

Inspection framework for local authority fostering services

October 2019

Mae'r ddogfen yma hefyd ar gael yn Gymraeg. This document is also available in Welsh.

Introduction

This inspection framework applies to local authority fostering services.

It is based upon the principles set out within the Social Services & Well-being (Wales) Act 2014 ("the 2014 Act") and specifically created using The Local Authority Fostering Services (Wales) Regulations 2018¹, as amended² and the associated code of practice.

Rights based approach

This inspection framework takes into account our commitment to promoting and upholding the rights of children who use care and support services. This includes, but is not limited to the rights of people set out in the following legal frameworks:

- The Human Rights Act 1998³
- The Equality Act 2010⁴
- The United Nations Convention on the Rights of the Child (UNCR)⁵
- The United Nations Convention on the Rights of Persons with Disabilities⁶
- The Mental Capacity Act 2005⁷
- The Deprivation of Liberty Safeguards (DoLS)⁸
- The Welsh Language Standards⁹

Further information on our commitment to upholding human rights within our inspection work is set out on our website.¹⁰

Well-being and inspection

Our approach to inspection takes account of the principles of the 2014 Act and the legal definition of "well-being".

The primary focus of the inspection is consideration of the national well-being outcomes. The framework supports inspectors to consider evidence for how the service is enabling children it supports to achieve their well-being outcomes.

¹ <u>http://www.legislation.gov.uk/wsi/2018/1339/contents</u>

² http://www.legislation.gov.uk/wsi/2019/545/contents/made

³ www.equalityhumanrights.com/en/human-rights/human-rights-act

⁴ <u>www.gov.uk/guidance/equality-act-2010-guidanc</u>

⁵ www.gov.uk/government/publications/united-nations-convention-on-the-rights-of-the-child-uncrc how-legislation-underpins-implementation-in-england

⁶ <u>https://www.equalityhumanrights.com/en/our-human-rights-work/monitoring-and-promoting-un</u> <u>treaties/un-convention-rights-persons-disabilities</u>

⁷ www.legislation.gov.uk/ukpga/2005/9/contents

⁸ Due to be replaced by Liberty Protection Safeguards

⁹ www.legislation.gov.uk/wsi/2015/996/schedule/1/made

¹⁰https://gweddill.gov.wales/docs/cssiw/general/170309humanrightsen.pdf

This inspection framework maps the 2018 Regulations and associated code of practice under the three themes of 'Care and Support', 'Leadership and Management' and the 'Environment'.

We believe that the extent to which children's well-being outcomes are achieved will be underpinned by the effectiveness of arrangements in place by providers in the themes of 'Care and Support', 'Leadership and Management' and 'Environment'.

Where outcomes for children are poor we need to explore the reasons that lie behind this through the lines of enquiry in the framework.

Inspectors will undertake their inspections considering and reporting on our inspection themes of 'Well-being', 'Care and Support', 'Leadership and Management' and the 'Environment'.

What well-being means

National well-being Outcomes

Line of Enquiry

		C&S	L&M	ENV
1. Securing rights and entitlements	 I know and understand what care, support and opportunities are available and use these to help me achieve my well-being. I can access the right information, when I need it, in the way I want it and use this to manage and improve my well-being. I am treated with dignity and respect and treat others the same. My voice is heard and listened to. My individual circumstances are considered. I speak for myself and contribute to the decisions that affect my life, or have someone who can do it for me. 	1-3	4-6 9-11 16	17
2. Physical and mental health and emotional wellbeing. Also for children: Physical, intellectual, emotional, social and behaviour development	 I am healthy and active and do things to keep myself healthy. I am happy and do the things that make me happy. I get the right care and support, as early as possible. 	1-3	4-10 16	
3. Protection from abuse and neglect	 I am safe and protected from abuse and neglect. I am supported to protect the people that matter to me from abuse and neglect. I am informed about how to make my concerns known. 	1-3	4-8 11-16	17
4. Education, training and recreation	 I can learn and develop to my full potential. I do the things that matter to me. 	1, 2	4-6 10, 11, 13, 16	
5. Domestic, family and personal relationships	 I belong. I contribute to and enjoy safe and healthy relationships 	1, 2, 3	4-6 9, 11-12, 16	
6. Contribution made to society	 I engage and make a contribution to my community. I feel valued in society 	1, 2	11, 16	
7. Social and economic well-being.	 I contribute towards my social life and can be with the people that I choose. I do not live in poverty. I am supported to work. 	1, 2	4-6 10, 11, 13,	17

		l get the help I need to grow up and be independent. I get care and support through the Welsh language if I want it.		16	
8. Suitability of living accommodation	•	I live in a home that best supports me to achieve my well-being.	1-3	4-6, 10, 16	17

Care and Support

	Area of Assessment	Line of enquiry	Page Number
1	Standards of care and support	Line of Enquiry 1: The extent to which children are provided with care and support in accordance with their care and support plan in a way which maintains, protects and promotes the safety and well-being of the child. <i>(Regulation 13-14, 16-18)</i>	8-11
2	Access to health and other services	Line of Enquiry 2: The extent to which children placed with foster parents are supported to access healthcare and other services to maintain their ongoing health, development and well-being. (<i>Regulation 26-27</i>)	11-12
3	Safeguarding	Line of Enquiry 3: The extent to which providers have in place mechanisms to safeguard vulnerable children to whom care and support is provided. (<i>Regulation 19-25</i>)	13-15

Leadership and Management

	Area of Assessment	Line of enquiry	Page Number
4	Overall governance	Line of Enquiry 4: The extent to which the provider has governance arrangements in place to support the smooth operation of the service and ensures there is a sound basis for providing high quality care and support for children and foster parents using the service in order to enable children to achieve their personal outcomes. (<i>Regulation 3, 10</i>)	
5	Statement of purpose	Line of Enquiry 5: The extent to which the service is provided in accordance with the statement of purpose. (<i>Regulation 4, 5</i>)	
6	Quality assurance	Line of Enquiry 6: The extent to which arrangements are in place for the effective oversight of the service, through ongoing quality assurance processes that review standards of care and compliance with regulations and that information and views obtained are used for the continued development and improvement of the service. (Regulation 6, 46-48, 51-52)	
7	Culture	Line of Enquiry 7: The extent to which the provider operates a culture of openness, honesty and candour at all levels and ensures potential conflicts of interests are managed in an open way. <i>(Regulation 11, 38)</i>	22
8	Information	Line of Enquiry 8: The extent to which children, foster parents and prospective foster parents have access to information about the service to enable them to have a clear understanding of service provision and records relating to how the service is delivered are accurate, accessible and available to people and their representatives. <i>(Regulation 12, 37, 50)</i>	23-24
9	Staffing	Line of Enquiry 9: The extent to which children and foster parents are supported by a service that provides appropriate numbers of staff who are suitably fit and have the knowledge, competency, skills and qualifications in order to provide the service required to achieve the	25-29

		child's personal outcomes. (Regulation 7-9, 28-33)	
10	Whistleblowing	Line of Enquiry 10: The extent to which people working at the service are supported to raise concerns about the service through whistleblowing procedures. (<i>Regulation 40, 53</i>)	30-31
11	Managing individual's money	Line of Enquiry 11: The extent to which children are supported to manage their money. (<i>Regulation 45</i>)	32
12	Complaints	Line of Enquiry 12: The extent to which the service promotes an accessible complaints policy and procedure and demonstrates learning from complaints to improve the service. (<i>Regulation 39, 49</i>)	33-34
13	Support for foster parents	Line of Enquiry 13: The extent to which foster parents receive the information, training, advice and support they need and are appropriately supervised, in order to meet the care and support needs of children placed with them. <i>(Regulation 15, 41-44)</i>	35-36

<u>Environment</u>

	Area of Assessment	Line of enquiry	Page Number
14	Overall Environment	Line of Enquiry 14: The extent to which providers ensure that a child's care and support is provided in a location and environment with facilities and, where relevant, with any facilities and equipment that promotes achievement of their personal outcomes. <i>(Regulation 34-36)</i>	37

Care and Support - Standards of Care and Support

Regulation: 13, 14, 16, 17, 18

Line of Enquiry 1: The extent to which children are provided with care and support through a service designed in consultation with children and foster parents and which considers the child's personal wishes, aspirations and outcomes and any risks and specialist needs which inform their care and support. (*Regulation 13-14, 16-18*)

What good looks like

Code of Practice - Regulation 13 – Standards of care and support to children

- The providers' expectations as to the standards of care and support a foster parent must provide to children placed with them are clearly set out in the statement of purpose.
- Achievement of a child's personal outcomes is supported by policies and procedures.
- Providers ensure the service is responsive and proactive in identifying and mitigating risks.
- Foster parents are provided with information on the needs of the child in accordance with the child's care and support plan / pathway plan.
- Foster parents are supported to seek medical advice and other professional help for a child (where appropriate) or make a referral to the placing authority where necessary in a timely manner.
- Foster parents are supported, through supervision and training, to ensure they provide high quality care and support to meet the child's care and support needs and to enable them to achieve their personal outcomes. This includes, but is not limited to:
 - Providing appropriate care to a child who has been abused;
 - safe caring skills;
 - recognising signs of abuse;
 - o boosting and maintaining a child's self-esteem;
 - o positive behavioural support;
 - \circ basic first aid; and
 - health promotion.
- Providers ensure that the support they provide enables the foster parents to provide good quality care and support for the children they foster. This includes care and support in relation to the child's:
 - o physical, mental and emotional well-being;
 - o cultural, religious, social or spiritual needs;
 - o educational, training and recreational needs;
 - o family and personal relationships;

- ability to control their everyday life;
- o intellectual, emotional and behavioural development;
- o rights and entitlements, in particular with regard to the United Nations Convention on the Rights of the Child; and
- $\circ \;\;$ protection from abuse and neglect.
- Foster parents are supported to enable the child to be as independent as practicable.
- Children and foster parents are supported when the placement ends, both when this is planned or in an emergency.
- Providers ensure children are supported into adulthood and when leaving care in line with national guidance.

Code of Practice - Regulation 14 – Information for children

- Providers support foster parents to ensure children can participate in care planning and review during their foster placement and make decisions about the way care and support is provided to them.
- Providers ensure foster parents receive the information they need to provide care and support for the child on a day to day basis in accordance with the child's care and support plan / pathway plan and personal outcomes.
- Providers have arrangements in place to enable children to understand the information provided to them.
- Providers put in place arrangements to enable children to access relevant advocacy services or self advocacy groups (if they wish) and support their communication needs to enable them to make decisions about their lives.

Code of Practice - Regulation 16 – Language and communication

- Providers have arrangements in place to support foster parents with a child's language needs in line with the statement of purpose. Where necessary this will include putting measures in place to ensure that the child can communicate meaningfully with their foster parents. This includes:
 - o communicating with the child in their language of need and/or choice; and
 - access, where appropriate, to additional means of communication such as Picture Exchange Communication System (PECS), Treatment and Education of Autistic and related Communication Handicapped Children (TEACCH), Makaton, British Sign Language.
- Providers identify a child's communication needs as part of their determination as to whether the service can meet their needs.
- Children can understand staff when they communicate with them.
- Providers put in place arrangements to ensure that aids and equipment required to support a child's communication needs are in place, accessible, well-maintained and that foster parents know how to use them.
- Providers deliver or work towards actively offering their services in the Welsh language to children or foster parents whose

first language is Welsh.

Code of Practice - Regulation 17 – Respect and sensitivity

- Providers ensure children and their foster parents are aware of their rights and entitlements under the law, and under equality and diversity policies held by the provider.
- Providers support foster parents to ensure that a child is:
 - listened to, and communicated with, in a courteous and respectful manner, with their care and support needs being prioritised by foster parents; and
 - o treated with respect and feels valued.
- Children and foster parents are encouraged to contribute their views, if they choose to on the way in which the service is run.

Code of Practice - Regulation 18 – Duty to promote contact

- Foster parents are supported to enable the child to maintain and develop family contacts and friendships in line with the child's care and support plan / pathway plan
- Where necessary, foster parents are supported to deal with any difficult contact issues that may arise or any travel requirements that are needed.
- Foster parents are supported to understand any restrictions on contact to protect the child from any risk to their safety or welfare.

Care and Support - Access to health and other services		Regulation: 26, 27	

Line of Enquiry 2: The extent to which children placed with foster parents are supported to access healthcare and other services to maintain their ongoing health, development and well-being. (*Regulation 26-27*)

What good looks like

Code of Practice - Regulation 26 - Access to health services

- Providers have arrangements in place to ensure the health and well-being of children placed with foster parents is promoted. This includes, but is not limited to:
 - o supporting foster parents to ensure a child is healthy and active;
 - o supporting foster parents to ensure a child is registered with a general practitioner;
 - providing foster parents with up-to-date medical information and supporting them to ensure a child gains access to other primary care services or other specialist services, as required, in a timely manner;
 - where appropriate, supporting foster parents to ensure a child receives relevant sensory checks and is provided with support to access ongoing reviews;
 - supporting foster parents to ensure that any aids, hearing aids, glasses, etc. required by a child are obtained and appropriately maintained so they may be used effectively;
 - o supporting foster parents to ensure children participate in activities related to health promotion, where appropriate;
 - supporting foster parents to recognise and respond positively to children's emotional and mental well-being needs especially when they are experiencing difficulty, for example when a child is lonely, distressed, experiencing transition or loss, or experiencing anxiety, depression or other forms of mental illness.
- Providers ensure foster parents keep records relating to professional consultations (including, where possible, any resulting actions) and, where available, relevant correspondence is maintained to provide an up to date, comprehensive health record for the child.
- There is a policy and procedures in place on the administration of medicines by foster parents which is aligned to any current legislation and national guidance. This includes the role and responsibilities of the foster parent, provider and (where appropriate) the area authority in supporting the child to access and take medication.
- Providers ensure foster parents are aware of and understand the policy and procedures on the administration of medicines.

Code of Practice - Regulation 27 - Education, employment and leisure activities

• Providers have arrangements in place to ensure the educational attainment and leisure activity of children placed with

foster parents is promoted, in line with the child's care and support plan / pathway plan, including the Personal Education Plan. This includes, but is not limited to:

- supporting foster parents to be involved in the assessment, planning and review of a child's educational needs, including any additional learning needs, contributing as necessary to any personal education plan;
- o supporting the foster parent to understand their role in engaging with the child's school (or other educational setting);
- o supporting foster parents to ensure a child participates fully in education;
- supporting foster parents to fulfil a child's potential and do things that matter to the child and which makes them happy. This can include being supported to participate in leisure activities, developing and maintaining hobbies, joining community activities and volunteering.
- Providers have arrangements in place to monitor the educational attainment, progress and school attendance (where applicable) of a child placed with a foster parent.
- Providers ensure that arrangements are in place to support preparation for adulthood and independence. This includes but is not limited to:
 - Supporting foster parents to help children to develop the skills, competence and knowledge necessary for adult living;
 - providing foster parents with training and support to enable them to provide effective support and guidance to a young
 person preparing to move into independent or semi-independent living; and
 - ensuring each young person who is preparing to move to independent or semi-Independent living is encouraged to be actively involved in the development and implementation of their Pathway Plan.

Care and Support – Safeguarding

Regulation: 19, 20, 21, 22, 23, 24, 25,

Line of Enquiry 3: The extent to which providers have in place mechanisms to safeguard vulnerable children to whom care and support is provided. (*Regulation 19-25*)

What good looks like

Code of Practice - Regulation 19 – Safeguarding - overarching requirements

- When a placement begins, the child is given information about safeguarding, how to raise a concern and what support is available to enable them to do so.
- Staff and foster parents can access up to date safeguarding policies and procedures.
- Staff and foster parents receive training relevant to their role to enable them to understand their responsibility to safeguard and protect vulnerable children. This includes both internal and local safeguarding arrangements including how to raise a concern (whistleblowing).
- Staff training is ongoing at regular intervals in line with local safeguarding recommendations.
- Staff are aware of their individual responsibilities for raising concerns to ensure the safety and well-being of children.
- Providers make provision to support staff raising safeguarding concerns (whistleblowing).
- Providers work in partnership with other relevant professionals and agencies to assess and manage risks to children using the service.
- Records of safeguarding referrals and outcomes are maintained to enable oversight and scrutiny of safeguarding within the service. Protection of vulnerable children must be overseen by the manager within the governance structure, with arrangements made for oversight at chief officer level.
- Providers ensure outcomes arising from any safeguarding referral are communicated to the child in a method appropriate to their age and level of understanding, taking into account any specific condition and/or communication needs.

Code of Practice - Regulation 20 – Safeguarding policies and procedures

- There is an up-to-date safeguarding policy and procedures in place.
- Safeguarding policies and procedures are aligned to current legislation, national guidance and local children's safeguarding procedures.
- The safeguarding policy and procedures include the individual roles and responsibilities of staff and others working at the service, in identifying, receiving and reporting allegations of abuse, neglect or improper treatment or suspected abuse, neglect or improper treatment. This will include instruction for staff on actions to be taken and mechanisms for referral to the placing

authority and other relevant partners and agencies.

- The safeguarding policy and procedures include the role and responsibilities of foster parents in relation to allegations or disclosures, by any child in the foster parent's household, of abuse or improper treatment or suspected abuse or improper treatment of any child in the foster parent's household. This will include how to report such allegations or disclosures to CIW.
- Providers ensure children are informed of their right to access independent professional advocacy services.

Code of Practice - Regulation 21 – The appropriate use of control and restraint

- There is a policy and procedures in place on the appropriate use of control and restraint. This sets out:
 - the requirement on foster parents for any use of control or restraint to adhere to current national guidance and legislation; and
 - the requirement for training in any methods of control or restraint to be undertaken prior to the use of any such control or restraint.
- Providers ensure a positive and constructive approach is adopted by foster parents to support a child's behaviour. Any approach to support the child's behaviour is consistent with:
 - $\circ\;$ meeting the child's needs for care and support; and
 - the well-being of other members of the foster parent's household who may be affected by the placement made.
- Staff and foster parents are aware of, understand and follow the policy and procedures on the appropriate use of control and restraint.
- Foster parents receive behavioural support training that is relevant to their role to make sure any control or restraint practices are only used proactively and when absolutely necessary, in line with current national guidance.
- Staff and foster parents are kept up to date on the policy and procedures in line with any changes to guidance and legislation.
- Providers ensure arrangements are in place so that whenever foster parents are using forms of control or restraint, providers are able to check that it:
 - is used as part of a pro-active approach to behavioural support;
 - is proportionate to the risk of harm and the seriousness of that harm to the child receiving care and support or another person;
 - $\circ\;$ takes account of the assessment of the child's needs; and
 - $\circ\;$ follows current legislation and guidance.
- Providers regularly monitor and review the approach to, and use of control or restraint used by foster parents, and report on this within their governance framework. This includes:
 - the details of the incident and actions taken in response;

- sufficient detail to enable analysis and review of the child's care and support needs as well as to inform wider review of service provision.
- Providers have arrangements in place to ensure incidents of control and restraint are recorded and reported to them on by foster parents within 24 hours.
- Records of the use of control and restraint are reviewed and reported upon within the quality of care review.

Code of Practice - Regulation 22 – Prohibition on the use of corporal punishment – refer to Regulation 22.

Code of Practice - Regulation 23 – Deprivation of liberty

- Providers have arrangements in place to ensure foster parents are aware that they must act at all times in accordance with current legislation and applicable guidance on the deprivation of liberty safeguards.
- Staff and, where relevant, foster parents, are trained at appropriate intervals and in line with any changes to legislation and guidance on the deprivation of liberty safeguards.

Code of Practice - Regulation 24 – Policy and procedures on bullying

- There is a policy in place on the prevention of bullying.
- The policy is aligned to current legislation and national guidance.
- The policy includes the individual roles and responsibilities of staff and others working at the service, and foster parents, in identifying, receiving and reporting allegations of bullying. This will include instructions for staff on actions to be taken and mechanisms for referral to relevant partners and agencies.

Code of Practice - Regulation 25 – Procedure when child is absent without permission

- There is a procedure in place for when a child is absent without permission.
- The procedure is aligned to current legislation and national guidance.
- The procedure includes the individual roles and responsibilities of staff and others working for the service, and of foster parents, in reporting when a child is absent without permission. This will include instruction for staff on actions to be taken and mechanisms for referral to relevant partners and agencies.

Leadership and Management – Overall Governance

Related Regulation: 3, 10

Line of Enquiry 4: The extent to which the provider has governance arrangements in place to support the smooth operation of the service and ensures there is a sound basis for providing high quality care and support for children and foster parents using the service in order to enable children to achieve their personal outcomes. (*Regulation 3, 10*)

What good looks like

Code of Practice - Regulation 3 - Requirements in relation to the provision of the local authority fostering service

- Providers have clear arrangements for the oversight and governance of the service in order to establish, develop and embed a culture which ensures that the best possible outcomes are achieved for children using the service and to meet the requirements of the Regulations. This includes but is not limited to:
 - policies and procedures to achieve the aims of the statement of purpose and to place children at the centre of the service;
 - systems for monitoring and review which support evidence-based practice and enable children to achieve their personal outcomes;
 - o processes to ensure care and support is delivered consistently and reliably;
 - safe staffing arrangements, underpinned by professional development, to meet the care and support needs of children and to support foster parents;
 - o quality and audit systems to review progress and inform the development of the service;
 - \circ a proactive approach to equal opportunities and diversity; and
 - o suitable and accessible premises, facilities and equipment.

Code of Practice – Regulation 10 – Requirements to provide the service in accordance with policies and procedures

- Providers have the policies and procedures in place as required by the Regulations.
- Policies and procedures are proportionate to the service being provided in accordance with the statement of purpose. Where applicable, policies and procedures take into account the needs of other members of the foster parent's household.
- Providers ensure policies and procedures reflect arrangements for short-term breaks for children, where these are provided by the provider.
- Policies and procedures:
 - \circ are aligned to current legislation and national guidance;
 - o provide guidance for staff to ensure that the service is provided in line with the statement of purpose; and

- o set out requirements to inform children, foster parents and staff about how the service is provided.
- Policies, procedures and practices are reviewed and updated in light of changes to practice, changing legislation and best practice recommendations.
- Staff, children and foster parents using the service have the opportunity to be involved in developing policies and procedures.
- Where changes are made to the statement of purpose, the policies and procedures are reviewed and updated to reflect the changes.
- Providers ensure staff have access to, and knowledge and understanding of, the policies and procedures which support them in their role in achieving the best possible outcomes for children.
- All policies and procedures are available to the child, their representatives, the foster parents and, where appropriate, the relevant area authority.

Leadership and Management – Statement of Purpose

Related Regulation: 4, 5,

Line of Enquiry 5: The extent to which the service is provided in accordance with the statement of purpose. (Regulation 4, 5)

What good looks like

Code of Practice - Regulation 4 – Content of statement of purpose

- The statement of purpose is fundamental to the service. It should:
 - o accurately describe the services provided;
 - o state where and how these services will be provided; and
 - o state the arrangements to support the delivery of the services.
- It must include the information set out in Schedule 1 of the Regulations.
- In preparing a statement of purpose, the provider takes account of any statement of purpose guidance provided by CIW.

Code of Practice – Regulation 5 – Requirements in relation to statement of purpose

- Providers review and update the statement of purpose at least annually or earlier if changes are being made to the services provided.
- Where there is an intention to change the service being provided, the statement of purpose is updated to reflect the change. The provider notifies those persons set out in regulation 5(4) 28 days prior to the changes being made. Examples of this include changes to the normal staffing arrangements or levels as set out in the existing statement of purpose.
- Where a change to the statement of purpose is proposed, the provider provides CIW with any additional information it may need to satisfy itself that the local authority can provide the services proposed.
- Where the statement of purpose is updated, a record is kept of the new version and date of amendment.
- A copy of the statement of purpose is readily available to those listed in regulation 5(4) and (5).

Leadership and Management – Quality assurance

Line of Enquiry 6: The extent to which arrangements are in place for the effective oversight of the service, through ongoing quality assurance processes that review standards of care and compliance with regulations and that information and views obtained are used for the continued development and improvement of the service. *(Regulation 6, 46-48, 51-52)* What good looks like

Code of Practice - Regulation 6 - Requirements in relation to monitoring and improvement

- Providers have systems and processes in place to monitor, review and improve the quality of the service. This will include identifying:
 - who is responsible for ensuring this is done;
 - \circ how this will be done;
 - o how often this takes place; and
 - o how the results will be fed back to and considered by local authority senior officers and elected members.
- The outcome of any review is analysed and reviewed by people with the appropriate knowledge, skills and competence to understand its significance and take action to secure improvement. Providers seek professional/expert advice as needed and in a timely manner to help secure improvements.
- Providers can demonstrate how they have:
 - o analysed and responded to the information gathered; and
 - o used the information to make improvements.
- Providers monitor progress against plans to improve the quality and safety of services, and take appropriate action immediately where progress is not achieved as expected.
- The systems and processes are continually reviewed to make sure they enable the service provider to identify where the quality of services are being, or may be, compromised and to enable an appropriate timely response.
- As part of the quality review process, providers:
 - encourage feedback;
 - o regularly seek the views of the relevant children and other stakeholders about the quality of the service; and
 - o are able to demonstrate they have done this and provide an analysis of the feedback they have received.
- The methods used to engage with and gain the views of those listed in regulation 6(2) are appropriate to their age, level of understanding and take into account any specific condition and/or communication needs. Participation of children is in line with national guidance.

Code of Practice - Regulation 46 - Oversight of adequacy of resources

• The manager ensues that systems and processes are in place that enable them to produce these quarterly reports.

Code of Practice – Regulation 47 - Other reports to the local authority provider

- The manager ensures that systems and processes ae in place to collate and provide information about the service and any areas that may need closer observation/consideration and/or improvement. This includes, but is not limited to:
 - staff turnover;
 - staff sickness levels;
 - o complaints;
 - safeguarding issues;
 - \circ $\,$ inspection reports by CIW; and
 - inspection outcomes and/or reports from Health and Safety Executive (HSE) and fire service.
- The manager ensure that suitable arrangements are in place so that they can alert senior officers / elected members where the service is:
 - $\circ\;$ not complying with polices and procedures;
 - $\circ\;$ failing or unable to meet or address issues raised in inspection reports; and
 - $\circ\;$ providing the service in a way which is contrary to the statement of purpose.

Code of Practice - Regulation 48 - Engagement with children and others

- The manager ensures that suitable arrangements are in place to enable them to give feedback on all aspects of service provision and ensure that these arrangements are accessible to, and take into account the views of, all those listed under sections (a) to (d).
- The manager ensures the methods used to engage with and gain the views of children using the service are appropriate to their age, level of understanding and take into account any specific characteristic or communication needs.
- The manager has positive relationships with, and is accessible to, people outside the service. This includes but is not limited to:
 - \circ $\,$ any parent of a child placed with the provider;
 - o foster parents;
 - \circ area authorities (where appropriate);
 - \circ $\,$ regulators; and
 - \circ professional bodies.

Code of Practice - Regulation 51 - Duty to ensure policies and procedures are up to date

- The manager ensures suitable arrangements are in place to review policies and procedures, set out in regulation 10, in line with these Regulations.
- The manager ensures suitable arrangements are in place to ensure staff and foster parents have access to, and knowledge and understanding of, the policies and procedures which support them in their role in achieving the best possible outcomes for children using the service.

Code of Practice - Regulation 52 - Quality of care review

- The manager has suitable arrangements in place to assess, monitor and improve the quality and safety of the service. This includes, but is not limited to:
 - the collation and analysis of feedback from those listed under regulation 48(1);
 - o issues and lessons learned in the analysis of complaints and safeguarding matters;
 - patterns and trends identified through the analysis of notifications, safeguarding matters, whistleblowing concerns and complaints;
 - \circ $\,$ the outcome of any inspection reports from CIW; and
 - 0
 - \circ audits of records.
- The manager ensures that the audit systems and processes for monitoring the service give assurance that a high quality service is provided, which achieves the best possible outcomes for children.
- The manager has suitable arrangements in place to ensure systems and processes are continually reviewed to enable the manager to identify where the quality and/or safety of services is being, or may be, compromised, and to respond appropriately without delay.
- The manager has suitable arrangements in place to ensure all feedback is acknowledged, recorded and responded to as appropriate.
- The manager has suitable arrangements in place to ensure areas of learning from complaints, safeguarding and whistleblowing are shared with staff to improve the service and encourage safe, compassionate care practices.
- The manager ensures areas of learning are analysed and that recommendations are made to senior officers/elected members at the placing authority as to how and where the quality and safety of the service can be improved.

Leadership and Management – Culture

Related Regulation: 11, 38

Line of Enquiry 7: The extent to which the provider operates a culture of openness, honesty and candour at all levels and ensures potential conflicts of interests are managed in an open way. (*Regulation 11, 38*)

What good looks like

Code of Practice - Regulation 11 - Duty of candour

- Providers have policies and procedures in place to support a culture of openness and transparency, and ensure that all staff are aware of and follow them. These policies and procedures are in line with, and take account of, Social Care Wales' guidance on the professional duty of candour for social care professionals registered with Social Care Wales.
- Providers promote a culture of candour that includes:
 - being open and honest when engaging with those listed in regulation 11;
 - o providing information about incidents which happen and the outcome of any investigations that have taken place; and
 - o offering an apology for what has happened, where it is appropriate to do so.
- Providers take action to prevent and appropriately address bullying, victimisation and/or harassment in relation to the duty of candour, and investigate any instances where a board member, manager, or member of staff may have obstructed another in exercising their duty of candour.
- Providers have a system in place to identify and deal with possible breaches of the duty of candour by staff who are professionally registered (as applicable), including the obstruction of another in their duty of candour. Action taken to address such breaches includes, where appropriate, a referral to the professional regulator or other relevant body.

Code of Practice - Regulation 38 - Conflicts of interest

• Providers maintain appropriate systems and take all reasonable steps to make sure actual or perceived conflicts of interest are identified, addressed and recorded in an open way.

Leadership and Management – Information

Line of Enquiry 8: The extent to which children, foster parents and prospective foster parents have access to information about the service to enable them to have a clear understanding of service provision and records relating to how the service is delivered are accurate, accessible and available to children and their representatives. *(Regulation 12, 37, 50)*

What good looks like

Code of Practice - Regulation 12 – Information about the service etc.

- A written guide is available to those listed in regulation 12(2)(c), which provides information about the service.
- The guide is in plain language and in a format that reflects the needs, age and level of understanding of those for whom the service is intended. The guide is made available in formats and media accessible and appropriate to the audience. For example, preferred and appropriate language, large print, audio, computerised and visual aids. When required it is explained in the child or foster parent's preferred method of communication.
- Where required, children and foster parents are supported to understand the contents of the guide and what it means for them.
- The guide sets out the areas required by regulation 12(3) and in addition includes the following:
 - o arrangements for introducing the child to the foster parents and the foster parent's household;
 - the ethos, culture and priorities of the service including a summary of the statement of purpose;
 - the foster parents' role in the inspection process by CIW;
 - how to access the most recent inspection report completed by CIW;
 - o key staff who will be supporting the child and foster parent;
 - o how to contact the local authority fostering services manager;
 - the complaints procedure and how to make a complaint;
 - o contact details and role of the Public Service Ombudsman for Wales, CIW and Children's Commissioner for Wales;
 - support for the child to access relevant advocacy services and other agencies or services, such as primary healthcare services (GP; Dentist; Optometrist, Pharmacist, Chiropodist, Hospital visits); transport;
 - information about the entitlement for looked after children to access independent advocacy services and the support available to children to help them to access such services;
 - o information about the support available to foster parents from the provider;
 - o arrangements for children and foster parents to contribute their views on the running of the service;
 - \circ $\,$ how children can access their own records.

Code of Practice - Regulation 37 - Records with respect to fostering services

- There is a policy and procedures for the recording and management of records. This includes:
 - o the records to be maintained by the provider on the children and foster parents using the service;
 - o the daily records to be maintained by the foster parents for any child placed with them;
 - \circ the timescales that records need to be maintained by the provider and foster parents.
- Staff are aware of the policy and procedures and have a clear understanding of the procedures for recording and managing records. This includes training in information security and action to be taken where personal information is compromised.
- Foster parents are made aware of the policy and procedures for the recording and management of records and are supported to record the significant life events for the child. Foster parents understand what information they need to pass to the provider about the child.
- Providers maintain all the records required for the protection of children and the effective running of the service as specified by Schedule 2 of the Regulations.
- All records are secure, up to date and in good order. They are prepared, maintained and used in accordance with data protection legislation and other statutory requirements and are kept for the required length of time as set out in regulation 37(1).
- Records are stored securely including electronic records which are password protected.
- Children, foster parents and staff are given access to any records and information about them held by the provider in accordance with current legal requirements.

Code of Practice - Regulation 50 - Duty to ensure there are systems in place for keeping of records

• Where records are stored electronically, they are secure and staff have individual access codes which provide a clear audit trail which shows who has made any entries and amendments.

32, 33,

Line of Enquiry 9: The extent to which children and foster parents are supported by a service that provides appropriate numbers of staff who are suitably fit and have the knowledge, competency, skills and qualifications in order to provide the service required to achieve the child's personal outcomes. (*Regulation 7-9, 28-33*)

What good looks like

Code of Practice - Regulation 7 – Requirement to appoint a local authority manager

- Providers appoint an officer to manage the fostering service.
- Where appropriate, providers may appoint the same manager to manage more than one service (for example, on a regional basis).
- Providers give written notification to CIW without delay, as required by the Regulation.

Code of Practice - Regulation 8 – Fitness requirements for appointment of manager

- Providers have suitable arrangements in place to ensure the manager is fit and is capable of running the service in line with its statement of purpose. This includes ensuring:
 - the manager is appropriately qualified;
 - the manager is registered with Social Care Wales if required;
 - the manager is experienced in delivering a fostering service; and
 - the vetting of prospective managers includes the relevant checks required by legislation to assure the provider that the person is fit and able to work with children.

Code of Practice – Regulation 9 - Other requirements in relation to the manager

- Providers have arrangements in place for regular formal discussion with, and support for, the manager.
- Providers support the manager to undertake training which enables them to carry out their role effectively and to meet the aims of service as outlined in the statement of purpose and in line with practice guidance recommended by Social Care Wales.
- If there is no manager in place, or the manager is unable to fulfil their duties for any reason (for example, they are absent from their role due to illness), the provider ensures that appropriate and robust arrangements are in place for the management of the service during any period where there is no manager in place.

Code of Practice - Regulation 28 - Staffing - overarching requirements

- Providers have a demonstrable, measurable and systematic approach to determining the number of staff and range of skills/qualifications required to support the needs of children and to support foster parents and prospective foster parents. This considers, but is not limited to:
 - \circ the statement of purpose;
 - the care and support needs of the child; and
 - supporting and supervising foster parents in providing care and support to a child.
- Staffing levels and skill mix are reviewed continuously and adapted to respond to the changing needs of the service.
- Arrangements are in place to cover staff sickness or absence to ensure children and foster parents are supported appropriately.
- There are procedures to follow in the case of an emergency that make sure sufficient and suitable staff are deployed to cover both the emergency and the routine work of the service.

Code of Practice - Regulation 29 - Fitness of staff

- Providers have rigorous selection and vetting systems in place to enable them to make an appropriate decision on the appointment or rejection of all staff and volunteer applicants. This includes the information set out in Schedule 3 of the Regulations. This also includes checking the veracity of references and past employment records.
- Where agency staff are deployed, providers ensure that they are subject to the same checks as permanently employed staff and have evidence to demonstrate that the checks have been undertaken. This may include confirmation and checklists supplied by any agency, where sufficiently reliable and robust.
- Providers have a process in place to check that staff have appropriate and current registration with a professional regulator where required or, where applicable, an accredited voluntary register.
- Having considered all the information available, providers will determine whether the person has the necessary skills, qualifications and good character to undertake the role for which they are employed/deployed.
- Where staff (including volunteers) no longer meet the required fitness criteria set out in regulation 29(2), Providers take appropriate and timely action to ensure that individuals are not placed at risk. For example this may include:
 - o coaching and mentoring;
 - o providing additional training and supervision;
 - the use of disciplinary procedures.
- Providers ensure staff comply with the requirements of their professional codes of practice and, where appropriate, providers make referrals to the relevant professional bodies for staff whose fitness to practice is brought into question.
- Where there are concerns that a member of staff has abused a child or placed a child at risk of abuse, the Disclosure and Barring Service and any relevant professional registration body are notified by the provider without delay.

Code of Practice - Regulation 30 - Supporting and developing staff

- Providers ensure they have an induction programme that equips all new staff (including volunteers) to be confident in their roles and practice and enables them to make a positive contribution to the well-being of children using the service.
- Social care workers complete the relevant induction programme required by Social Care Wales within the defined timescale alongside any service-specific induction programmes.
- Staff have access to copies of any relevant codes of professional practice and practice guidance, including any issued by Social Care Wales. The standards specified in these codes and practice guidance are actively promoted.
- Where agency staff are deployed, an introduction to the fostering service is provided which includes, but is not limited to:
 - the statement of purpose;
 - \circ $\,$ core policies and procedures; and
 - o management and supervision arrangements.
- Staff receive supervision in their role to help them reflect on their practice and to make sure their professional competence is maintained. This includes feedback about their performance from children using the service and foster parents.
- Staff meet for one to one supervision with their line manager or equivalent officer, or a more senior member of staff, no less than quarterly.
- All staff have an annual appraisal which provides feedback on their performance and identifies areas for training and development in order to support them in their role.
- Additional training, learning and development needs of individual staff members are identified within the first month of employment and reviewed through the supervision and appraisal process.
- Staff are supported to undertake training, learning and development to enable them to fulfil the requirements of their role and meet the needs of children using the service and foster parents.
- Providers undertake an annual (or more frequently if required) training needs analysis to ensure that staff have the relevant skills and competence to meet the needs of children and foster parents in accordance with the statement of purpose for the service.
- Providers maintain a written record of all training and supervision, undertaken or to be undertaken by staff.
- Providers support all staff to complete, where appropriate:
 - \circ core training;
 - o necessary qualifications that would enable them to continue to perform their role;
 - o training and activities required for continuing professional development;
 - $\circ\;$ other training deemed appropriate by the provider; and

o core and specialist training identified for their role by Social Care Wales.

Code of Practice - Regulation 31 - Information for staff

- Providers compile and make available information for staff in line with the statement of purpose. This includes information about the following matters:
 - the ethos and culture of the service;
 - o the conduct expected of staff and others working at the service;
 - o the roles and responsibilities of staff and others working at the service;
 - o policies and procedures of the service;
 - record keeping requirements;
 - o confidentiality and data protection requirements;
 - disciplinary procedures;
 - o arrangements for reporting concerns;
 - o arrangements for lone working.
- Providers ensure staff have access to and understand up-to-date copies of all relevant policies, procedures and codes of practice. Providers ensure staff have read these during the induction period and test staff members' ongoing understanding through supervision and performance reviews.
- Providers ensure staff undertake their duties in line with the requirements of the policies and procedures.
- All staff are provided with a written job description which states clearly their responsibilities, the duties currently expected of them and their line of accountability.
- Regular staff meetings take place (a minimum of six meetings per year), the issues discussed are recorded and appropriate actions are taken as a result.

Code of Practice - Regulation 32 - Disciplinary procedures

- Providers have a disciplinary procedure, in line with current employment laws, to deal with employee performance and conduct. This includes:
 - information about what is acceptable and unacceptable behaviour and what action will be taken if there are concerns about staff behaviour; and
 - the arrangements for a member of staff to be suspended (or transferred to other duties) pending the investigation of any allegations of serious misconduct, including allegations of abuse or serious concerns relating to the safety or well-being of children.
- Where the provider is undertaking disciplinary action against any employee and the employee leaves prior to the completion of

the disciplinary process, consideration is given to whether a referral to the police, Disclosure and Baring Service, Social Care Wales or any other professional body is appropriate.

- Where a volunteer's fitness to practice is in question, due to any alleged misconduct/lack of capability of a concerning nature, the provider takes appropriate and timely action. For example this may include:
 - providing additional training and supervision;
 - o termination of the volunteer arrangements; and
 - o referral to the Disclosure and Barring Service or police, where appropriate.
- Providers ensure staff are aware of and understand the relevant disciplinary procedures and grievance procedures.
- A written report of any disciplinary investigations and action taken is kept on the employee's file in line with employment and data protection legislation.

Code of Practice - Regulation 33 – Restrictions on employment – refer to Regulation 33

Leadership and Management – Whistleblowing

Related Regulation: 40, 53

Line of Enquiry 10: The extent to which people working at the service are supported to raise concerns about the service through whistleblowing procedures. (*Regulation 40, 53*)

What good looks like

Code of Practice - Regulation 40 - Whistleblowing

- There is an accessible whistleblowing policy in place. This includes:
 - the procedure for raising a concern;
 - \circ the safeguards in place for staff who raise a concern;
 - o how concerns will be investigated.
- Staff are aware of, and have had training in, how to raise concerns and there are mechanisms and support available to enable them to do this.
- Consent should be gained (where practicable) to the disclosure of the details of a concern where necessary to enable an effective investigation to take place and confidentiality maintained during the investigation process unless there are professional or statutory obligations which would not make this possible, such as those in relation to safeguarding.
- Individuals do not suffer victimisation, discrimination or any other disadvantage as a result of making their concerns known.
- All allegations and incidents of abuse are followed up promptly in line with the provider's safeguarding policy and procedures. This includes:
 - undertaking a review to establish the level of investigation and immediate action required, including whether there is a requirement for a referral to appropriate authorities for investigation (this may include seeking advice from CIW or local authority safeguarding staff);
 - where areas for improvement or service failures are identified, acting upon these without delay;
 - ensuring staff and others involved in the investigation of concerns have the right level of knowledge and skill; and
 - ensuring staff and others involved in the investigation understand the processes relating to safeguarding and responding to concerns.
- Records of concerns are maintained and monitored to identify trends and areas of risk which may require action. Actions taken as a response to whistleblowing are subject to reporting within governance arrangements.

Code of Practice - Regulation 53 - Support for raising concerns

- The manager ensures suitable arrangements are in place for:
 - staff to be aware of and understand the whistleblowing policy;

- o staff to understand there is zero tolerance for poor care or for a failure to safeguard the well-being of children;
- o ensuring staff are encouraged and supported to report issues; and
- o ensuring staff, foster parents and children understand that concerns are welcomed and sought out, not ignored.

Leadership and Management – Managing individual's money

Related Regulation: 45

Line of Enquiry 11: The extent to which children are supported to manage their money. *(Regulation 45)* What good looks like

Code of Practice - Regulation 45 - Supporting children to manage their money

- Policy and procedures are in place which set out arrangements for supporting foster parents to assist children to manage their money. This includes:
 - how children are encouraged and supported to handle their own money;
 - how children will be supported, including opening and managing individual bank accounts, budgeting and making spending decisions;
 - o how children are supported to understand and manage any associated risks;
 - how children will be supported to understand and access any financial allowances they may be entitled to, where applicable; and
 - o how records and receipts of expenditure related to a child's savings will be dealt with when a placement ends.
- Where children are not able to manage their own money, the provider has arrangements in place to ensure the foster parent are maintaining records and receipts of any financial transactions undertaken on their behalf.
- Providers ensure arrangements are in place to oversee and monitor the savings of a child.

Leadership and Management – Complaints

Related Regulation: 39, 49

Line of Enquiry 12: The extent to which the service promotes an accessible complaints policy and procedure and demonstrates learning from complaints to improve the service. (*Regulation 39, 49*)

What good looks like

Code of Practice - Regulation 39 - Complaints policy and procedure

- Providers have an accessible complaints policy which includes, where appropriate, the use of an informal resolution stage, and explains:
 - who can make a complaint and in relation to what;
 - who to approach to discuss a concern/complaint;
 - o how children, foster parents and birth parents can be supported to make a complaint;
 - o information about accessing independent advocacy, where available;
 - how complaints will be dealt with; and
 - the stages and timescales for the process.
- The policy is in an easy to read format, well publicised, readily available and accessible to children and foster parents, their families, staff and others working at the service.
- Information about other avenues for complaint is included to support complainants if they are not satisfied with the provider's action. For example, information about the complaints procedure of the placing authority, the Public Services Ombudsman for Wales and the Children's Commissioner for Wales.
- Children or foster parents are able to make their complaint in writing or verbally to staff.
- Staff are aware of the complaints policy and understand how to respond appropriately to complaints.
- Providers ensure any complaint is acknowledged, addressed promptly and the complainant is kept informed of progress, unless the complaints are made anonymously.
- A written report is provided to the complainant setting out the outcome of the complaint and any action to be taken.
- Consent should be gained (where practicable) to the disclosure of the details of a complaint where necessary to enable an effective investigation to take place, and confidentiality maintained during the complaints process unless there are professional or statutory obligations which would not make this possible, such as those in relation to safeguarding.
- Children, the parents of any such children and foster parents do not suffer victimisation or any other disadvantage as a result of making representations or complaints.
- Systems are in place to make sure that all complaints are investigated in accordance with the timescales set out in the provider's complaints policy. This includes:

- undertaking a review to establish the level of investigation and immediate action required, including whether there is a requirement for a referral to appropriate authorities for investigation (this may include CIW or local authority safeguarding teams); and
- where areas for improvement or service failures are identified, acting upon these immediately.
- Staff and others involved in the investigation of complaints have the right level of knowledge and skill to do this. They understand the provider's complaints process and are knowledgeable about any current related guidance.
- Records of complaints are maintained and monitored to identify trends and areas of risk which may require pre-emptive action.
- Actions taken in response to complaints are reported on as part of the governance arrangements for the fostering service.

Code of Practice - Regulation 49 - Duty to ensure there are systems in place to record complaints

- The manager ensures there are suitable arrangements in place for the recording of the matters set out in regulations 37 and 50.
- The manager has systems and processes in place to ensure that any records made are legible, accurate and kept securely.

Leadership and Management – Support and oversight of foster parents Related Regulation: 15, 41, 42, 43, 44

Line of Enquiry 13: The extent to which foster parents receive the information, training, advice and support they need and are appropriately supervised, in order to meet the care and support needs of children placed with them. (*Regulation 15, 41-44*) What good looks like

Code of Practice - Regulation 15 – Compliance with foster care agreement

- Providers have foster care agreements in place with approved foster parents in line with Schedule 3 of the Fostering Panels Regulations.
- Providers have effective arrangements in place to monitor and review the obligations placed upon foster parents as set out in the foster care agreement.
- Providers have arrangements in place to ensure foster parents are supported to understand and deliver the requirements placed upon them through the foster care agreement.
- Providers have effective arrangements in place to ensure foster parents take action to achieve compliance with the foster care agreement wherever it is identified that they are not doing so.

Code of Practice - Regulation 41 – Support, training and information for foster parents

- Providers ensure foster parents receive the support, training and information necessary to enable them to provide care and support to a child they foster in accordance with the child's care and support plan / pathway plan.
- Providers ensure any training provided (induction, ongoing or otherwise), to foster parents is in line with national guidance.
- Providers ensure foster parents are aware of the support available to them during any allegations / complaints made against them, such as Fosterline Cymru.
- Providers have arrangements in place to support foster parents outside of standard office hours, and foster parents are familiar with these arrangements.
- Providers provide or arrange the provision of training, information and advice as needed for prospective foster parents.
- Providers have arrangements in place to monitor and review the support or advice, training and information provided to foster parents and prospective foster parents. This feeds into the Quality Review.

Code of Practice - Regulation 42 – Policies and procedures to foster parents

• Providers have arrangements in place to ensure foster parents are familiar with and adhere to the policies and procedures set out in the Regulations.

Code of Practice - Regulation 43 – Supervision

- Providers have arrangements in place to supervise foster parents and provide advice and support where necessary.
- Providers ensure there is a clear purpose to any supervisory meetings with foster parents and records are maintained.

Code of Practice - Regulation 44 – Effective working relationships

• Providers support foster parents to develop and maintain a positive relationship with the child placed with them.

Environment – Overall Environment

Related Regulation: 34, 35, 36

Line of Enquiry 17: The extent to which providers ensure that a child's care and support is provided in a location and environment with facilities and, where relevant, with any facilities and equipment that promotes achievement of their personal outcomes. (*Regulation 34-36*)

What good looks like

Code of Practice - Regulation 34 – Premises, facilities and equipment – local authority providers

 The location, design and size of the premises, and any facilities and equipment used, are suitable for the service as described in the statement of purpose.

Code of Practice - Regulation 35 - Adequacy of premises

- Providers have a suitable space within the premises, such as a shared meeting room, to provide privacy for the supervision of staff.
- Records are stored securely in line with legislative requirements.

Code of Practice - Regulation 36 - Premises, facilities and equipment - foster parents

• Providers have arrangements in place to monitor the premises, facilities and equipment used by foster parents in providing care and support to a child placed with them.