

# Appendix A

## **NEW CRITERIA AND SUPPORTED ACCOMMODATION (ENGLAND) REGULATIONS 2023:**

### **BACKGROUND:**

Supported accommodation can be vital for young people leaving care and transitioning into independent living. The accommodation should provide a safe and supportive environment where young people can develop their independence while receiving the necessary support to achieve positive outcomes.

Supported accommodation, as defined in The Supported Accommodation (England) Regulations 2023, is a type of accommodation that provides support to young people aged 16 and 17 who are children in care with the local authority or care leavers. The aim of supported accommodation is to help these young people develop their independence in preparation for adult living while keeping them safe in a homely and nurturing environment.

These young people may have experienced various difficulties in their lives, such as family breakdown, abuse, neglect, or other forms of trauma and consequently will continue to need support to adulthood and beyond.

This legislation and related quality standards are essential to the regulatory framework for supported accommodation. They set out the outcomes that providers must meet for young people in supported accommodation, and they allow flexibility in how this is achieved, recognising that individual young people have different needs and therefore require different degrees and forms of support.

The quality standards are important because they provide a clear framework for ensuring that young people in supported accommodation receive high-quality care and support. They cover four key areas: leadership and management, protection, accommodation, and support. Each standard includes a set of outcomes that providers must achieve to ensure that young people are safe, well-supported, and able to develop their independence in preparation for adult living.

By complying with the quality standards, providers can demonstrate that they deliver high-quality services that meet the needs of young people in supported accommodation. This can help build trust with local authorities, commissioners, and other stakeholders interested in improving outcomes for vulnerable young people. It serves to improve the sector's overall reputation by promoting best practices and driving up standards across all supported accommodation settings across the country.

Lincolnshire County Council within their own right have existing supported accommodation namely the residential estates of Denton and Rowston that sit under the Corporate Parenting Manager that provides support to 16 and 17 year old young people and this continues to be a valuable resource. In order to continue with this service in conjunction with the commissioned services of other providers, Lincolnshire have commenced the process for registration. Likewise, we will be joining forces with our independent colleagues to support them going through this process in order for them to remain a commissioned provider.

Until now, this type of provision nationally has had no independent scrutiny, potentially leaving children in unsuitable accommodation. After this date it will be an offence to provide supported accommodation without having a registration application accepted as complete.

It is reassuring to share that Denton and Rowston elected to have Regulation 44 oversight to ensure best practice and albeit non regulatory serves as an independent monitoring visit akin to what happens in children's homes. This provides for oversight and scrutiny to ensure the homes are being managed and assess the overall quality of the service provide.

Lincolnshire as an existing provider of supported accommodation must have applied to register with Ofsted by 28<sup>th</sup> October 2023. Our current timescales are working towards our registration being submitted by the end of June 2023. After October 2023 it will be an offence to provide supported accommodation without having a registration application accepted as complete.

### **REGULATORY FRAMEWORK:**

Within the preparation and planning for the new legislation and quality standards, Children's Services have responded positively to these in terms of planning and preparation for their introduction. Children's Services DLT have already agreed to regrade the supported accommodation manager's post so this is commensurate with children's homes managers to recognise the appropriate skills, experience and knowledge as they will have oversight of the two homes.

In addition, a Residential Care Officer (RCO3) level 3 role will be introduced to provide oversight and leadership alongside the manager of the two properties.

The new regulations are as follows:

#### **The Quality Standards**

- The protection standard – Regulation 5
- The accommodation standard – Regulation 6
- The support standard – Regulation 7
- Statement of Purpose – Regulation 9
- Workforce Plan – Regulation 10

#### **Staffing**

- Fitness and employment of staff – Regulations 17 – 19

#### **Policies for the protection of young people and records**

- Safeguarding Policy – Regulation 20
- Missing Child Policy – Regulation 21
- Behaviour Management Policy – Regulation 22
- Contingency Plan Policy – Regulation 23

- Young Peoples Case Records – Regulation 24

### **Notifications and complaints**

- Notification of a serious event – Regulation 27
- Complaints – Regulation 31

### **Reviewing and monitoring supported accommodation**

- Quality of a Support Review – Regulation 32
- Absence of a Registered Service Manager and other changes – Regulation 33 and 34
- Death of a Registered Person – Regulation 42

New regulations - [Guide to the Supported Accommodation Regulations including Quality Standards \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/671122/guide-to-the-supported-accommodation-regulations-including-quality-standards.pdf)

### **IMPLEMENTATION AND IMPACT:**

Within the regulations there are four categories of independent accommodation including:

- Supported Accommodation in a self-contained unit for children in care and care leavers,
- Supported Accommodation in shared or group living for children in care and care leavers,
- Supported Accommodation in shared or group living that is not limited for children in care and care leavers  
or
- Supported accommodation provided by an individual or individuals in a private residence which is the main residence of that individual or those individuals.

Ofsted grant registration to supported accommodation providers subject to these categories of provision, and provider registration is conditional upon operating only within the category or categories stated on the provider's registration. Lincolnshire will of course be registering to ensure that our provision is covered and to ensure that we reduce the need to vary any registered provision.

Lincolnshire will register as a provider and does not need to register each property they utilise.

The regulations outline an expectation that each semi-independent provision (Category 2) will have a robust model of staffing that covers 24/7 to support young people. They also confirm that the homes need to be caring, but not provide care and states that the homes need to be fully staffed.

Denton and Rowston Close jointly accommodates up to 10 young people across two homes and will remain to be staffed 24 hours per day with a lone working procedure in situ and will be resourced with staffing of one staff member or two when shifts overlap, or the needs of

young people arise in an effort to ensure that young people are safe and fully supported. The additionality of the RCO 3 will build in extra resilience to this model and package of support.

This will result in a stronger focus in the regulations around good quality management oversight, management of staff, high quality supervision and accountability woven into how the homes are managed.

Whilst this provision has to assume a level of independence for the young people placed there and the regulations will not be as restrictive as those for a registered children's homes, there still needs to be sufficient staffing and management oversight to ensure compliance with the regulations.

Ofsted have confirmed they will inspect providers and provide a grading at least every three years. They are also publishing further guidance on inspection, compliance and enforcement in the summer of 2023.

It has been agreed that this work will now form a workstream and sit within our Children in Care Transformation Programme.

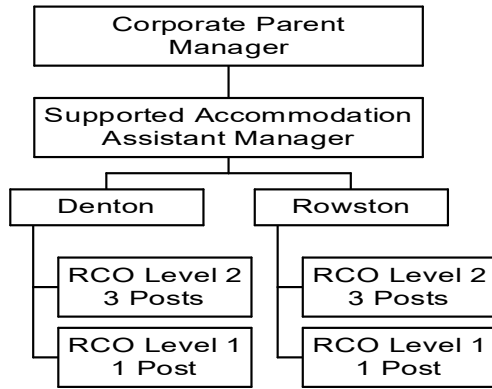
The Council have recently received a S31 Government Grant for the Implementation of Supported Accommodation Reforms of £112,627.50 to support this. Further payments of this equivalent amount are due in October 2023, April 2024 and October 2024 as outlined in the communication publicised by the Department for Education on 28<sup>th</sup> April 2023.

The immediate costs associated are £3600 for registering the service each year owing to the Council registering less than 10 premises. The costs for the registered service manager equate to £900 as a one off payment. Any fee will be reviewed and updated each year.

**SUPPORTED ACCOMMODATION MODEL:**

Denton and Rowston are our in house supported accommodation provision, with one located in Gainsborough, the other Grantham. Each home supports 5 young people from 16 to 18, with a bespoke targeted plan, coupled with robust trajectory planning, to support their journey to independence.

Originally when this supported accommodation model was set up, it reflected a very lean staffing structure, to support both homes. This consisted of 8 staff across the two homes, line managed by an assistant manager. This is shown in the structure chart below :



This staffing structure is also predicated on a lone working staffing model, which means staff lack peer support and have limited support and supervision as the assistant manager is split over two sites, which are based 50 miles apart, with line management responsibility for 8 staff. Furthermore, the lone working model of 4 staff on a rota means that any short-term sickness (or long term) means that a quarter of the work force can be lost due to 1 member of staff being sick or on leave.

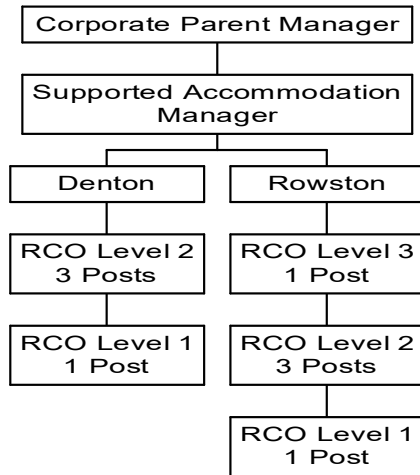
In summary, as it stands the model is not robust enough to manage sickness, leave, or time away for training and will fall short of the new regulations, placing the authority with an inspection risk.

**PROPOSED STRUCTURE:**

To support the operational management of the homes, the following options have been developed and agreed by DLT.

These regulations support that the registered provider (the Council) will require a nominated individual at senior level (Director or Assistant Director) accompanied by the registered service manager (Senior Manager). It is proposed that operationally the service manager who is permitted to delegate this responsibility (unlike in a registered children’s home) will discharge these via the Supported Accommodation Manager, day to day.

This structure reflects the requirement to have a Supported Accommodation Manager on a grade 12, reflecting the same role and responsibility as a residential homes manager, over both of the homes, further supported by one RCO Level 3. This new RCO Level 3 post, working on a rota over 7 days will add additional operational management to support staff, cover shifts and facilitate robust QA of appraisal, training and supervision and daily running of the homes.



**CONCLUSION:**

Lincolnshire County Council recognise providing high-quality accommodation is essential in supporting young people preparing to leave care. We welcome the 2023 guide to the Supported Accommodation Regulations and Quality Standards which establish standards that ensure young people receive high-quality support during their transition to independent living.

Together with commissioned partners we will serve to ensure that we all meet these standards to ensure that vulnerable young people receive the necessary support. With the proper support, young people leaving care can have a better chance of achieving positive outcomes, such as education, employment, and stable housing. Therefore, we will continue to invest in supported accommodation and other forms of support for young people leaving care to help them succeed in their transition to adulthood.

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