arrangements and use of toilets
 - personal matters such as menstruation and washing clothes.
 - intimate personal care including administering medication and invasive clinical procedures where applicable
- 7.3 Staff know how to deal with and share information which they are given in confidence.
- 7.4 The siting of the telephone(s) and arrangements for payment are convenient, private, and practical and accessible to disabled children if required. Arrangements regarding privacy and accessibility that differ from the above are agreed in residential plans and understood by the children.
- 7.5 Staff are sensitive to gender issues especially when dealing with children of the opposite sex.
- 7.6 Where the home accommodates children requiring staff help with intimate care, bodily functions, or moving and handling, all staff involved have received appropriate training and are provided with clear and appropriate written guidelines on provision of such assistance, which are followed in practice. These guidelines cover boundaries to be observed (including provision of such care to children of the opposite sex), and the requirement for the child concerned, where practicable, to be enabled to express choices and to seek the child's consent regarding provision of their intimate care.

7.7 The registered person provides guidance, for staff and children, on when it may be necessary to search a child's possessions. They are searched only in accordance with the guidance, and only on clear grounds, which are explained to the child concerned. All such searches are documented showing the time and the date and the reason for the search, noting what if anything was found, who carried out the search and who was present at the time. Such records should be signed by all those present.

Relevant regulatory requirements

Regulation 4 – statement of purpose
Regulation 11 – promotion of welfare
Regulation 15 – contact and access to communications
Regulation 20 – health needs of children
Regulation 25 – staffing of children's homes
Regulation 28 – records
Regulation 30 – fitness of premises

STANDARD 8 - PREPARATION FOR LEAVING CARE

OUTCOME

Children receive care and support which helps to prepare them for adulthood.

- 8.1 For children who will be leaving care in the next 12 months, the registered person ensures that the child's placement plan specifies separately the support and assistance they will receive to enable successful transition into adulthood and that this is implemented in practice.
- 8.2 The child's placement plan complements the care plan and any transition plan for children with disabilities and special educational needs and, for eligible children⁴, is consistent with and contributes to the pathway plan.
- 8.3 The registered person ensures that the home implements the child's placement plan and any aspects of the pathway plan which are the responsibility of the home for any child who is expected to leave care or move to independent living within the next year.
- 8.4 The child's placement plan clearly outlines the arrangements for:
- education, training and employment;
 - securing safe and affordable accommodation;
 - any support necessary for a child who is disabled;
 - financial assistance to enable the child to set up and maintain independent accommodation if applicable;
 - claiming welfare benefits where this is identified as a need and they will qualify;
 - general and specialised health education and health care, and other specialist services such as counselling;
 - maintaining existing important networks as defined by the child, which may include the children's home;
 - creating new networks of advice and support if this is applicable;
 - appropriate leisure pursuits;
 - seeking assistance should problems arise.
- 8.5 Plans are written in agreement with the child, who is given a copy of them, and take into account any disabilities the child may have and the child's religious, racial, linguistic and cultural background.

⁴ Under the provisions of the Children Act 1989 as amended by the Children (Leaving Care) Act 2000.

- 8.6 Particular attention is paid in preparing children for leaving care or independent living to the child's continuing needs to:
- develop and maintain relationships with others.
 - understand their sexuality and establish positive and caring social and sexual relationships.
 - develop self-esteem.
 - prepare for the world of work and/or further or higher education.
- 8.7 The daily life of the home provides opportunities for each child in the home, appropriate to the child's age and needs, to develop the knowledge and skills needed for independent living.

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Relevant regulatory requirements

Regulation 11 – promotion of welfare

Regulation 12 – child's placement plan

Regulation 18 – education, employment and leisure activity

Regulation 30 – fitness of premises

QUALITY OF LIFE

STANDARD 9 – PERSONAL APPEARANCE, CLOTHING, REQUISITES AND PERSONAL MONEY

OUTCOME

Children are encouraged and enabled to choose their own clothes and personal requisites and to have these needs fully met.

- 9.1 The registered person ensures that children are able to exercise their own preferences in the choice of clothing and personal requisites.
- 9.2 Children's clothing and personal requisite needs, including luggage, are fully met. Adequate funds are made available to meet these needs.
- 9.3 Children are able to exercise choice in the clothes and personal requisites that they buy, and to buy these through normal shopping arrangements. Staff accompany younger children and older children are given the choice of shopping alone or with the guidance of staff (subject to an assessment of risk and the child's needs and abilities).
- 9.4 Suitable and acceptable clothing and personal requisites are bought for any child who does not wish to, or is unable to, purchase their own.
- 9.5 Cultural, racial, ethnic or religious expectations regarding the choice of clothes or personal requisites are supported and promoted.
- 9.6 Children are able to keep their clothing and personal requisites and toiletries for their exclusive use.
- 9.7 The potential for self-harm or abuse of personal requisites and toiletries (e.g. aerosols and razors) is considered for each child and access controlled, if necessary, subject to a risk assessment.
- 9.8 Young women have their own supply of sanitary protection and do not have to request it from a central stock.
- 9.9 Staff provide appropriate advice to children on the use of toiletries, cosmetics and sanitary protection.

- 9.10 There is a policy, implemented in practice and known to the children, on personal allowances. The policy makes clear the purpose of different allowances, the arrangements for children to receive them, reasons why they may be withheld, the monitoring of their use and how requests for special allowances should be made and decided upon.
- 9.11 Children's money is held in safe keeping for them and children sign the entry made in their case records. Children are encouraged to manage their own finances through help with budgeting and banking, and are given as much freedom as possible in making decisions about spending their own pocket money or earnings.

Relevant regulatory requirements

Regulation 11 – promotion of welfare

Regulation 14 – provision of clothing, pocket money and personal necessities

Regulation 17 – behaviour management, discipline and restraint

Regulation 28 – children's case records

STANDARD 10 - CONTACT

OUTCOME

Children are able to maintain constructive contact with their families, friends and other people who play a significant role in their lives.

- 10.1 Children are provided with practical support for constructive contact with parents, family and other significant people, and are encouraged to maintain contact.
- 10.2 Contact arrangements are discussed at the time of the child's admission and subsequently, and are detailed in the placement plan. Contact is facilitated by all practicable and available means, including visits, telephone calls, e-mails and letters.
- 10.3 Any restrictions on, or monitoring of contact (eg telephone calls) are:
- discussed with the child and
 - in the case of a child looked after by a local authority, the child's social worker and/or any other significant person, or
 - if the child was not placed by a local authority, the child's parent or person with parental responsibility
 - in compliance with the other requirements of regulation 15(6).
- 10.4 The reason for any restriction on contact is clearly recorded in writing on the child's file and the restriction is subject to regular review.
- 10.5 Written guidance is provided for staff which clarifies:
- the rights of children, parents and others to maintain contact
 - arrangements for the supervision of visits or other means of contact where it is necessary to safeguard the child or other children in the home
 - when and how to encourage parents, relatives and friends to take part in activities in the home.
- 10.6 The views and wishes of the child on the nature and extent of contact are respected and recorded on the child's personal file.
- 10.7 A record is kept of contact and visits in accordance with regulation 28.
- 10.8 The home has facilities to allow contact between the child, family and friends that is welcoming, private (as appropriate) and comfortable and contributes to a positive approach to contact.

10.9 Children should not spend time away from the home with friends or family unless the registered person has received prior authorisation from the placing authority.

Relevant regulatory requirements

Regulation 12 – child’s placement plan

Regulation 15 – contact and access to communications

STANDARD 11 - EDUCATION

OUTCOME

Children benefit from the active promotion of their education as valuable in itself, and as part of their preparation for adulthood.

- 11.1 There is an education policy that shows how the home intends to promote and support the education of children throughout the time they live there. This includes supporting the child by ensuring they attend school regularly and with the necessary school equipment.
- 11.2 Each child's case records contains details of the child's educational history, any statement of special educational needs, progress and achievements. Relevant documents (such as the child's Personal Education Plan) are kept on the file.
- 11.3 Staff are familiar with the educational histories and needs of the children in the home.
- 11.4 Each child is given full access to educational facilities, at both school level and in further or higher education as appropriate, wherever feasible and in line with the child's age, aptitude, needs, interests and potential.
- 11.5 Placement plans explicitly address:
- education and whether the child's needs will be met by attending a particular educational establishment
 - any special educational needs and how they will be met
 - the level of monitoring of a child's school attendance.
 - parental/social worker involvement in the education of the child.
 - dates of national examinations such as SATs, GCSE, AS, and A levels, and any other examinations the child may intend taking
 - staff with responsibility for liaising with schools, careers service, job centre, employment agencies and local employers as appropriate.
 - arrangements for travelling to and from school.
- 11.6 Children are:
- provided with facilities that are conducive to study and to doing homework; and
 - actively encouraged and supported in doing so – this may include provision of books, computers and library membership;

- given help with homework if they wish;
- provided with reading support where needed;
- encouraged to participate in extra-curricular activities;
- encouraged to discuss any problems they may have at school in privacy with their key worker.

11.7 In the absence of a child's parents, staff of the home attend parents' meetings and other school events which are normally attended by the parents of other children at the school. Staff enable children to participate fully in school life including events and visits.

11.8 The staff of the home encourage attendance and the benefit of education for those children reluctant to attend and work with the placing and education authorities to minimise the impact of suspension or exclusion from school.

Relevant regulatory requirements

Regulation 12 – child's placement plan

Regulation 18 – education, employment and leisure activity

Regulation 28 - records

STANDARD 12 - LEISURE AND ACTIVITIES

OUTCOME

Children are enabled to pursue their particular interests, develop confidence in their skills and are supported and encouraged by staff to engage in leisure activities.

- 12.1 The registered person ensures that children have every opportunity to engage in purposeful and enjoyable activities, both within the home and in the local community.
- 12.2 There are ample opportunities for children to participate in a range of appropriate leisure activities, and the registered person allocates sufficient financial resources to fund leisure activities and trips.
- 12.3 All children are encouraged, supported and given opportunities to take part in activities and leisure interests which take account of their race, culture, language, religion, interests, abilities and disabilities. Birthdays, name days, cultural and religious festivals are celebrated where appropriate and children participate with staff in planning these events together.
- 12.4 Leisure interests and areas in which a child has talents or abilities are considered within the child's placement plan, and, where applicable, at care planning meetings and reviews. Consideration is given as to how they will be encouraged and financially supported.
- 12.5 There is a proper balance between free and controlled time in the structure of the day, taking into account the school day for those homes that are schools. Activities reflect the choices of the children and children are allowed to do nothing in particular at times.
- 12.6 Supervised and unsupervised activities take into account the safety of children at all times and, where high or unusual hazards are involved, a recorded risk assessment is made, any indicated action is taken to minimise unnecessary risks and consent obtained from those with parental responsibility.
- 12.7 Any high-risk activity provided or arranged for children is supervised by persons holding the relevant qualification to supervise children's involvement in the activity concerned (such as the qualification for instructing or supervising children awarded by the recognised national body for the activity concerned).
- 12.8 Children are encouraged to meet staff, individually or in groups, to discuss the general running of the home, to plan activities and to make their views known. Children's views inform the choice of any individual and group holidays, trips and outings.

- 12.9 Staff engage with children in talking about and doing things, sharing their experiences, and by participating appropriately in leisure activities with the children.
- 12.10 Children have access to and a choice in the selection of appropriate newspapers, books, magazines, toys, music and games. The children's age, gender, culture and interests are catered for.
- 12.11 Consideration is given to the individual circumstances of children in watching videos and television, and in using computer games and accessing the Internet. Videos, games consoles and computer games may be watched/played only by children of the intended age range. Systems and policies are in place to safeguard children when computer networking or on the Internet and also to prevent the home from becoming dominated by use of the television and computers.
- 12.12 Trips out to events for enjoyment or interest are encouraged and/or organised by staff.
- 12.13 Children who wish to do so are helped to participate in the educational and leisure activities and facilities available to children and young people in the home's locality.
- 12.14 Transport used by the home is not marked in such a way as to distinguish it from an ordinary car or bus, unless it has been received by the home as a charitable donation in which case it may carry the name of the donating charity. This does not prevent schools that are children's homes from having the name of the school on the car or bus.
- 12.15 The home has facilities and equipment available for educational and recreational activities that encourage the children to explore and learn, through a diversity of media appropriate to their language, disability, age and understanding.

Relevant regulatory requirements

- Regulation 11 – promotion of welfare
Regulation 12 – child's placement plan
Regulation 18 – education, employment and leisure activity
Regulation 33 – review of quality of care

QUALITY OF CARE AND TREATMENT

STANDARD 13 - SUPPORT TO INDIVIDUAL CHILDREN

OUTCOME

Children receive the individual support they need when they need it.

- 13.1 All children are given individual support in line with their needs and wishes, and children identified as having particular needs receive help, guidance and support when needed or requested.
- 13.2 The registered person ensures the provision, so far as is feasible, of individually appropriate personal, health, social and sex education for each resident child, including disabled children.
- 13.3 The registered person actively promotes the involvement of all children in the home's social group, counters isolation of individuals by others, nurtures friendships between children and supports those children who for any reason do not readily "fit in" to the resident group.
- 13.4 Appropriate support is provided for children in their preferred language, including sign language, to enable them to communicate their needs, wishes and concerns, and to communicate with staff and other children within the home.
- 13.5 The key worker provides individual guidance and support to the child and regularly makes time available to enable the child to seek guidance, advice and support on any matter.
- 13.6 Children are able to speak to any member of staff, not only their key worker, about personal or welfare concerns.
- 13.7 The registered person ensures, as far as possible, that professional services are provided where necessary to help children develop individual identity in relation to their gender, disability, religious, racial, cultural or linguistic background or sexual orientation.
- 13.8 Support and advice is provided to any child in the home who is, or has been, involved in abuse or prostitution, whether as a victim of abuse or in abusing others, and the child is involved in the planning of any such programme of support.

- 13.9 Each child has at least one person, independent of the home and/or the child's placing authority, whom they may contact directly about personal problems or concerns at the home. Such a person may, for example, be an advocate, children's rights officer, adult family member, personal adviser, befriender, visitor on behalf of an organisation carrying on the home, independent visitor, counsellor or mentor.
- 13.10 Children are supported to take controlled risks, consistent with their age, maturity and understanding, that are relevant and necessary to negotiating and understanding their place in the community.
- 13.11 Children whose placement plan requires specialist external services for them (eg for recreation, health or education) receive those services in practice. Staff co-operate in implementing any programmes associated with specialist services such as speech and language therapy or physiotherapy programmes.
- 13.12 When a child leaves the home a copy of the child's case record is passed to the placing authority⁵ and, where appropriate and subject to the agreement of the placing authority, relevant personal, educational and health information concerning each child is passed on to the child's subsequent placement.
- 13.13 Any specific therapeutic technique⁶ is only used with any child at the home if it is:
- specified in the child's placement plan and specifically approved by the child's placing authority
 - if the safe and effective use of the technique is known to be supported by evidence, and
 - carried out only by, on the direction of, or under the supervision of a member of staff or other practitioner holding a current recognised qualification in the therapy concerned. The registered person must be satisfied that the qualification is valid, and
 - any member of staff using such a technique is supervised in using the technique by a person outside the home who is qualified and experienced in the therapy concerned; this person is not responsible for the home
- 13.14 Appropriate support is provided for children who are refugees or seeking asylum, taking into account the particular circumstances of each child's flight from his or her country of origin and the advice of specialist agencies where necessary.

⁵ Regulation 28.

⁶ 'Therapeutic technique' means any technique intended to treat or relieve a physical, social, emotional, behavioural, psychological or cognitive problem of a child, the application of which requires skills or knowledge beyond the skills or knowledge normally expected of a parent or teacher.

Relevant regulatory requirements

Regulation 11 – promotion of welfare

Regulation 20 – health needs of children

Regulation 25 – staffing of children’s homes

Regulation 33 – review of quality of care

STANDARD 14 - RELATIONSHIP WITH CHILDREN

OUTCOME

Children enjoy appropriate, positive relationships with staff based on honesty and mutual respect.

- 14.1 The registered person ensures that relationships between staff and children are based on mutual respect and understanding and on clear professional and personal boundaries that are effective for both the individuals and the group.
- 14.2 Staff employed at the home are able to set and maintain safe, consistent and understandable boundaries for the children in relation to acceptable behaviour.
- 14.3 Expectations of behaviour for both staff and children are clearly understood and negotiated by those living and working at the home, including exercising appropriate control over children in the interests of their own welfare and the protection of others.
- 14.4 In day-to-day decision making, staff demonstrate an appropriate balance between:
- each child's wishes and preferences
 - the needs of individual children
 - the needs of the group of children resident at the time, and
 - the protection of others(including the public) from harm.
- 14.5 Communication between staff and children is positive and reflects care and concern for the children's welfare.
- 14.6 Children in the home are looked after without favouritism or antipathy towards any individual or group within the home and disagreements between staff and children are dealt with reasonably.
- 14.7 Where children require personal care, their choices of which staff provide that care are respected wherever possible.

Relevant regulatory requirements

Regulation 11 – promotion of welfare

Regulation 15 – contact and access to communications

Regulation 17 – behaviour management, discipline and restraint

Regulation 25 – staffing of children's homes

STANDARD 15 - BEHAVIOUR MANAGEMENT

OUTCOME

Children are assisted to develop socially acceptable behaviour through the encouragement of such behaviour and constructive staff response to inappropriate behaviour.

- 15.1 Staff respond positively to acceptable behaviour, and where the behaviour of children is regarded as unacceptable by staff, it is responded to by constructive, acceptable and known disciplinary measures approved by the registered person.
- 15.2 The registered person has clear written policy, procedures and guidance for staff based on a code of conduct setting out the control, disciplinary and restraint measures permitted and emphasising the need to respond positively and reinforce acceptable behaviour.
- 15.3 Measures of control and disciplinary measures are based on establishing positive relationships with children and are designed to help the child. Such measures are fair and consistently applied. They also encourage reparation and restitution and reduce the likelihood of negative behaviour becoming the focus of attention and subsequent disruption to the placement.
- 15.4 No form of corporal punishment can be regarded as acceptable.
- 15.5 The consequences of unacceptable behaviour are clear to staff and children. Any measures applied are relevant to the incident, reasonable and carried out as contemporaneously as possible.
- 15.6 Any measures taken to respond to unacceptable behaviour are appropriate to the age, understanding and individual needs of the child. Measures take into account that unacceptable or challenging behaviour may be the result of illness, bullying, certain disabilities such as autism, or communication difficulties.
- 15.7 Sanctions and physical restraint are not excessive or unreasonable.
- 15.8 Physical restraint is only used to prevent likely injury to the child concerned or to others, or likely damage to property and then only to the extent strictly necessary to avoid the injury or damage in accordance with regulation 17. Restraint is not used as a punishment, as a means to enforce compliance with instructions, or in response to

challenging behaviour which does not give rise to a reasonable expectation of injury to someone or damage to property. For schools which are children's homes, this does not prevent the use of restraint in circumstances permitted by s550A of the Education Act 1996.

- 15.9 The registered person's policy on the use and techniques of physical restraint and other forms of physical intervention, and the circumstances in which they may be used, is consistent with any relevant Assembly guidance on approved methods of restraint and physical intervention. All staff of the home are aware of, trained in, and follow in practice, the registered person's policy. All staff have signed that they have read a copy of the policy and have continued access to the policy and evidence of this is retained on their personnel file.
- 15.10 Records of the use of control, restraint or discipline (including imposition of sanctions) on a child by an adult are kept in separate dedicated, bound and numbered books and will include the information contained in the regulations.
- 15.11 All incidents of control, restraint or discipline (including imposition of sanctions) must be recorded in a full report held on the child's case file and cross-referenced to the relevant dedicated book. The report will include the matters required by regulation 17.
- 15.12 The home's records of control, restraint and discipline are regularly monitored by the registered person for compliance with the home's policy, procedure and guidance and to identify any patterns in incidents leading to disciplinary or restraint action becoming necessary. The monitoring also looks at implications for the care of individual children and current care practice. The registered person invites and records any comment on the appropriateness of individual uses of control, restraint or discipline made by anyone involved in such use, together with any subsequent action taken and signs against each entry made under standard 15.11 to confirm monitoring has taken place.
- 15.13 Measures of control, discipline and restraint used by the home are made clear to the placing authority, child, parent/s or carers before, or in the case of an emergency placement, at the time the child is to move into the home.
- 15.14 Children are encouraged to develop a proper awareness of their rights and responsibilities. Staff and children are clear that each individual has rights and responsibilities in relation to those who live in the home, those who work there and people in the community.
- 15.15 All children are given an opportunity to discuss incidents and express their views either individually or in a regular forum or house meeting where children and adults can discuss unsafe behaviour. When disciplinary measures or restraint are used, children are encouraged to write or have their views recorded and to sign their names against them, if possible, in the records kept by the home.

15.16 Unless the registered person can demonstrate that this is not appropriate, the home has procedures and guidance on police involvement in the home, which have been agreed with the local police and which staff are knowledgeable and clear about.

15.17 Staff meetings address issues of control and agree practicable and acceptable means of responding to behaviour and control problems of both the current group of children and of individual children in the light of their histories, any current problems and placement plans.

Relevant regulatory requirements

Regulation 17 – behaviour management, discipline and restraint

Regulation 25 – staffing of children’s homes

Regulation 27 – employment of staff

Regulation 28 – records

Regulation 33 – review of quality of care

STANDARD 16 - PROVISION OF AND PREPARATION OF MEALS

OUTCOME

Children enjoy healthy, nutritious meals that meet their dietary needs. They have opportunities to plan, shop for and prepare meals.

- 16.1 The registered person ensures that children are provided with adequate quantities of suitably prepared food and drink, having regard to their needs and wishes, and have the opportunity to shop for and prepare their own meals. Dietary needs due to health, religious persuasion, racial origin or cultural background are met.
- 16.2 Meals are set up to be well-managed, orderly, social occasions.
- 16.3 Children are provided with food, which is in adequate quantities, properly prepared, wholesome and nutritious, with regard to their cultural, ethnic and religious backgrounds and dietary needs and choices.
- 16.4 The record of menus (as served) demonstrates provision of a suitable and varied diet.
- 16.5 Medical advice is sought if children consistently refuse to eat or if there are significant concerns over their eating pattern or diet.
- 16.6 Children are not routinely excluded from communal meals.
- 16.7 Dining rooms and their furnishings are suitable for the numbers and needs of children and staff dining in them.
- 16.8 Children are able, with assistance where necessary, to prepare snacks and drinks for themselves at reasonable times and should have access to fresh drinking water at all times.
- 16.9 Staff and children involved in preparing food for others have received appropriate training and/or are appropriately supervised in safe food handling and hygiene.
- 16.10 Meals (with drinks) are provided at reasonable set mealtimes, and food is either provided or readily available to children when they miss a set mealtime.

Relevant regulatory requirements

Regulation 13 – food provided for children

Regulation 20 – health needs of children

Regulation 30 – fitness of premises

STANDARD 17 - GOOD HEALTH AND WELL BEING

OUTCOME

Children live in a healthy environment and their good health is promoted.

- 17.1 The registered person actively promotes the health care of each child and enables the child to learn about healthy living.
- 17.2 The physical, emotional and health needs of each child are identified and appropriate action is taken to secure the medical, dental and other health services needed to meet them. Children are provided with guidance, advice and support on health and personal care issues appropriate to the age, needs and wishes of each child.
- 17.3 Each child has a clear written health plan (within their placement plan) covering:
- medical history
 - any specific medical or other health interventions which may be required
 - any necessary preventative measures
 - allergies or known adverse reactions to medication
 - dental health
 - hearing
 - eyesight
 - records of developmental checks
 - specific treatment therapies or remedial programmes needed in relation to physical, emotional or mental health.
 - health monitoring required by staff
 - the involvement of a child's parents or significant others in health issues.
- 17.4 A written record is kept, in accordance with regulation 28, of all significant illnesses and accidents suffered by children during their placement at the home.
- 17.5 Each child is provided with guidance, advice and support, appropriate to the child's age, needs, culture and wishes, in relation to:
- health and social issues including substance misuse (including drugs, alcohol and solvents)
 - smoking
 - sex education
 - HIV infection, hepatitis and sexually transmitted infections, and
 - protecting oneself from prejudice, bullying and abuse, both within and outside the home.

- 17.6 There is a policy and written guidance, implemented in practice, on promoting the health of children in the home including:
- immunisation and screening,
 - nutrition and diet,
 - exercise and rest,
 - personal hygiene,
 - sexual health,
 - the effects of alcohol, smoking, substance misuse
 - HIV and AIDS and other blood borne viruses
- 17.7 Children are actively discouraged from smoking, alcohol and substance misuse.
- 17.8 Children are given opportunities to discuss these issues openly and honestly with staff and their peers.
- 17.9 Wherever practicable, each child is registered with a general practitioner and a dentist in the home's locality.
- 17.10 Children competent enough to do so, are enabled to make choices concerning their nursing, medical, dental and other health needs.
- 17.11 Children, subject to their age and understanding, can choose whether or not they are accompanied by a member of staff when being seen by a doctor, nurse or dentist, and, as far as is practicable, to see a doctor of either gender if they wish.
- 17.12 Children with particular health needs or a disability including physical or sensory impairment or learning disabilities are provided with appropriate support and help. The registered person emphasises to staff the need to protect children's dignity at all times.
- 17.13 The registered person ensures that any treatment which is prescribed or included in the child's placement plan or (where applicable) care plan is implemented (within the capabilities of staff), taking the child's wishes into account.
- 17.14 Issues of personal hygiene are dealt with sensitively.
- 17.15 Staff understand the needs of children from minority ethnic and cultural groups and specialist advice is sought when necessary.

Relevant regulatory requirements

Regulation 4 – statement of purpose

Regulation 11 – promotion of welfare

Regulation 12 – child's placement plan

Regulation 20 – health needs of children

STANDARD 18 - TREATMENT AND ADMINISTRATION OF MEDICINES WITHIN THE HOME

OUTCOME

Children's health needs are met and the home's policies and procedures for administering medicines and providing treatment safeguard their welfare.

- 18.1 The registered person ensures that first aid, minor illness treatment and administration of medication is only given at the home (other than by a registered nurse, doctor or a dentist), by a competent, designated staff member or, where the home has one, a nurse.
- 18.2 There is a policy with written guidance, implemented in practice, for recording the receipt, storage, handling, administering and disposal of medication.
- 18.3 A written record is kept by the home of all medication, treatment and first aid given to children, giving name, date, medication/treatment (including dosage) involved and reason for administration (if not prescribed) or treatment. The record is signed by a member of staff responsible for releasing medicines from storage in the case of the use of medication, and by the person who administers the medicine or provides the treatment and is regularly monitored by a designated senior member of staff.
- 18.4 When staff carry out skilled health tasks for children (eg catheter care, administration of oxygen, administration of rectal diazepam, supporting physiotherapy programmes, management of prostheses), these are carried out only on the written authorisation of the prescribing doctor or a nurse responsible for the tasks concerned. Records are kept of all such tasks carried out.
- 18.5 The registered person has obtained, and retains on file, prior written permission from a person with parental responsibility for each child, for the administration of first aid and appropriate non-prescription medication.
- 18.6 Staff are trained in the use of first aid and first aid boxes are provided within the home.
- 18.7 If a person is employed to work as a nurse at the home, that person should be a registered nurse who should have access to a named doctor for professional guidance and consultation. Wherever practicable the nurse should be a Children's Nurse (RSCN or Project 2000 Branch Nurse).
- 18.8 Children are given medication as prescribed for them, any refusal to take medication is recorded in their case record and reported to the prescribing practitioner.
- 18.9 Prescribed medication is only given to the child for whom it is prescribed in accordance with the instructions of the prescriber or given with the dispensed medicine. It must not

be kept for general use for other people (children or staff) or added to “stock” for such use.

- 18.10 Children keeping and administering their own medication are assessed by staff as sufficiently responsible to do so, and are able to store their medication somewhere not readily accessible to other children.
- 18.11 Prescribed and “household” medication, other than that kept by individual children keeping their own medication, is kept securely (eg in a locked cabinet whose key is not accessible to children).
- 18.12 The registered person has secured, and follows, qualified medical or nursing advice in a written protocol on the provision of non-prescription “household” medicines to children.

Relevant regulatory requirements

Regulation 20 – health needs of children
Regulation 21 - medicines

STANDARD 19 – VETTING OF STAFF AND VISITORS

OUTCOME

Children are safeguarded from abuse by the procedures used for selecting and vetting all staff and volunteers, and the monitoring of visitors.

- 19.1 The registered person operates an effective selection and vetting process for all staff and volunteers working with children in the home, this includes the monitoring of all visitors.
- 19.2 The registered person ensures that all staff who work at the home (including ancillary staff, those on a contractual/sessional basis, volunteers and students) have had made in respect of them the checks required under regulation 26 (but see 19.4 below). If the position involves regularly caring for, training, supervising or being in sole charge of persons aged under 18 this will include a current enhanced criminal record certificate issued under Section 115 of the Police Act 1997 being made available. In other cases where a person falls within regulation 26(1) a current criminal record certificate issued under Section 113 of that Act is required. In either case, a note must be made on their file in confirmation.
- 19.3 The registered person has an effective system to decide on appointment, or refusal of appointment of staff or others likely to have regular contact with children at the home, in the light of any criminal convictions or other concerns about suitability that are declared or discovered through the recruitment process.
- 19.4 In accordance with regulation 26(5) the registered person may allow a member of staff to start while the outcome of some of the checks are awaited. In such a case the registered person must demonstrate that:
- any criminal record certificate that is required to be made available in accordance with regulation 26 has been made available
 - the individual is directly supervised at all times at a level that prevents them having unsupervised contact with children in the home;
 - the circumstances are exceptional;
 - the registered person has taken all reasonable steps to complete the recruitment process and to 'chase' outstanding information; and
 - the registered person has taken all reasonable steps to avoid such circumstances occurring.

Continued employment, in such circumstances, is subject to satisfactory outcomes of the checks.

- 19.5 The registered person provides information about the purpose of the home, consistent with its statement of purpose, to all applicants for all posts in the home.

- 19.6 Wherever practicable, shortlisted applicants for appointment to any post in the home are invited to visit the home (subject to consultation with the children) prior to the decision on appointment being made. Observations are sought from staff and children and are taken into account in the appointment decision. In such circumstances, candidates are not given unsupervised access to children.
- 19.7 Any employment references provided by the registered person on any existing or past staff member for work with children clearly state whether there are any concerns regarding the suitability of the person to work with children.
- 19.8 Any staff or visitors to the home who do not fall within the remit of the Criminal Records Bureau checks are not allowed unsupervised access to the home. There is a clear policy, with procedures implemented in practice, for monitoring such people and all visits made to the home are recorded.
- 19.9 Staff take responsibility for the monitoring and management of visitors in consultation with children and in the interests of the safety and welfare of all resident children.
- 19.10 Children are given clear written and verbal guidance on the arrangements for receiving their own visitors to the home. Visiting parents and relatives are not given unsupervised access to other children in the home.
- 19.11 The registered person has taken reasonably practicable steps to ensure that where children are driven in taxis arranged by the home, they are either accompanied by staff or other arrangements have been made to ensure that the registered person has confidence that their welfare is safeguarded on the journey.

Relevant regulatory requirements

- Regulation 15 – contact and access to communications
- Regulation 16 – arrangements for the protection of children
- Regulation 25 – staffing of children’s homes
- Regulation 26 – fitness of workers
- Regulation 28 - records

STANDARD 20 – EXPERIENCE AND QUALIFICATION OF STAFFING

OUTCOME

Children receive the care and services they need from competent staff.

- 20.1 The registered person ensures that the experience and qualifications of staff meet the needs of the children.
- 20.2 The overall competence of staff, both as a staff group and on individual shifts, is satisfactory in relation to:
- the fulfilment of the home's statement of purpose
 - the care plans, placement plans and needs of individual children in the home
 - the number and mix of children in the home, and
 - any particular difficulties being experienced by the home.
- 20.3 There are clear arrangements for staff to deputise in the manager's absence. Staff who deputise have at least two years experience in residential child care and, by April 2004, an NVQ level 3 in Caring for Children and Young People.
- 20.4 Staff who are leaders of staff shifts have at least one year's experience in residential child care and, by April 2004, an NVQ level 3 in Caring for Children and Young People
- 20.5 By 2004, care staff will be at least 18 years' old and staff who are given sole responsibility for children or a management role, are at least 21 years' old, but at no time should a person work in a children's home unless they are at least 4 years older than the oldest child accommodated.
- 20.6 By 1 April 2005, at least 80% of care staff hold an NVQ Level 3 in Caring for Children and Young People or a similar qualification recognised by the Care Council for Wales, or a higher qualification.
- 20.7 New staff engaged from January 2005 need to hold such a qualification or gain the qualification within 2 years of taking up an appointment in a children's home.
- 20.8 All staff are supervised, and are clear about accountability and reporting lines, and procedures to be followed in relation to emergencies, health and safety, child protection and notification of incidents.
- 20.9 The registered person has in place a staff disciplinary procedure which makes clear that a staff member of staff may be suspended (or transferred to other duties) as a neutral act, pending consideration of, or completion of an investigation of, any suspicion or allegation of abuse or serious concern relating to the safety or welfare of

children, where appropriate in the interests of the safety or welfare of children accommodated in the home. The procedure clearly separates staff disciplinary processes from child protection enquiries and criminal proceedings, and is known by staff.

Relevant regulatory requirements

Regulation 25 – staffing of children’s homes

Regulation 26 – fitness of workers

Regulation 27 – employment of staff

STANDARD 21 – STAFF SUPPORT

OUTCOME

Children are looked after by staff who are themselves supported and guided in safeguarding and promoting the children's welfare.

- 21.1 All staff, including domestic staff and a registered manager of the home, are properly managed and supported and understand to whom they are accountable.
- 21.2 All care staff and others working in the home (including temporary staff and ancillary staff) receive one-to-one supervision from a senior manager once a month and fortnightly for the first six months in the case of new care staff. Records are kept of agreed action following all these supervision meetings.
- 21.3 A written record is kept in the home detailing the time and date and length of each supervision held for each member of staff, including a registered manager. The record is signed by the supervisor and supervisee at the end of the supervision.
- 21.4 Supervision of staff working with children addresses the following issues:
- responses to and methods of working with children.
 - work with any child for whom the staff member is key worker
 - the staff member's role, including their accountability, in fulfilling the home's statement of purpose
 - the staff member's work in fulfilling the placement plan for individual children
 - degree of personal involvement, feelings, concerns and stress
 - staff development and training
 - the setting and maintenance of standards
 - feedback on performance
 - guidance on current and new tasks, including the setting and maintenance of standards
 - personal issues which may impinge on the member of staff's ability to carry out their duty effectively.
- 21.5 Suitable arrangements exist for professional supervision of a registered manager of the home.
- 21.6 All staff, including a registered manager, have received written job descriptions and person specifications related to the home's current statement of purpose, which state clearly their responsibilities, the duties currently expected of them and their accountability line. Job descriptions are subject to periodic review. See also standards 29 and 34 for reference to competencies.

- 21.7 All staff have their performance individually and formally appraised at least annually by their line manager (for teachers, this will normally be part of Performance Management and duplication is not required). The employee's personnel file contains a record of the appraisal showing the level of performance achieved, targets for the coming year, and the agreed training and qualification needs to be met within the following year as part of any Personal Development Plan of the individual.
- 21.8 Staff are provided with written guidance on procedure and practice that is kept up to date, is accessible, and where applicable is available on the policy areas detailed in Appendix 1. Staff are informed of the home's complaints procedure.
- 21.9 Staff have access to sources of advice and counselling.
- 21.10 Staff meetings occur at least monthly and all staff have the opportunity to attend.
- 21.11 Staff meetings include discussion of both the home's work in caring for the individual children and the management of the current child group, together with review of the home's practices. Meetings have an agenda and are minuted.

Relevant regulatory requirements

Regulation 9 – registered person – general requirements

Regulation 27 – employment of staff

STANDARD 22 – TRAINING AND DEVELOPMENT

OUTCOME

Children are looked after by staff who are trained and competent to meet their needs.

- 22.1 The registered person ensures that staff receive training and development opportunities that equip them with the skills required to meet the needs of the children and the purpose of the home.
- 22.2 The registered person has an induction training programme for all newly appointed care and ancillary staff (including any agency, temporary, volunteer, and student staff), which includes guidance on child protection. The programme takes into account such guidance on induction as may be published by the Care Council for Wales. New staff are clear about accountability and reporting lines, and procedures to be followed in relation to emergencies, health and safety, child protection and notification of incidents.
- 22.3 An introduction to child protection procedures, fire training, medical procedures and recording is provided for all care staff before they start work in a home.
- 22.4 All care staff commence their induction programme on the first day of their employment, and are assessed by the end of their twelfth week in employment. Following successfully completing their induction programme, staff without the appropriate qualification referred to in standard 20 begin working towards the qualification.
- 22.5 All childcare staff have a personal development plan, and receive paid days of training which ensure that they meet the standards set out within this document and are able to deliver the home's statement of purpose. Staff have, where appropriate, access to continuing and post qualifying training in child care.
- 22.6 A written record of all training for all staff is maintained in the home in accordance with regulation 28(4).
- 22.7 Where staff members do not already have the necessary skills, they have been provided with access to programmes of training which address the issues detailed in Appendix 2.
- 22.8 In homes accommodating disabled children who need to be lifted or handled, staff are trained in moving and handling techniques.

Relevant regulatory requirements

Regulation 25 – staffing of children’s homes

Regulation 27 – employment of staff

Regulation 28 – records

STANDARD 23 – ADEQUACY OF STAFFING

OUTCOME

Children have their needs met by the provision of sufficient numbers of staff

- 23.1 The registered person ensures that the home is staffed at all times at or above the minimum level specified in the home's statement of purpose.
- 23.2 Records demonstrate the achievement of the appropriate staffing level.
- 23.3 The registered person's staffing policy ensures that the staffing is adequate to meet the home's statement of purpose and also takes into account the needs of the children and the placement plans related to those needs.
- 23.4 The registered person ensures that the staff required to work in the home are allocated specifically to that home, and that any changes in the composition of the staff team take into account the interests of the children and regulatory requirements.
- 23.5 The staffing policy states the:
- number of care staff required to be on duty by day (which may include different required numbers for different circumstances)
 - number of care staff required to be on duty by night, and whether they are required to be waking or sleeping in
 - number of ancillary staff required to be on duty in addition to care staff at defined times of day or night
 - agreed start and finishing times for night staffing
 - arrangements for managing the staff on duty group by day and night
 - arrangements for staff to be present in the building or available during the day
 - arrangements for calling senior staff support if required.
- 23.6 Staff rotas have time scheduled to ensure that hand-over sessions, spending time with individual children, completion of records and planning and carrying out of care programmes occur without compromising the overall care of children.
- 23.7 In all cases where children under 15 are accommodated, a minimum of 2 staff must be on duty or available between 7.00am and 11.00pm each day. In homes accommodating children who are aged 15 or older, a minimum of 2 staff will be required to be on duty or available between 7.00am and 11.00pm unless specifically

agreed with the placing authority, the child/children concerned and where appropriate their parents/carers. Subject to the preceding sentences of this paragraph, a minimum ratio would be expected of one staff member to 5 children. However higher staffing ratios may be needed to meet the needs of the children accommodated in the home.

- 23.8 The registered person makes every effort to achieve continuity of staffing and to ensure that the majority of staff at the home are permanent (not temporary or agency) so that children's attachments are not overly disrupted.
- 23.9 The registered person increases the number of staff looking after children above the minimum required by the statement of purpose where children's needs, the number of children or other circumstances require this in order to safeguard and promote the welfare of each child.
- 23.10 Where only one member of staff is on duty at any time, a risk assessment has been carried out and recorded in writing, identifying any likely risks to children, staff and members of the public, and this has demonstrated that there is no unacceptable level of risk from such an arrangement.
- 23.11 Children should always have a member of staff responsible for them. They know who that member of staff is and how to contact him/her.
- 23.12 There is at least one member of staff responsible for each identifiable group of accommodated children, within or outside the home, with the means to call for immediate back up from at least one other member of staff if necessary.
- 23.13 Children are not given responsibility for other children in the home, nor given responsibilities to compensate for any lack of staff in the home. Children who are given responsibility for specific tasks in the home are sufficiently supervised by staff to ensure that they fulfil their roles appropriately and without abuse of the role (e.g. to bully others).
- 23.14 Staffing arrangements for staff sickness and absence (including training) enable the home's staffing policy (as detailed in the statement of purpose) to be maintained.
- 23.15 Recruitment policies and practice seek to ensure that the staff group in day-to-day contact with children includes staff of both genders and takes into consideration children's racial, cultural and linguistic backgrounds and disabilities
- 23.16 Where the home's statement of purpose makes it explicit that the home uses staff of one gender only, clear guidance is provided and implemented on how children are enabled to maintain relationships with members of the opposite gender to the staff group.

21.17 Staff know which children and adults are sleeping in the home each night.

Relevant regulatory requirements

Regulation 4 – statement of purpose

Regulation 11 – promotion of welfare

Regulation 25 – staffing of children’s homes

Regulation 27 – employment of staff

Regulation 28 – records

STANDARD 24 – STAFF CONDUCT

OUTCOME

Children benefit from being looked after by staff who conduct themselves in a responsible and appropriate manner at all times.

24.1 The registered person ensures that staff act as role models and strive to set a good example to the children at all times.

24.2 The registered person ensures that staff:

- do not consume alcohol whilst at work or prior to work.
- do not misuse or be under the influence of any substance that impairs their ability to look after children or young people.
- do not smoke whilst looking after children at, or for the purposes of, the home
- do not smoke at the premises of the home in sight of the children accommodated at the home
- refrain from swearing in the workplace and from using language that has the potential to offend, whether this be sexist, racist or discriminatory. Similarly jokes that are sexist, racist or discriminatory in nature should not be exchanged.
- relate to children and colleagues in an appropriate manner at all times.

Relevant regulatory requirements

Regulation 25 – staffing of children’s homes

Regulation 26 – fitness of workers

CONDUCT AND MANAGEMENT OF THE SERVICE

STANDARD 25 – MONITORING BY THE REGISTERED PROVIDER

OUTCOME

The welfare of the children in the home is promoted by regular monitoring by the person carrying on the home.

- 25.1 The person carrying on the home monitors the welfare of the children in the home.
- 25.2 Where the person carrying on the home does not manage the home on a day to day basis, s/he must visit the home at least once a month to monitor the care provided. Within two weeks of the visit, the visitor should complete a written report on the conduct of the home. Where the body carrying on the home is an organisation, a member or representative of that organisation who is not employed at the home and who satisfies the requirements of regulation 32(2) carries out these visits and produces the report.
- 25.3 A visit shall include:
- checks on the home's daily log and records of complaints
 - an assessment of the physical condition of the building, furniture and equipment of the home
 - an opportunity for any child or member of staff who wishes to meet the visitor (in private if they wish).
- 25.4 Action is taken by the registered person on recommendations or issues of concern raised in reports of visits.

Relevant regulatory requirements

Regulation 32 – visits by registered provider

Regulation 33 – review of quality of care

STANDARD 26 – MONITORING OF THE OPERATIONS OF THE HOME

OUTCOME

Children benefit from living in a setting where the feedback on how the home is operating is taken seriously.

- 26.1 The registered person ensures that the home responds positively to feedback it receives on how it is operating.
- 26.2 There are systems in place to monitor the performance of the home against its statement of purpose and for regular reviewing of the statement, and the registered person ensures that performance is monitored in accordance with the Regulations.
- 26.3 The registered person monitors and signs the home's records at least once a month, to identify any patterns or issues requiring action. S/he takes action to improve or adjust provision where necessary.
- 26.4 Action is taken if necessary in relation to any concentration, trend or pattern in recorded issues or events to improve the safeguarding and promotion of the welfare of children and quality of care in the home.
- 26.5 The registered person considers the reasons for any high incidence of police involvement with children from the home, high proportion of children not at school or suspended or excluded from school, or high staff turnover. Any necessary consequential action is carried out.
- 26.6 The registered person can demonstrate that the home is operating in accordance with its statement of purpose, that the range of needs to be met under the statement of purpose is not excessive in the light of the home's current functioning, and that the home only admits children whose assessed needs can be met within the purpose of the home.
- 26.7 The registered provider has a written development plan for the future of the home, either identifying any planned changes in the operation or resources of the home, or confirming the continuation of the home's current operation and resourcing. It should include an evaluation of operations and resources, show evidence of the involvement of a registered manager and be reviewed annually.
- 26.8 The system required under regulation 33(1) should provide for copies of inspection reports by the CSIW to be made available by the registered person to all members of staff, to children resident at the home, to parents, and on request to placing authorities of existing children or those authorities considering placing a child.

Relevant regulatory requirements

Regulation 4 – statement of purpose

Regulation 33 – review of quality of care

Regulation 35 – financial position

STANDARD 27 – BUSINESS MANAGEMENT

OUTCOME

Children enjoy the stability of efficiently run homes.

- 27.1 The administration of the home is efficient and the home is financially sound.
- 27.2 The registered person has the necessary ability to plan, budget and administer the finances for the home to ensure that it is run on a sound financial basis.
- 27.3 The manager of the home has:
- either NVQ level 4 in Care obtained in a child care setting or a similar qualification awarded under a course approved by the Care Council for Wales, or an equivalent professional qualification.
 - a qualification at NVQ Level 4 in Management of Care or an equivalent management qualification by 1 April 2005, and
 - at least five years experience in a residential child care setting, of which two years must be at a senior level, and all of which have been within the last ten years. .
- 27.4 Subject to the exception set out in 27.5, the manager may not manage more than one home.
- 27.5 The manager may manage a second home provided all the following conditions are met:
- both homes are not intended, according to their statements of purpose and specific admission criteria, to accommodate young people who are presenting challenging behaviour.
 - the care plans for the young people admitted are consistent with the statement of purpose and the admission criteria of the homes
 - the number of children accommodated in each home does not exceed two
 - any staff member left in charge of either home under arrangements made with the manager should be a permanent member of staff who has obtained NVQ level 3 in Care
 - the two homes for which the manager is registered are within easy travelling distance – the normal journey time between them does not exceed fifteen minutes.
 - There has been a full risk assessment and the registered person can demonstrate satisfactorily that the arrangements for managing the two homes do not impose any unacceptable risks.

- 27.6 The job description of the manager clearly states in writing the responsibilities and duties of the manager in managing the home, and states the person to whom the manager is accountable and who is responsible for ensuring that the manager carries out their duties and responsibilities. Any change in the person to whom they are accountable is to be notified in writing to the manager.
- 27.7 The manager of the home exercises effective leadership of the home's staff and operation, such that the home is organised, managed and staffed in a manner that delivers the best possible child care.
- 27.8 The funding of the home is sufficient to finance the fulfilment of the home's statement of purpose and to otherwise meet the regulations, other regulatory requirements, these National Minimum Standards, and any conditions of the home's registration.
- 27.9 The accounts demonstrate that the home is financially viable and likely to have sufficient funding to continue to fulfil its statement of purpose for the next 12 months.
- 27.10 All conditions of registration imposed on the home are met.
- 27.11 The manager takes reasonable steps to ensure good relationships with neighbours and the wider community.

Relevant regulatory requirements

Regulation 8 – fitness of manager
Regulation 11 – promotion of welfare
Regulation 35 – financial position

STANDARD 28 – CONCERNS, COMPLAINTS AND PROTECTION

OUTCOME

Children know how and feel able to make representation or complaint if they are unhappy with any aspect of living in the home

- 28.1 The registered person ensures that any representation or complaint will be addressed without delay and the complainant is kept informed of the progress.
- 28.2 The home has a written complaints procedure which is readily available to staff and others working at the home, children and where appropriate, their families, significant others and independent visitors. All should be provided with either a suitable written summary of the procedure and copy of the full procedure on request.
- 28.3 The complaints procedure:
- includes information on how to make representations or complaints;
 - enables children, staff, family members and others involved with children of the home, to make both minor and major representations or complaints;
 - does not restrict the issues they may complain about;
 - specifies how representations or complaints will be handled;
 - includes an informal resolution stage;
 - provides information on other avenues for complaint (where appropriate), the right and means for all children looked after children accommodated in the home to access any complaints procedure of the placing authority, the Care Standards Inspectorate for Wales, the Commissioner for Local Administration in Wales and the Children's Commissioner for Wales;
 - sets out clear arrangements for the handling of any complaint made against the manager of the home;
 - is accessible to disabled children;
 - enables people other than the child to make complaints on behalf of the child, provided the child consents to this;
 - provides access to independent advocacy;
 - ensures that no individual will suffer discrimination, disadvantage, withdrawal or reduction of a service as a result of making representations or complaints; and
 - ensures that no person who is the subject of a complaint is involved in any part of its consideration other than, if the registered person is of the reasonable opinion that is appropriate, at the informal stage only.
- 28.4 Any representation or complaint is addressed seriously and without delay.

- 28.5 All staff receive training in the complaints procedures covering the following areas:
- what constitutes a representation or complaint;
 - the procedure for dealing with a representation or complaint in the home and how this is recorded;
 - to whom a representation or complaint is made outside the home;
 - the procedure to be followed should a representation or complaint not be resolved promptly by informal means, including who should be notified and the keeping of records;
 - how the child can be assisted in making a representation or complaint, including situations where the child has a communication impairment; and
 - the arrangements for access to an any independent advocate.
- 28.6 The registered person maintains a complete record of all complaints and representations made by children, or concerning the welfare of children, and how they are dealt with, including the outcome.
- 28.7 The registered person regularly reviews the records to check satisfactory operation of the complaints procedure, to identify both patterns of complaint and action taken on individual complaints. The registered person takes any appropriate action from such review in relation to the home's policies and practices, as well as taking any necessary further follow up action in relation to individual cases.
- 28.8 All complaints about the use of physical restraint or which involve potential elements of emotional, physical or sexual abuse or neglect, are notified to the identified child protection manager in accordance with the ACPC procedures of the local authority in whose area the home is situated.

Relevant regulatory requirements

Regulation 16 – arrangements for the protection of children
Regulation 24 – representations and complaints
Regulation 27 – employment of staff
Regulation 33 – review of quality of care

STANDARD 29 - CHILD PROTECTION PROCEDURES AND TRAINING

OUTCOME

The safety and welfare of children is promoted, children are protected from abuse and neglect, and an appropriate response is made to any allegation or suspicion of abuse or neglect.

- 29.1 There are systems in place which aim to ensure that abuse and neglect of children in the home is prevented, and that suspicions or allegations of abuse are properly responded to.
- 29.2 The registered person ensures that there is a written child protection policy consistent with "Working Together to Safeguard Children" and compatible with the local Area Child Protection Committee (ACPC) policy and procedures.
- 29.3 The child protection policy and systems are available to and are known and understood by all staff (including junior, ancillary, volunteer and agency staff).
- 29.4 Copies of both the home's child protection policy and procedures and the local ACPC's policy and procedures are kept at the home. The registered person ensures that staff have read these, understand and are knowledgeable about them and have received appropriate training in their application. Staff have access to them at all times.
- 29.5 The home's child protection policy and procedures are reviewed annually.
- 29.6 The procedures are in line with the Regulations and are followed by all staff in responding to allegations or suspicions of abuse, either by staff or by other children in the home, or by others. The procedures include:
- the requirement that staff or others working at the home on receiving an allegation of abuse, or who suspect abuse, should avoid asking leading questions or giving guarantees of confidentiality
 - the requirement to report to the police, the placing authority or other person mentioned in regulation 27(3) any allegations or suspicion of abuse.
 - instructions for staff on action to be taken if an allegation or suspicion of abuse or neglect becomes known to them involving any member of staff, any visitor to the home, the manager or person at the time in day-to-day charge of the home or any other person.
- 29.7 The registered person has liaised with the local social services authority's child protection co-ordinator (or other senior officer responsible for child protection matters) to seek advice about local procedures and practice, and has discussed how the practices in the home relate to these procedures regarding keeping children safe, responding to allegations or suspicions of abuse or neglect, methods of control and

risk taking. Any conflicts between locally agreed procedures and those of other placing authorities have also been discussed and reconciled before placement commences wherever possible.

- 29.8 There is written guidance for staff which makes clear the ways in which senior staff of the home will ensure that members of staff subject to allegations against them will have access to information and support whilst an investigation ensues.
- 29.9 Procedural guidance for staff clearly demonstrates the systems required in order to protect children and minimise the risk of abuse whilst the child is living in the home. This includes guidance on:
- making a full assessment of children's histories and any experience of abuse including peer abuse
 - recognition of inappropriate sexual behaviour of children
 - recognition of indications of substance misuse
 - observing contacts between children and between children and staff
 - supervision of children
 - supervision and support of staff
 - recognition of possible involvement of children in prostitution or other forms of sexual exploitation
 - confidentiality
 - appropriate and inappropriate physical contact between staff and children;
 - one to one time alone by staff with children
 - intimate care and invasive procedures
 - administering medication.
- 29.10 The registered person ensures that training is provided for all staff, including ancillary staff, agency staff and volunteers, in the prevention of abuse, recognition of abuse, dealing with disclosures or suspicions of abuse, and the home's child protection procedures. This training is included in induction programmes for new staff, including temporary or agency staff, and is ongoing for the staff group in keeping with the aims and objectives of the home.
- 29.11 The registered person and staff have routine links with other agencies concerned with child protection e.g. the placing authority, schools, hospitals, general practitioners, etc., and do not work in isolation from them.

29.12 The registered person follows any local interagency protocols on prevention and investigation of child prostitution.

Relevant regulatory requirements

Regulation 9 – registered person – general requirements

Regulation 11 – promotion of welfare

Regulation 12 – child’s placement plan

Regulation 16 – arrangements for the protection of children

Regulation 27 – employment of staff

Regulation 33 – review of quality of care

STANDARD 30 - COUNTERING BULLYING

OUTCOME

Children are protected from bullying and benefit from an atmosphere where bullying is known to be unacceptable.

30.1 The registered person has a written policy on countering bullying, which is known to children and staff and is effective in practice.

30.2 The policy on countering bullying includes:

- a definition of bullying (including physical, psychological and verbal abuse);
- bullying by staff;
- bullying that may occur elsewhere than in the home;
- different types of bullying, e.g. on the grounds of race, gender, disability or sexual orientation;
- measures to prevent bullying and to respond to observed or reported bullying;
- training for staff in awareness of, and effective strategies to counter bullying.

30.3 This policy is:

- known and available to all staff and children;
- implemented, and monitored for effectiveness;
- regularly reviewed with staff and children;
- revised where necessary to ensure that staff reduce and respond to bullying effectively.

30.4 Children who are bullied are supported, and children who may bully others are also given suitable guidance.

30.5 The registered person regularly carries out risk assessments, which are recorded for health and safety purposes, of the times, places and circumstances in which the risk of bullying, including bullying amounting to abuse by other children, is greatest, and takes action where feasible to reduce or counteract the risk of bullying.

30.6 The policy is referred to in, and cross referenced with, the home's child protection policy.

Relevant regulatory requirements

Regulation 11 – promotion of welfare

Regulation 33 – review of quality of care

STANDARD 31 - ABSENCE OF A CHILD WITHOUT AUTHORITY

OUTCOME

Children benefit from and are protected by clear procedures regarding absences without authority and are responded to positively on return.

- 31.1 The registered person ensures that there are appropriate procedures in place and implemented to deal with children who are absent from the home without consent which are in line with relevant guidance.
- 31.2 The written procedures of the home identifying action to be taken when a child is absent without authority are consistent with the appropriate Area Child Protection Committee (ACPC) guidance and any guidance that may be issued by the Welsh Assembly Government.
- 31.3 The written procedures should cover:
- searching for any child missing or believed to have run away from the home
 - reporting missing children to the police, to the child's placing authority, and to others (including parents) subject to consultation with the placing authority
 - action to obtain information about the whereabouts of a missing child and to try to ensure the safety and welfare of that child
 - the collection and return of missing children when found
 - action to be taken on the child's return
 - allowing for any individual arrangements based on the needs of the child (as agreed in his/her placement plan) and his or her legal status (i.e if accommodated voluntarily or under a care order).
- 31.4 The procedure specifically addresses action to be taken in the event of the absence of a child looked after.
- 31.5 On return to the home, the registered person notifies the child's social worker or placing authority and takes all reasonable steps to enable the social worker to see the child. Where this is not possible, the reasons are recorded and agreed with the placing authority. Any reasons given for being absent are considered in relation to how the child is cared for and the child's placement plan and where applicable, placing authority care plan.
- 31.6 Any report from a child or suspicion that s/he went missing because of abuse at the home is referred immediately to the local social services authority for consideration under Area Child Protection procedures, and appropriate action is taken to protect the child concerned and other children as necessary.

- 31.7 Written records are made of the circumstances of all incidents of absconding, all action taken by staff, the circumstances of the child's return, any reasons given by the child for absconding, and any action taken in the light of those reasons.
- 31.8 All staff are aware of, and do not exceed, the measures they can lawfully take to prevent a child leaving without permission, taking into account current Assembly guidance.
- 31.9 When a child is considered likely to go missing, the registered person has agreed procedures to monitor the child and to reduce the likelihood of this happening. Procedures may include behavioural and/or therapeutic approaches to change the child's behaviour. Any such measures must be used as agreed in the child's placement plan and (where applicable, care plan).
- 31.10 The registered person maintains regular contact with schools attended by children in order to monitor attendance. Where children are thought to be especially vulnerable or prone to frequent absences during the school day, this involves daily contact with the school.
- 31.11 Where there is continued absence from school, or a worrying pattern of absence, the registered person initiates both a review of the placement plan and (where applicable) care plan of the child, and of the relevant current care practice of the home.

Relevant regulatory requirements

- Regulation 4 – statement of purpose
- Regulation 11 – promotion of welfare
- Regulation 12 – child's placement plan
- Regulation 16 – arrangements for the protection of children
- Regulation 28 - records

STANDARD 32 - NOTIFICATION OF SIGNIFICANT EVENTS

OUTCOME

Children benefit from all significant events relating to the protection of children accommodated in the home being notified by the manager of the home to the appropriate person.

- 32.1 The registered person has written procedures and systems in place to ensure the notifications required under regulation 29 are made without delay.
- 32.2 The registered person ensures that the parents and placing authority of the child concerned are notified without delay of any significant incident affecting their child's welfare, unless such a notification is either not reasonably practicable, or would be likely to place the child's welfare at risk.
- 32.3 A written record is kept which includes details of the action taken, and the outcome of any action or investigation, following notifiable events.
- 32.4 The registered person recognises for these purposes that illness includes mental illness.
- 32.5 The registered person should ensure that the necessary enquiries are undertaken and considerations given to addressing any matters which arise from the notification under regulation 29.

Relevant regulatory requirements

Regulation 29 – notifiable events

Regulation 33 – review of quality of care

THE PHYSICAL ENVIRONMENT

STANDARD 33 - LOCATION, DESIGN AND SIZE OF THE HOME

OUTCOME

Children live in well-designed and pleasant homes providing sufficient space and facilities to meet their needs.

- 33.1 The home's location and design is of a size that is in keeping with its statement of purpose and serves the needs of the children it accommodates, providing an environment that is supportive to each child's development.
- 33.2 The home is situated in a location that takes into account the need for young people to have ready access to education, health, employment, leisure and transport facilities.
- 33.3 Where the home accommodates disabled children suitable aids and adaptations and any special furniture or equipment required is provided to enable them to live as normal a life as possible. Particular attention is paid to the following:
- accommodation ensures that disabled children have reasonable access to all parts of the building to which other children have access.
 - handrails and other mobility aids are appropriately sited.
 - lifts and stairs are adapted and safe for all users.
 - if children have visual impairments, colours and lighting are chosen to offset the loss of vision.
 - if children have hearing impairments, an induction loop system, necessary telephone and television adaptations and noise insulation are provided.
 - safe storage of equipment and wheelchairs, with proper arrangements for recharging wheelchair batteries.
 - visual or vibratory emergency warnings should be provided.
- 33.4 Where a home accommodates disabled children an occupational therapist has assessed the premises and regard has been paid to the recommendations.
- 33.5 Physical restrictions on normal movement within the home (eg stairgates or high handles on doors) are used only in relation to a child where the restriction is provided for in the child's placement plan (and care plan if appropriate) and are used only where necessary to safeguard and promote that child's welfare. Such restrictions for one child do not impose similar restrictions on other children if that is not necessary.
- 33.6 There are no risks posed to the safety and welfare of children accommodated by outstanding requirements or recommendations relating to the home from any of the following bodies:

- planning authority
- building control authority
- fire service.
- environmental health authority.
- Estyn

33.7 The design, layout and use of the accommodation are such that children's individual care and privacy are not compromised.

33.8 The home's premises are not used for functions unrelated to the home, which compromise or have an adverse effect on the care of children in the home.

33.9 The home's premises are not marked in anyway to distinguish it as a children's home.

33.10 Effective precautions, made in consultation with children and staff, are taken to ensure the security of the home from access by unauthorised persons, without compromising or having an adverse effect on the care of children in the home.

Relevant regulatory requirements

Regulation 12 – child's placement plan

Regulation 23 – hazards and safety

Regulation 30 – fitness of premises

STANDARD 34 - ACCOMMODATION

OUTCOME

Children enjoy homely accommodation, decorated, furnished and maintained to a high standard, providing adequate facilities for their use.

- 34.1 The registered person ensures that there are adequate, good quality domestic style facilities for those living on the premises that are consistent with the statement of purpose and that the home is maintained in good order throughout.
- 34.2 The home is in property owned by the registered person, or held on such tenure as will provide care consistent with the home's statement of purpose and the placement plans of the children.
- 34.3 The home is decorated and furnished to a standard which creates a pleasant domestic environment, appropriate to the number, gender mix, disability, age, culture and ethnic background of the children being accommodated.
- 34.4 The interior and exterior of the home are maintained in a good state of structural and decorative repair. There is a satisfactory maintenance and repair programme for the building, furniture and equipment, and any damage is repaired promptly. Gardens and/or hard play areas and fixed play equipment are well maintained and safe.
- 34.5 The premises, furniture and bedding are kept acceptably clean.
- 34.6 There is a distinction between private and community shared space in the home.
- 34.7 Subject to 34.10 and the rest of this paragraph, single occupancy bedrooms are provided for all children. Agreement for children to share a bedroom is only given exceptionally for specific children where this will promote the children's welfare, is provided for in the child's placement plan, wherever practicable is agreed with the child and is otherwise in accordance with regulation 30(8).
- 34.8 Each child's bedroom is equipped with:
- a suitable bed and bedding
 - a seat and work surface suitable for writing and drawing
 - storage for clothes
 - lockable or otherwise safe storage for personal possessions
 - natural lighting with curtains or blinds and artificial lighting sufficient to read by
 - carpet or other appropriate floor covering, and
 - heating.

- 34.9 Each child's bedroom is of an adequate size to be comfortable for the child and to allow freedom of movement and privacy, taking account of the furniture layout, of the child's age and of any particular needs of the child (for example the need for wheelchair access and turning and room for carers on either side of the bed).
- 34.10 In a school that is a home as far as possible children are given the option of a single room that complies with standard 34.8. From April 2003 there are no more than four children in a bedroom. Children have a suitable bed and bedding, seating, storage for clothes, lockable or otherwise safe storage for personal possessions, curtains or other window coverings, lighting sufficient to read by, carpet or other appropriate floor covering, and heating. Bunk beds are not used for children aged 13 or over unless they request it, and are not used for children for whom there would be a safety risk. Where a bunk bed is used, there has to be the floor space available that would be available if two separate beds were used in place of the bunk bed. Any request by a child to change bedrooms is given urgent consideration and agreed if feasible.
- 34.11 The registered person takes into account the potential for abusive behaviour before agreeing to the sharing of bedrooms
- 34.12 Where necessary because of children's disabilities or other needs, an effective emergency call system is provided with sufficient and appropriately located call points readily accessible to children in emergency (eg pull cords that can be reached after falling). The system is operational and effective in summoning prompt staff assistance.
- 34.13 Where needed by children, the home provides sufficient and appropriate equipment such as lifts, hoists and wheelchairs, and such equipment is regularly serviced. Rooms used to accommodate disabled children must, if relevant, have sufficient space for the easy manoeuvrability of wheelchairs and specialised equipment such as hoists.
- 34.14 Children are able and encouraged to personalise their bedrooms.
- 34.15 One or more telephones are provided for the exclusive use of children in the home in private. These offer acceptable levels of privacy for personal calls, and are maintained in working order, any damage or breakdown being promptly repaired. Where access is denied or restricted in accordance with the Regulations, alternative arrangements to contact family or friends should be made.
- 34.16 Facilities for children to study at the home are quiet, have sufficient seating and desk / table space, are adequately lit, have adequate storage for books and study materials, and are available when needed for study purposes.
- 34.17 There are facilities for children to pursue personal hobbies at the home, with sufficient and secure storage space for safekeeping of materials and equipment.
- 34.18 Children are given opportunities to have a say in the general décor, furnishings and upkeep of the home if they wish.

34.19 There are rooms in which children can meet privately with visitors and space for private activities, play and recreation which do not affect other children's routine activities.

34.20 Staff sleep-in rooms are not part of the communal living area, and are located close to children's bedrooms to respond to children's night time needs. Where more than one staff member sleeps in on the same night there are separate sleep-in rooms.

Relevant regulatory requirements

Regulation 11 – promotion of welfare

Regulation 15 – contact and access to communications

Regulation 23 – hazards and safety

Regulation 30 – fitness of premises

STANDARD 35 - BATHROOMS, SHOWERS AND TOILETS

OUTCOME

Children's privacy is respected when using the bathroom, shower or toilet.

- 35.1 The registered person ensures that baths, showers and toilets are of a number and standard to meet the needs of the children and staff.
- 35.2 There is at least one toilet for every five people (children accommodated and staff normally present), with nearby hand washing and drying provision.
- 35.3 Baths or showers are available for children's use in accordance with their needs, and there is a minimum of one bath or shower for every five children accommodated. A toilet that is in a bathroom or shower room cannot be the only toilet in a home.
- 35.4 Bathrooms, showers and toilets are sited and designed to take account of the children's needs for privacy, dignity, safety and any disability and are readily accessible from sleeping and recreational areas of the home. Showers that are not in individual rooms are provided in individual cubicles or fully individually curtained for privacy.
- 35.5 There are adequate and private facilities for the disposal of sanitary protection.
- 35.6 Bathrooms and toilets are accessible to disabled children in accordance with the home's Statement of Purpose. Disabled children requiring personal assistance have it provided in a manner which maximises privacy and dignity.
- 35.7 Where staff may use the same facilities as the children, there is a clear understanding that they may not use them when children are present.
- 35.8 Staff may not be present in bath, toilet or shower facilities while a child is using them unless the reason for their presence is necessary to provide personal assistance or to safeguard the child's welfare.
- 35.9 Staff, not children, are able to open the doors to bathrooms, showers and toilets from the outside in case of emergency.
- 35.10 Hot water accessible to children under the age of eight, or children with disabilities that place them at risk from excessively hot water, is maintained at no more than 43 degrees centigrade at taps and other outlets accessible to them.

35.11 Hot and cold water supplies are adequate for normal levels of use by children and staff.

35.12 The above standards apply to schools which are children's homes except that:

- in boys' residential units, urinals may be substituted for toilets until the point where any further substitution would reduce the number of toilets to less than one third of the number of toilets referred to in 35.2
- there should be a minimum of one bath or shower for every seven children accommodated, but a higher ratio where required by children's needs.

Relevant regulatory requirements

Regulation 4 – statement of purpose

Regulation 30 – fitness of premises

STANDARD 36 - HEALTH, SAFETY AND SECURITY

OUTCOME

Children live in homes that provide physical safety and security.

- 36.1 The registered person takes positive steps to keep children, staff and visitors safe from risk from fire and other hazards.
- 36.2 Risk assessments identifying hazards, estimating level of risk to health, safety or welfare from the hazards identified, and identifying action to be taken both to reduce risks to an acceptable level where practicable and to avoid unnecessary or unreasonable risks are carried out. They are recorded in writing; and regularly reviewed.
- 36.3 Such risk assessments are carried out in relation to the:
- home's vehicles, premises, equipment and grounds,
 - children's known and likely activities (both permitted and illicit),
 - potential for self harm, bullying and abuse within or outside the home, and
 - impact of emergency admissions to the home for both the admitted child and the existing child group.
- 36.4 The registered person checks that all vehicles used for transporting children, including cars belonging to members of staff, are taxed, MOT'd, insured for the purpose and well maintained. Homes accommodating disabled children must have vehicles appropriately adapted.
- 36.5 The registered person regularly reviews the implementation and effectiveness of action identified as a result of risk assessments carried out.
- 36.6 The registered person has planned responses to a range of foreseeable crises (e.g. outbreaks of illness, fires, serious allegations or complaints, significant accidents, staff shortages, and control problems within or outside the home), and any major incidents or crises are satisfactorily managed.
- 36.7 Gas installations are inspected at least annually. Electrical installations and equipment are checked at least every three years. Boilers are maintained annually.
- 36.8 Any recommendations of the local environmental health authority about food storage and preparation in the home are implemented within the timescale required by the authority.
- 36.9 Auditory, electronic, visual or other monitoring or surveillance systems are not used by the home unless:

- currently specifically required within the placement plan for the individual child concerned, and
- specifically approved by that child's placing authority, and/or
- specifically required by a court, and
- noted in the home's Statement of Purpose

36.10 Such equipment is solely for the purpose of safeguarding and promoting the welfare of the child or of other children in the home, and with the full knowledge of that child and any other children affected.

36.11 Children and staff know the emergency evacuation procedures for the home, including those for use at night, in case of fire.

36.12 The registered person implements the requirements of the local Fire Authority, to the timescales agreed. Subject to any local arrangements agreed:

- at least four fire drills, including evacuation of staff and children from the building and fire drills held at night, take place in a 12 month period and are recorded;
- if the home accommodates disabled children, fire drills should include their evacuation.
- there is regular testing of emergency lighting, fire alarms and fire fighting equipment;
- any deficiency identified from drills, tests or visits from the fire safety officer is noted and action taken as necessary to remedy the deficiency;
- the local Fire Authority is consulted about fire precaution measures, and is consulted further whenever any significant extension, change of use or alteration is made to the premises.

36.13 The registered provider ensures that the home has current Public and Employee Liability insurance to a minimum value of £5 million. Certificates of insurance specify the name and address of a particular home.

36.14 Where the home uses medical devices and equipment, or equipment for disabled children (eg hoists, lifts, wheelchairs), the home has arrangements to receive and respond to relevant hazard and other warning notices from the Medical Devices Agency.

36.15 The location and design of car access and parking areas at the home minimise risk to children from vehicle movements.

Relevant regulatory requirements

Regulation 20 – health needs of children

Regulation 23 – hazards and safety

Regulation 31 – fire precautions

SPECIALIST PROVISIONS

STANDARD 37 - SECURE ACCOMMODATION AND REFUGES

OUTCOME

Children living in secure units or refuges receive the same measures to safeguard and promote their welfare as do children in other children's homes.

- 37.1 The registered person ensures that, apart from the measures necessary to the home's status as a secure unit or refuge, children resident in secure units or refuges receive the same care services as do children in other children's homes.
- 37.2 Children in secure accommodation within a home are looked after in accordance with the Regulations, taking into account these National Minimum Standards, with only those adaptations essential in the home concerned for the maintenance of security.
- 37.3 Children in homes which are refuges approved under the Children Act 1989 are looked after in accordance with the Regulations, taking into account these National Minimum Standards, with only those adaptations essential in the home concerned as a result of its status as a refuge.

APPENDIX 1 – STANDARD 21

POLICY ISSUES TO BE INCLUDED IN GUIDANCE TO STAFF

- 1 admission and reception of children
- 2 methods of care and control
- 3 permissible sanctions
- 4 use of restraint
- 5 case recording and access to records
- 6 care and placement planning
- 7 use of each child's placement plan
- 8 countering bullying
- 9 log book and diary recording
- 10 confidentiality
- 11 administration of finance (petty cash) and security
- 12 repairs and maintenance
- 13 fire precautions and emergency procedures
- 14 countering risks identified through the home's risk assessments
- 15 extent to which all or part of premises may be locked as a security measure
- 16 the safety policy
- 17 child protection
- 18 arrangements for regulating and vetting visitors at the home
- 19 HIV/AIDS awareness, confidentiality and infection control
- 20 responding to allegations or suspicions of abuse
- 21 treatment of children who have been abused
- 22 rostering shift handovers
- 23 sleeping-in, bed-time and night supervision
- 24 physical contact with children
- 25 spending one to one time alone with children
- 26 care practices towards children of the opposite sex
- 27 the particular care needs of children from minority ethnic groups
- 28 practices within the home to combat racism
- 29 staff disciplinary and grievance procedures
- 30 delegated authority and notifications to senior staff
- 31 placements
- 32 reviews
- 33 dealing with aggression and violence
- 34 risk taking
- 35 dealing with sexuality and personal relationships
- 36 working with parents/carers
- 37 First Aid and administration and storage of medication
- 38 the complaints and representations procedures
- 39 the smoking policy
- 40 the alcohol policy
- 41 substance misuse
- 42 gift giving and receiving

- 43 “whistleblowing” by staff
- 44 access to advocacy for children and the role of the Children’s Commissioner for Wales
- 45 staff Conduct

APPENDIX 2

PROGRAMMES OF TRAINING FOR STAFF

- 1 normal and abnormal child development
- 2 basic residential child care skills and team working;
- 3 specific child care approaches and skills appropriate to the home's purpose and function;
- 4 exercising appropriate positive means of control over children in the interests of their own welfare and the protection of others.
- 5 permitted and prohibited disciplinary measures;
- 6 use of restraint
- 7 child protection;
- 8 equality issues of race, ethnicity, religion, culture and disability;
- 9 dealing with sexuality;
- 10 health education relevant to growing children including diet, nutrition, tobacco, substance misuse;
- 11 the implications of HIV and AIDS when looking after children;
- 12 communicating with children, including those with disabilities;

- 13 health and safety at work, including food hygiene and safety with medicines;
- 14 fire precautions;
- 15 First Aid;
- 16 the Children Act 1989 and other relevant legislation
- 17 the provision of purposeful and enjoyable activities as part of a positive care experience;
- 18 staff supervision [for staff with supervisory responsibility];
- 19 interview techniques [for staff with recruitment responsibilities];
- 20 complaints and representations procedures;
- 21 the requirements of these National Minimum Standards
- 22 specific child care approaches, knowledge and skills for their role in the home.
- 23 working with families.
- 24 manual handling and associated risk assessment
- 25 recording information in a positive way
- 26 counselling
- 27 education for looked after children

APPENDIX 3

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