

Corporate Parenting Panel

26 February 2021

Regulation 44 Visits – Commissioning Arrangements



Report of Mark Smith, Strategic Commissioning Manager – Children’s Services, Durham County Council

Electoral division(s) affected:

Countywide

Purpose of the Report

- 1 This report outlines the plans to carry out a commissioning exercise to outsource Regulation 44 visits for Durham County Council maintained Children’s Homes and our rationale for arriving at this decision.

Executive summary

- 2 The national Children’s Homes Regulations 2015 (Regulation 44) sets out requirements for organisations responsible for the delivery of children’s homes to ensure that an independent visitor visits the children’s home at least once each month to undertake a rigorous and impartial assessment of the home’s arrangements for safeguarding and promoting the welfare of the children in the home’s care. There is a requirement to ensure that the findings and any recommendations from the visit are captured within an independent report and forwarded to the Local Authority and Ofsted for the area in which the home is located.
- 3 Durham County Council is currently the Registered Provider of 14 Children’s Residential Homes (including 1 overnight respite home and 5 secure children’s homes). In addition, plans have been approved to expand and broaden our maintained children’s home offer, including smaller homes and an edge of care residential home, in response to the growing demand for residential care and accommodation for children with complex needs.
- 4 In June 2017 a decision was taken to commission the Durham County Council Commissioning Service to undertake the monthly Regulation 44 Visits on behalf of Children and Young People’s Services.

- 5 Following a review of the current arrangements it is apparent that whilst the DCC commissioning service has been able to ensure that all Regulation 44 visits have been undertaken and reported to Ofsted in a timely manner, the current arrangements have not consistently enabled the department to identify issues prior to regulatory inspections which has impacted on the feedback and outcomes from Ofsted. It is felt that this is due primarily to the professional backgrounds of the commissioning officers involved and that this situation could be improved if the visits were undertaken by visitors who had a background in the provision and management of children's residential care homes.
- 6 The current arrangements in relation to community homes can at times lead to a conflict of interest, as Commissioning Officers play an integral role in the brokerage of placements for children who require residential care where both maintained and independent options are being considered.
- 7 The main options that have been considered for the future delivery of Regulation 44 visits are:
 - a) Maintain current arrangements with the DCC Commissioning Service.
 - b) Develop capacity within the Independent Reviewing Officer team to undertake visits.
 - c) Undertake a procurement exercise to secure an independent consultant(s) or organisation for community homes and secure homes
 - d) Undertake a procurement exercise to secure an independent consultant(s) or organisation for community homes only, with the DCC Commissioning Service continuing to carry out Reg 44's for all secure homes.
 - e) Develop reciprocal arrangements with another Local Authority.
- 8 Having considered a comparison of potential costs, strengths, and weaknesses for each of the above options, based on this appraisal, Option (d) is the most viable option. This will provide Durham County Council with the opportunity to appoint a service with a proven track record of undertaking work of a similar nature and provide CYPS with the assurance they need that all safeguarding matters associated with the DCC children's residential homes will be identified and fully explored. It is anticipated that this option will require a small increase to the budget for the service.

Recommendation

- 9 The Corporate Parenting Panel is asked to:

- a) Note the contents of this report which outlines the rationale and recommendation to outsource Regulation 44 visits for DCC community children's home and retain the Reg 44 function within the Commissioning Service for secure homes.