



Department
for Education

Introducing national standards for independent and semi-independent accommodation – tell us what you think

Government consultation

Launch date 24 May 2021

Respond by 19 July 2021

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What are we doing?

The Government wants to make sure that independent and semi-independent accommodation for older children in care and care leavers aged 16 or 17 is high quality – this means it is safe and provides enough support for the young people living there.

This type of accommodation is meant to offer young people aged 16 and 17 somewhere to live that gives them the chance to develop their independence as they prepare for leaving care and starting adult life.

You might have heard this type of accommodation called many different things, for example, supported accommodation, supported living or 16+ accommodation. This accommodation is often called ‘unregulated’ because it is not inspected by Ofsted like children’s homes.

The Government is concerned that this type of accommodation is not always good enough and last year we asked for views on how to improve on this type of accommodation.

After listening to people’s views, in February the Government announced it will:

- Stop children under the age of 16 living in this type of accommodation. We think children under 16 should live in a children’s homes or foster care as they are too young to live somewhere that focuses on preparing young people for independence.
- Introduce rules called ‘national standards’ for this type of accommodation – these standards will make sure that all places where children and young people live are high quality, safe, and support them properly.
- Make sure that Ofsted – the organisation that checks that places where children live are good enough – can check that this type of accommodation is following the standards.

The Government is asking children and young people with experience of care what the new standards should look like and how Ofsted should make sure that people follow the standards to make sure that independent and semi-independent accommodation does everything we need it to for children and young people.

What are we asking you to do?

The Government wants to know what you think new standards for this accommodation should look like, based on your experience of being in care and living in different types of accommodation. This will help us decide what we need to do next.

We would like to know your views on:

1. How do we tell the difference between children's homes and independent and semi-independent accommodation?
2. What should we call this type of accommodation in future?
3. If we want to introduce new standards – for this accommodation, what should they cover?
4. How should Ofsted make sure the accommodation is following the new standards?

We will use your views to help us:

- Develop new standards for this type of accommodation to make sure it is safe and young people living there are supported in high quality accommodation.
- Decide how Ofsted will make sure the accommodation is following the new standards.

We are giving people 8 weeks to answer these questions.

We have also published a separate version of this consultation, which is aimed at local authorities, providers and anyone else who wishes to respond. This consultation can be found at: <https://consult.education.gov.uk/children-in-care-and-permanence/introducing-national-standards-for-unregulated-pro>

How will your involvement help us?

Thank you for taking time to help us.

We know that some older children aged 16 or 17 want to live in a children's home or foster care and others want to live somewhere with more independence.

The Government supports this choice. Your answers will help us design the rules that will make sure children and young people who decide that living with more independence is right for them always have accommodation that is high quality where they can receive the support they need to prepare for adult life.

Issue date

The consultation was issued on 24 May 2021

Enquiries

If your enquiry is related to the policy content of the consultation you can contact the team on 0370 000 2288 and ask for the Children's Social Care unregulated policy team or email: CSCUnregulated.CONULTATION@education.gov.uk

If your enquiry is related to the DfE e-consultation website or the consultation process in general, you can contact the DfE Ministerial and Public Communications Division by email: consultation.unit@education.gsi.gov.uk or by telephone: 0370 000 2288 or via the DfE Contact us page. Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](https://www.gov.uk/consultations).

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The response

The results of the consultation and the Department's response will be [published on GOV.UK](#) in Autumn 2021.

Respond online

To help us analyse the responses please use the online system wherever possible. Visit www.education.gov.uk/consultations to submit your response.

Other ways to respond

If for exceptional reasons, you are unable to use the online system, for example because you use specialist accessibility software that is not compatible with the system, you may download a word document version of the form and email it or post it.

If you are not responding via the online survey, please can you ensure you provide:

- Your name
- Relevant contact details
- Whether you are responding as an individual or on behalf of an organisation
- Whether you would like your responses to be kept confidential within your response.

By email

CSCUnregulated.CONULTATION@education.gov.uk

By post

Ali Mills
Department for Education
3rd Floor, 2 St Paul's Place,
Sheffield
S1 2FJ

Deadline

The consultation closes on 19 July 2021

How do we tell the difference between a children's home and independent and semi-independent accommodation?

We want to make sure older children and young people in care have a range of places to live that best meets their needs – this includes children's homes, foster care, and accommodation that supports independence for those older children who are ready for it.

In independent and semi-independent accommodation, young people are given much more independence than would be expected in a children's home. We have thought of some differences between the care that a children's home provides, and the support usually provided to young people living in independent and semi-independent accommodation.

The differences are set out in a table in the 'Annex A' section of this document on page 13.

Information you provide in response to these questions will help us to develop guidance for people who are in charge of these different types of accommodation, so that they are clear about the support and care that they should give to young people living there

- 1. Do you think the suggested differences in the table are a good way to tell the difference between the two?**
 - a. Yes/ No/ Not sure
- 2. We would like to know why you answered the way you did. Please explain your answer here in more detail. *The things that you might want to explain in more detail could include:***

Anything you think that the table is missing.

Anything in the table that you don't agree with.

Should we call all of this type of accommodation 'supported accommodation for older children'?

We know that there are many different names given to this type of accommodation at the moment. These include 'independent and semi-independent living', 'supported accommodation' and sometimes '16+ accommodation'. The Government want to make things simpler by using the same name for all of this accommodation in future. We are thinking of calling it 'supported accommodation for older children'.

3. Do you think this is a good name to use in the future?

Yes / No / Not Sure

4. We would like to know why you answered the way you did. Please explain your answer here in more detail.

The things that you might want to explain in more detail could include:

Why do you think this is/isn't a good name to use?

Do you have any other suggestions of what we should call this accommodation?

What does the best independent and semi-independent accommodation and support look like?

Every child and young person needs different amounts of support from adults who care for them, based on their background, their experiences, and their interests. This is why there are lots of different types of accommodation for young people.

Most children and young people in care live in children's homes or in foster care, but a large number of older children aged 16 or 17 live in independent and semi-independent accommodation, of which there are lots of different types.

Some examples of different types of independent and semi-independent accommodation you may have lived in or heard of include:

- **Supported lodgings** where a young person is living in a family home, getting support and guidance from the family they live with but the young person has more independence than when staying with a foster family.
- **Shared housing** where a young person is living in a home with other young people, whom each have their own living areas, often with shared areas for socialising and cooking meals. There is usually some form of staff support where young people can go for guidance and advice.

We want to know what you think about the different types of accommodation and support that exist – not just those on this list. This can include any place where you lived, or know of, that wasn't a children's home or foster care.

- 5. Please share examples of independent or semi-independent accommodation that you have lived in or heard of. In your answer, it would be helpful if you could tell us:**
 - a. What the accommodation was called, for example, was it shared housing?**
 - b. Did you share the accommodation with anyone else? If you did, were they the same age as you?**
 - c. What support did you get from people while you lived there, for example, did you get help with money, school or relationships?**
 - d. What was good about where you lived?**
 - e. What could have been better?**

What should the new standards for independent and semi-independent accommodation cover?

We want to introduce national standards which will create new rules for independent and semi-independent accommodation for 16 and 17 year old looked after children and care leavers.

The new standards will ensure this type of accommodation is high quality and provides enough support for the young people living there. The standards will also make sure Ofsted can take action where the accommodation and support is not as good as we expect. This is what Ofsted do for children's homes.

After listening to people's views last year, we have created a set of standards for independent and semi-independent accommodation where 16 and 17 year old looked after children and care leavers are living. We want to know if you think these cover the right things and if anything is missing. We have included the new standards at the bottom of this document in the section called 'Annex B' – this is on page 15.

- 6. Do you think we have missed anything that you would expect the new standards to cover? Please explain here**

- 7. Do you think we have included anything that shouldn't be included in the new standards? Please explain here**

What do you think about Ofsted paying more attention to this accommodation in future?

You might know that Ofsted are the organisation responsible for making sure that children's homes and foster care are good quality and that children are safe and get all of the care and support that they need. Part of the way Ofsted does this in children's homes is by inspecting them. They can turn up at a children's home, sometimes without any notice, to check on them. Ofsted does this to take a look at whether children's homes are following the national standards, and they can take action where they find that children's homes are not meeting the standards that we expect for children. They also inspect schools, where you might have seen or heard of Ofsted before.

You may have experience of living somewhere that Ofsted have inspected before. Ofsted's inspectors often speak to the children living there, asking them about the home and their experiences there, and whether they are happy. This is a very important part of inspections.

Ofsted does not currently have a role in doing any of this for independent and semi-independent accommodation. We want them to in future, and we want to make sure that the views of children and young people with experience of care are taken into account when deciding what role Ofsted should have in future.

8. Do you think it is a good idea for Ofsted to inspect independent and semi-independent accommodation in future?

Yes / no / not sure

9. We would like to know why you answered the way you did. Could you please explain this in more detail? In this, you might want to include what you think the main positives and negatives could be if Ofsted inspected this accommodation in future.

List of consultation questions

1. Do you think the suggested differences in the table are a good way to tell the difference between the two?
2. We would like to know why you answered the way you did. Please explain your answer here in more detail.
3. Do you think this is a good name to use in the future?
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5. Please share examples of independent or semi-independent accommodation that you have lived in or heard of. In your answer, it would be helpful if you could tell us:
 - a. What the accommodation was called, for example, was it shared housing?
 - b. Did you share the accommodation with anyone else? If you did, were they the same age as you?
 - c. What support did you get from people while you lived there, for example, did you get help with money, school or relationships?
 - d. What was good about where you lived?
 - e. What could have been better?
6. Do you think we have missed anything that you would expect the new standards to cover? Please explain here
7. Do you think we have included anything that shouldn't be included in the new standards? Please explain here
8. Do you think it is a good idea for Ofsted to inspect independent and semi-independent accommodation in future?
9. We would like to know why you answered the way you did. Could you please explain this in more detail? In this, you might want to include what you think the main positives and negatives could be if Ofsted inspected this accommodation in future.

Annex A: indicators of ‘care’ or ‘support’

Indicators of whether a setting is providing support or care

These indicators are used by Ofsted and providers to determine if a service needs to register as a children’s home, or if the service is providing support only and therefore does not need to register. This will become increasingly important in future as we begin to regulate independent and semi-independent settings/supported accommodation. These indicators are not exhaustive, but will be used to inform the development of guidance.

Indicators	Yes	No
Can young people go out of the establishment without staff’s permission?	Independent or semi-independent accommodation for older children	Care - likely need to register as a children's home
Do young people have full control of their own finances?	Independent or semi-independent accommodation for older children	Care - likely need to register as a children's home
Do young people have control over what they wear and the resources to buy clothes?	Independent or semi-independent accommodation for older children	Care - likely need to register as a children's home
Are young people in charge of meeting all of their health needs, including such things as arranging GP or specialist health care appointments? Are young people in full control of their medication?	Independent or semi-independent accommodation for older children (note that young people may ask for advice and help on their health, but if decisions rest with the young person, the establishment is not providing care)	Care - likely need to register as a children's home
Do staff have any access to any medical records?	Care - likely need to register as a children's home	Independent or semi-independent accommodation for older children
Can young people choose to stay away overnight without first seeking permission?	Independent or semi-independent accommodation for older children	Care - likely need to register as a children's home
Is there a sanctions policy that goes beyond house rules and legal sanctions that would be imposed on any adult?	Care - likely need to register as a children's home	Independent or semi-independent accommodation for older children
If the establishment accommodates both adults and young people, do those under 18 have any different supervision, support, facilities or restrictions?	Care - likely need to register as a children's home	Independent or semi-independent accommodation for older children
Are there regularly significant periods of time when young people are on the premises with no direct staff supervision?	Independent or semi-independent accommodation for older children	Care - likely need to register as a children's home
Do staff have any responsibility for aftercare once a young person has left?	Care - likely need to register as a children's home	Independent or semi-independent accommodation for older children
Does the establishment's literature promise the provision of care or relate to specific care support provided to all residents?	Care - likely need to register as a children's home	Independent or semi-independent accommodation for older children

Indicators	Yes	No
Does the establishment provide or commission a specialist support service, which forms part of the main function of the establishment?	Care - likely need to register as a children's home	Independent or semi-independent accommodation for older children

Annex B: The proposed national standards

THE LEADERSHIP AND MANAGEMENT STANDARD

This standard should enable a young person to have confidence in the organisation providing their accommodation and support, and the people responsible for running it

The purpose and intent statement

The registered provider must ensure that a clear statement (the *purpose and intent statement*) of the core aims, purpose and function of the service is produced, updated, reviewed regularly and is accessible to all interested parties.

The purpose and intent statement should include:

- A Statement of the overall aims of the service, and the objectives to be achieved with regard to the young people being accommodated there. This should include details such as the age range, gender and numbers of young people the accommodation is to be provided for, whether the service is to provide any specialist accommodation or support, and the range of needs which the project intends to meet. This statement should cover how providers intend to manage the different risks young people in the setting present to each other and ensure that matching issues are considered in the admission of young people.
- A statement of the facilities and services to be provided for the young people accommodated at the service.
- The name and address of the registered provider
- The name of the registered provider and their relevant qualifications and experience.
- The number, relevant qualifications and experience of staff working at the service.
- The arrangements for the supervision, training and development of staff, and the organisational structure of the service.
- The arrangements in place for the management of referral and admission to the service including for emergency admissions i.e. whether these are offered, and how these are managed.
- Details of the provider's ethos, the outcomes it seeks to achieve, and its approach to achieving them.

- The arrangements in place to protect and promote the mental and physical health needs of young people at the service.
- The arrangements in place to support the development of skills which will enable the young person's transition towards independence.
- The arrangements in place to promote the young person's involvement in education, training or employment.
- The arrangements in place to ensure a young person is fully aware of their entitlements.
- A description of the accommodation offered by the service, including how the accommodation meets the accommodation standard.
- Details of who to contact if a person has a complaint about the service and how that person can access the relevant complaints policy.

The leadership and management standard

Each individual service must have an allocated person who is accountable for all elements of service delivery.

This allocated person must:

- Enable, inspire and lead a culture in relation to the service which:
 - helps young people aspire to fulfil their potential;
 - helps young people build and develop the skills required to live independently; and
 - promotes their welfare.
- Lead and manage the service in a way that is consistent with the approach and ethos, and delivers the outcomes set out in the statement of purpose.
- Ensure that all young people in the service are fully aware of their entitlements and, where possible are encouraged to access them.
- Ensure that staff work as a team where appropriate.
- Ensure that staff have the experience, qualifications, and skills to meet the needs of each young person.

- Ensure that the service has sufficient staff to support and accommodate young people safely and effectively.
- Demonstrate that practice is informed and improved by considering and acting on:
 - Feedback on the experiences of young people, including complaints received;
 - Feedback on the impact that the service has had on a young person's life, especially on how well-prepared they feel when moving on; and
 - Use of monitoring and review systems to make continuous improvements in the quality of support provided by the service.

Notification of a serious event

If a young person dies, the registered provider must without delay notify:

- HMCI;
- The placing authority;
- The local authority in whose area the supported accommodation is located (if that local authority is not the placing authority);
- Each other relevant person.

If there is a referral of a person working in the home pursuant to section 35 (Regulated activity providers: duty to refer) of the Safeguarding Vulnerable Groups Act 2006(1), the responsible person must without delay notify—

- HMCI;
- The placing authority; and
- Each other relevant person.

The registered provider must notify HMCI and each other relevant person without delay if:

- a young person is involved in or subject to or is suspected of being involved in or subject to, sexual or criminal exploitation.
- an incident requiring police involvement occurs in relation to a young person which the responsible person considers to be serious.
- there is an allegation of abuse against the service or a person working there.

A notification made:

- Must include details of—
 - The matter;
 - The other persons, bodies or organisations (if any) who or which have been notified; and
 - Any actions taken by the responsible person as a result of the matter;
- Must be made or confirmed in writing.

THE PROTECTION STANDARD

This standard should ensure that young people feel safe and their needs are met

The protection standard is to ensure all young people are protected from harm, enabled to keep themselves safe and their individual needs are met. This standard requires the responsible person to ensure:

- That staff have the necessary skills to identify and act upon signs that a child is at risk of abuse, neglect, exploitation, or any other risk that may cause a young person harm, and act to reduce this risk as effectively as possible.
- That staff work collaboratively with young people to ensure they understand how to keep safe and offer guidance and support on how to minimise any potential risks.
- That the accommodation, and all accessible areas of the service are designed, furnished, and maintained to remove avoidable hazards which could pose a health and safety risk.
- That a 'location assessment' is undertaken, with focus on any potential safeguarding concerns, and the accessibility of local services.
- That the service's child protection policies are monitored regularly.

Workforce plan

The protection standard requires the responsible person to ensure that a workforce plan is in place which sets clear expectations on the employment and recruitment of all staff, and must include statements to confirm:

- The responsible person has undertaken a fit and proper persons assessment.
- Every individual involved in delivering any part of the service to young people has undertaken an enhanced DBS check.
- That recruitment policies have been developed to ensure the safeguarding of young people, by carrying out all necessary pre-employment checks.

- The management and staffing structure, the experience and qualifications of staff currently working within the service and any further training required for those staff. This includes confirmation that staff understand the roles and responsibilities assigned to them in relation to protecting young people.
- The processes and agreed timescales for staff to complete induction, probation, and any core training, such as safeguarding, health and safety qualifications.
- The process for managing and improving poor performance.
- The process and timescales for supervision and monitoring of practice.
- Details of all how this information is recorded, in line with any other applicable legislation.

Location assessments

- The protection standard requires the registered provider to ensure that a location assessment has been completed and has identified the local area as a suitable location for the type of service provided. The location assessment should take into account:
 - Publicly available local data, such as local crime rates and the availability of amenities and services.
 - Consultation with appropriate local services such as the police, local authorities children's services, clinical commissioning groups and other relevant parties.
- This information should be used to produce a full risk assessment which also includes any relevant risk mitigation strategies to reduce potential risks.

THE ACCOMMODATION STANDARD

This standard should ensure that young people experience a comfortable and secure environment.

The accommodation standard is to ensure that the accommodation, and physical premises used for the purpose of providing supported accommodation for young people:

- complies with all relevant aspects of legislation to ensure the service is designed, furnished, and maintained to remove all avoidable hazards;
- is suitable for its stated purpose, is accessible, safe and secure, well maintained and provides for the young person's individual and collective needs in a comfortable, positive and therapeutic environment, while respecting their privacy; and
- is adequately insured.

This standard requires the responsible person to ensure:

- That each young person is provided with a bedroom or self-contained area which is lockable and equipped to meet the individual's needs and lifestyle.
- There is space within each bedroom or self-contained area for a young person to house a reasonable number of personal possessions.
- A comfortable space is provided, either for shared or private use, in line with the service's statement of purpose.
- That, where a young person does not have access to basic essentials such as bedding, personal hygiene products and eating utensils, these are provided by the service.
- That each young person is provided a written agreement, in an accessible format which outlines their rights, the terms and conditions of the service and how they can complain.
- A good standard of decor and furnishings are maintained throughout the service, and within individual and shared living spaces.
- The building complies with all relevant health and safety legislation and fire regulations.
- That appropriate security checks and measures are in place to maintain a safe service for young people.
- That appropriate arrangements are in place for young people to access help in a crisis or emergency, 24 hours a day.
- A written statement is available which sets out the agreed protocol with regard to any incidents of criminal or violent behaviour at the service. This statement should ensure the safeguarding and protection of all young people and staff but must also be measured and proportionate, so as not to cause unnecessary criminalisation.
- An adequate level of insurance is provided for the service, its staff and the young people using the service.

THE SUPPORT STANDARD

This standard should ensure that young people experience high quality, tailored support

The support standard is to ensure that all young people using the service receive individual and tailored support. The support package should be appropriate to a young person's needs, promote and support their independence and clearly identify the services contribution to meeting their needs.

This standard requires the responsible person to ensure:

- That young people are encouraged and enabled to take a lead role in the support they receive.

- That support plans are created from initial referral information, consultation with the young person and take account of other existing plans for the young person.
- That an information pack containing relevant information about the service is available for young people accommodated at the service. This information should be produced in user friendly formats which also address cultural and disability needs.
- That a formal plan is in place to support a young person to move on when ready for more independent living and that, where appropriate, an adequate level of support is available to the young person to assist with the next stage of transition.
- That the service is conducted in a way which is compliant with equality legislation and promotes the rights of young people.
- The service engages with other organisations and community services to encourage and enable young people to obtain a range of services such as advocacy organisations and training providers.
- Young people are enabled to maintain appropriate and safe relationships with family and friends.
- Young people are able to participate in and influence how the service operates.



Department
for Education

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