

Report to the Audit and Governance Committee on 22nd January 2021 on actions taken in relation to key recommendations made in the audit report relating to the audit of Unregulated Placements (Commissioning)

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Summary of Audit Area

Local Authorities (LA) can place children and young people in a range of external settings and would usually select a placement which is either regulated or inspected by Ofsted. However, under the Children Act 1989 guidance and regulations, Volume 2: Care planning placement and case review (June 2015), LAs can place children in settings commonly known as 'other arrangements' which places the responsibility for assessing the quality and suitability of such arrangements with the placing authority and the provider and not Ofsted.

If a provider has premises that offer accommodation and packages of support and if the premises fall under Part II of the Care Standards Act 2000, the premises are required to be registered with Ofsted. If such a provision delivers accommodation and packages of support to children under and over 16 years of age but are not registered with Ofsted or an alternative regulating body, i.e. Care Quality Commission (CQC), then the provider is operating an unregistered/unregulated setting.

Summary Terms of Reference of the Audit

The objective of the audit was to review the operational procedures for placing children and young people in externally commissioned placements to ensure that any unregulated/unregistered placements have been assessed, are appropriately approved, are recognised as such on the LA's systems and are monitored to ensure they are not subject to drift.

The audit reviewed documentation for children and young people who had been placed in externally commissioned unregulated/unregistered placements with packages of support between 01/01/19 and 31/07/19.

Risks

- Non-compliance with statutory requirements;
- Non-compliance with GCC policy and procedures;
- Placements not appropriately approved;
- Placements not adding value and providing quality;
- Value for money – placements not cost effective;
- Budget overspend;
- Children at risk of harm and neglect; and
- Placements subject to drift.

Key Findings

There is a defined process in place which requires approval for entry to care, placement search and approval and unregulated placement monitoring. Varying degrees of non-compliance with these processes was evident within the sample that was selected for testing, namely:

- a) For the time period covered by the audit, the placement code that should have been used for unregulated placements on LiquidLogic (Children's case management system) was Z1. Only four out of the twelve placements in the sample were showing as Z1, six had an incorrect placement code and two had no placement code identified. It is the Social Worker's responsibility to input the placement code on LiquidLogic and ensure that evidence of this being an unregulated/unregistered placement has the approval of the Director of Safeguarding and that this is captured on the child's file. Failure to do this will result in management information/reports being inaccurate and the potential for a complete lack of management oversight and associated risk management processes being established;
- b) The expectation is that the Commissioning Placement Team will not progress a placement search with potential providers without an appropriately authorised form. Out of the 12 placements that were reviewed, five of the forms were located on LiquidLogic, all appropriately completed and authorised. Two placements only had email trails between the Team Managers in Social Care and Commissioning but the remaining five placements did not have the appropriate forms on LiquidLogic; and
- c) Prior to a young person being placed in an unregulated placement, a 'Details of a child/young person currently in unregulated provision' form should be completed by Social Care and approval sought from the Director of Safeguarding. The form was being redesigned during the time period covered by the audit, and initially it did not include provision for authorisation from the Director of Safeguarding. Towards the latter stage of the audit period this had been addressed. Authorisation within Commissioning for the configuration of the placement package was given by the Assistant Director for Integrated Children and Families Commissioning and/or the Lead Commissioner by email. As a result, for packages established within the earlier timeframe of the audit, the authorisations were held separately to the form. For each of the 12 placements in the sample, only two unregulated forms were available on LiquidLogic as required.

Recommendation 1 (High Priority)

- a) Social Workers should receive ongoing communication about placement codes that should be used on LiquidLogic to ensure consistency and enable accurate reporting for management information purposes.
- b) Management oversight and monitoring should also ensure that placement codes are checked for accuracy and action taken to address any non-compliance. The specific instances identified in this audit should be corrected where appropriate.

Original Management response

- a) The revised template is under review, now that it has been in operation for a number of months. A reminder will be included within the template that the placement code needs to be amended to Z1.
- b) The new Entry to Care Checklist completed by Heads of Service includes the need for correct placement codes. This is completed and is a Liquid Logic Form.
- c) The Children's Commissioning Hub will continue to provide support and challenge as required to ensure compliance with departmental standards and to remind Social Workers that placement codes need to be changed to Z1.

Recommendation 2 (High Priority)

Amongst others, the Assistant Director for Integrated Children and Families Commissioning and/or the Lead Commissioner's authorisation should be included on the 'Details of a child/young person currently in unregulated provision' form.

Original Management response

The revised template (further refined since July 2019) includes provision for commissioning to comment upon the outcome of placement searches and the risks related to the unregulated package they have configured, along with provision for their signature. The form is screened for compliance by the Strategic Lead for Children in Care.

Recommendation 3 (High Priority)

- a) An agreed process should be put in place and communicated between Social Care and Commissioning in terms of responsibility for completion, authorisation and storage of the 'Details of a child/young person currently in unregulated provision' form.
- b) Consideration should also be given to creating this form within 'Forms' on LiquidLogic so that it does not have to be scanned and uploaded within 'Documents' on LiquidLogic. This may also facilitate the workflow between Social Care and Commissioning in terms of form completion and

authorisation and ensure that all the necessary information is available and centrally held.

Original Management response

- a) Timescales for signing off unregulated provision between Children's Social Care and Commissioning need to be formally agreed as no more than one working day prior to sending to the Director of Safeguarding for approval; and
- b) Business case to be submitted to the Senior Leadership Team to progress use of form in LiquidLogic.

Management action taken and/or proposed as at the end of December 2020

Development work is currently underway to strengthen further the processes and management oversight regarding use and approval of unregulated and unregistered placements. Such is the level of complexity with the configuration of these types of placement, that authorisation is now sought from commissioning and gained from The Director of Safeguarding prior to the package being confirmed and the final authorisation process, via the template, completed and signed.

Work is currently underway to update the current template to capture ongoing requirements which ensure management oversight is sufficiently robust and these are being addressed as the process to include the template as a Liquid Logic Form is progressed. This should be completed by the end of January 2021.

The Entry to Care Checklist remains a quality assurance mechanism which addresses compliance, including use of placement codes. Other mechanisms and practices, including dip-sampling and ensuring confirmation of appropriate coding within the various commissioning-led panels are also now utilised to ensure codes are correct.