



Department  
for Education

# **Fees and frequency of inspections regulations 2024- 2025**

**Government consultation**

**Launch date 21 December 2023**

**Respond by 25 January 2024**

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## Introduction

We are consulting on changes to the registration, variation and annual fees that Ofsted charge to carry out their regulatory work for children's social care providers.

The changes would be made to Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc) Regulations 2015 ("the 2015 Regulations"), with a view to the changes coming into force on 1 April 2024.

We are also consulting on the need for future consultations on fees as well as a change to minimum inspection requirements for children's homes where no children are accommodated at the time of inspection.

Additionally, we are consulting on the disclosure of names and addresses in relation to secure 16-19 academies and secure children's homes (SCHs), when a copy of their inspection report is requested. This issue will be included in our consultation but is separate to the changes to Ofsted fees.

We are inviting comments on proposals in this consultation from across the spectrum of children's social care provision.

This consultation will run for 5 weeks.

## Supported accommodation for looked after children and care leavers aged 16 & 17

Providers of supported accommodation have been able to register with Ofsted since 28 April 2023. We have already [published](#) the relevant fees for registering a supported accommodation undertaking, and this consultation will now set out our proposed fees for 2024-25 (Annexes A & B).

As set out in a previous [consultation](#) launched in December 2022, we have developed the fee structure for providers of supported accommodation based on Ofsted's experience and knowledge of the costs of delivering their regulatory functions in other types of children's social care. In developing the fee structure for supported accommodation providers, we have been clear that our intention is to move providers towards full cost recovery as quickly as possible- with plans to achieve this by 2025-26. This approach ensures that taxpayers are not subsidising the cost of regulating this provision and provides the best value for money option for the state.

Fees for supported accommodation have been set at a level which is already much closer to full cost recovery than in other forms of children's social care provision. As such, future changes to the fee structure for providers of supported accommodation will

be made based on achieving full cost recovery as soon as possible and may not follow the same incremental increase that is applied in other children's social care settings.

We have already consulted ([Regulating supported accommodation for looked after children and care leavers aged 16 and 17 \(education.gov.uk\)](#)) on inspection cycles in supported accommodation in December 2022, and confirmed in our [response](#) to this consultation that we would be proceeding with a 3 year inspection cycle which inspects providers at provider level. We will therefore also be amending the 2015 Regulations to set out the minimum inspection frequencies to begin from April 2024.

## Secure 16-19 academies

Secure 16-19 academies are a new custodial provision for young offenders. They will be dual registered with Ofsted as children's homes and as 16-19 academies. The first secure 16-19 academy is planned to open in 2024 and will be inspected by Ofsted with the support of the CQC.

When Ofsted inspect 16-19 academies, they publish the name and address of the 16-19 'academy' in their reports, but they would be prohibited from doing the same by the Care Standards Act 2000 (Registration) (England) Regulations 2010 ("the Registration Regulations") in relation to the name and address (or other identifying information) in inspection reports concerning children's homes. We are proposing to amend the Registration Regulations to enable the names and addresses of secure 16-19 academies to be included and available to the public in the Ofsted Register and via inspection reports. We are proposing that these amendments would also apply to all secure children's homes.

## Who this is for

- Registered managers and providers of open and secure children's homes.
- Providers of supported accommodation for looked after children and care leavers aged 16 & 17.
- Secure schools providers
- Residential family centres;
- Voluntary adoption agencies and regional adoption agencies;
- Independent fostering agencies;
- Residential holiday schemes for disabled children;
- Residential special schools, boarding schools and residential further educational colleges;
- Local authorities and children's trusts;
- Ofsted;
- Organisations providing support and services for children and young people;

- Parents and carers;
- Children’s social care workforce;
- Children’s charities/advocates;
- Children’s Commissioner;
- Children and young people with experience of care; and
- Any other interested organisations or individuals

## Issue date

The consultation was issued on 21 December 2023

## Enquiries

If your enquiry is related to the policy content of the consultation, you can contact the team at: [feesandfrequency.consultation@education.gov.uk](mailto:feesandfrequency.consultation@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: [consultations.coordinator@education.gov.uk](mailto:consultations.coordinator@education.gov.uk) or by telephone: 0370 000 2288 or via the [DfE Contact us page](#).

## Additional copies

Additional copies are available electronically and can be downloaded from [GOV.UK DfE consultations](#).

## The response

The results of the consultation and the department's response will be [published on GOV.UK](#) as soon as possible after the consultation closes.

## About this consultation

This consultation seeks views on amending [Her Majesty's Chief Inspector of Education, Children's Services and Skills \(Fees and Frequency of Inspections\) \(Children's Homes etc.\) Regulations 2015](#) ("the 2015 Regulations") in relation to:

- A 20% increase on current fees payable by children's social care providers (excluding supported accommodation), for those providers which are not already at full cost recovery; and
- An amendment to minimum inspection frequencies for children's homes where there are no children accommodated in the home.

It also seeks views on amending the Care Standards Act 2000 (Registration) (England) Regulations 2010 ("the Registration Regulations") in relation to the disclosure of names and addresses for secure 16-19 academies and secure children's homes (SCHs).

Finally, this consultation seeks views on future consultations in relation to fees payable to Ofsted by children's social care providers.

## Respond online

To help us analyse the responses please use the online system wherever possible. Visit [DfE consultations on GOV.UK](#) 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 request and complete a word document version of the form.

### By email

[feesandfrequency.consultation@education.gov.uk](mailto:feesandfrequency.consultation@education.gov.uk)

## Deadline

The consultation closes on 25 January 2024.

# 1. Annual, registration and variation fees

Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) Regulations 2015 ("the 2015 Regulations"), set out the fees payable to Ofsted by children's social care providers. Ofsted is the Office for Standards in Education, Children's Services and Skills. Its role is to inspect and regulate services that care for children and young people, and to inspect services providing education and skills for learners of all ages.

Since 2010-11, the fees payable to Ofsted by children's social care providers have been set using a model for calculation developed by Ofsted in 2008-09 and updated on an annual basis. Ofsted's fee structure is based on a full cost recovery model.

However, the majority of providers are a long way from paying the full cost of the inspection and regulatory activity undertaken by Ofsted with around 70% still paying less than 50% of the full cost. This means that the taxpayer continues to subsidise the regulation of the majority of children's social care providers. Since 2010, the government has usually increased fees by 10% on an annual basis and while this has closed the gap, there is still further to go.

Given that most children's social care providers continue to be a long way from paying the full cost rate, we are proposing to increase fees by 20% from 1 April 2024, for those providers not yet at full cost recovery. We appreciate that this is higher than increases undertaken in previous years; however, given Ofsted's increased operational costs - partially caused by a large increase in the number of children's homes, together with broader economic pressures - we think the increase is fair and proportionate and in line with government policy of moving providers to paying the full cost rate for Ofsted regulation and inspection. **Annexes A and B** sets out the intended fee increases in 2024-25 for different types of settings and sizes of provider that take account of the proposed 20% increase.

Fees for providers already at full cost recovery level will be capped at the full cost rate. The annual fees for residential holiday schemes for disabled children will also remain capped at a reduced rate. Fees for providers of supported accommodation will continue to be assessed individually with the intention of reaching full cost recovery by 2025-26. This continues to represent a proportionate fee structure in relation to the operating model for this specific setting.

### Questions on fees:

1. What would be the impact of the proposed fee increases on you as a provider?
  - No impact
  - Minor impact
  - Moderate impact
  - Major impact
  
2. Please explain in more detail the reason for your response to question 1.

## Future consultations on fee increases

We are also interested in your views in relation to future consultations. Our approach to increasing fees paid to Ofsted has been to move providers closer to full cost recovery to relieve the burden on the taxpayer, with all providers eventually reaching the full cost rate for Ofsted inspection and regulation. This has been done through increasing fees on an annual basis and we are proposing to continue with this approach, but not to consult on increases of 20% or below from next year onwards.

Future increases of above 20% would continue to be consulted on and we would give the sector prior warning of our proposals if this were to be the case. We will continue to assess fee levels on an annual basis to ensure the anticipated uplift remains appropriate and the full cost amount has not been adjusted in a way that would result in an over-cost charge or an under-recovery. We propose that we would not consult in any given year where we do not foresee such an issue.

We commit to publishing information regarding fee increases ahead of any increase taking effect for full transparency.

As set out above, this would not include supported accommodation providers as these will continue to be assessed individually.



**Questions on future consultations:**

3. Do you agree that we should not consult on future fee increases of 20% or less?  
**Yes / No / Not Sure**
4. Please explain your answer.
5. Do you foresee any particular difficulties with this proposal?" **Yes / No / Not Sure**
6. Please explain your answer.

## **2. Minimum inspection requirement for children's homes where there are no children living at the time of inspection**

The default position for children's homes is that they are required to be inspected twice per year. However, if a home is judged to be good or outstanding at their first inspection, they are not required to be inspected a second time in that same inspection year. For homes judged to be 'requires improvement' or 'inadequate' at their first inspection, Ofsted is required to undertake a second inspection during the inspection year. Ofsted has the discretion to conduct additional inspections and visits in the same inspection year for all providers, irrespective of judgement, as they determine necessary.

As set out in Ofsted's Social Care Common Inspection Framework, if a home does not have children living there and does not intend to accommodate children for at least 3 months, then Ofsted can impose a condition that means that they do not have to routinely inspect the home. The home is then considered to be closed under the regulations.

The condition must be in place in order for the home to be exempt from inspection. Ofsted will not routinely inspect the home for as long as the condition is in place but can do so at any time if they choose to.

When the home is ready to accept children again, it must tell Ofsted at least 3 months before it does so. Ofsted must visit close to the proposed reopening date so that they can assess whether there are any concerns.

However, we have been made aware that there have been cases where Ofsted has undertaken inspections of children's homes that did not have a 3-month condition in place but where there were no children accommodated in the home. In these circumstances, Ofsted were unable to make a judgement on the four-point scale, which meant they were required to undertake a second inspection during the same inspection year.

We do not think that it is an efficient use of resources for Ofsted to be required to undertake a second inspection if there are still no children living in the home or a second inspection in close succession if the first inspection was later in the regulatory year. We are therefore proposing amending the 2015 Regulations so that, where a judgement on the four-point scale cannot be made due to no children being accommodated in the home, Ofsted will no longer be routinely required to inspect the home twice in the same inspection year.

**Question on minimum inspections for children's homes where a judgement on the four-point scale is unable to be taken:**

7. Do you agree with the approach outlined above, that we will remove the requirement for Ofsted to undertake a second inspection on a Children's Home when there are no children accommodated in the home? **Yes / No / Not Sure**

### **3. Disclosure of names and addresses; Secure 16-19 academies and secure children's homes (SCHs)**

Secure 16-19 academies are a new type of custodial provision for children and young people remanded or sentenced to detention in relation to a criminal offence. They will be run by child-focused providers and create a therapeutic environment within a secure setting. These will be dual registered as 16-19 academies and as children's homes and therefore have to be regulated against both relevant frameworks. The first secure 16-19 academy is planned to open in 2024 and will be run by education provider Oasis Restore. These establishments will be inspected by Ofsted, with support from the Care Quality Commission.

When Ofsted begins inspecting secure 16-19 academies in 2024, in keeping with regular inspections of 16-19 academies, they will publish the name and address in their reports. As explained however, secure 16-19 academies will be dual registered as 16-19 academies and children's homes and the Registration Regulations prohibit Ofsted from disclosing names and addresses in relation to children's homes. The purpose of that prohibition has been to protect the privacy and safety of children living in all children's homes.

Secure 16-19 academies (and SCHs) are however very different to regular children's homes by their nature. They are secure provision and therefore knowing their location is not analogous with children's homes. The location of SCHs is publicly available by virtue of their websites and the children that will reside in them are protected by the very nature of the setting.

Given the very different risks between non-secure children's homes and secure 16-19 academies/SCHs, and to avoid confusion when Ofsted begin inspecting and publishing inspection reports, we are proposing to amend the Registration Regulations in relation to the disclosure of names and addresses in secure 16-19 academy inspection reports so that this information is available. For consistency, we are also proposing that those amendments also apply to all SCHs.

This amendment will result in the inspection reports relating to secure 16-19 academies and SCHs containing the name and address of the establishment being inspected which will be available to the public.

#### **Question on the disclosure of names and addresses in secure 16-19 academy and secure children's homes inspection reports:**

8. Do you foresee any issues this proposal might create? **Yes / No / Not Sure**

## 4. Equalities assessment

This section asks for your help in identifying any impacts of our proposals on persons with protected characteristics. The protected characteristics are age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race (including ethnicity), religion or belief, sex and sexual orientation.

9. Do you have any concerns regarding the potential impact (positive or negative) that our proposals outlined in this consultation may have on those with a protected characteristic under the Equality Act 2010? **Yes / No / Not Sure**

## Annex A: Proposed annual fees for 2024-25

Setting	2023-24 annual fee (£)	2024-25 annual fee (£)	Increase/ decrease (£)
Voluntary Adoption Agency (Small)	1,084	1,301	217
Voluntary Adoption Agency (Large)	2,044	2,453	409
Independent Fostering Agency*	3,424	3,658	234
Adoption Support Agency (Small)	1,084	1,301	217
Adoption Support Agency (Large) **	1,648	1,648	-
Residential Family Centre (0-3)**	2,078	2,078	-
Residential Family Centre (4+)**	2,104	2,104	-
Children's homes (0-3)	3,120	3,744	624
Children's homes (4-16)	3,120	3,744	624
Children's homes (4-16) per place fee	311	373	62
Children's homes (17) *	7,474	8,629	1,155
Children's homes (18) *	7,785	8,629	844
Children's homes (19) *	8,096	8,629	533
Children's homes (20) *	8,407	8,629	222
Children's homes (21+) **	8,629	8,629	-
Multi-build children's homes (0-3)	4,679	5,615	936
Multi-build children's homes (4-6) per place fee	311	373	62
Boarding School (0-3)	1,019	1,223	204
Boarding School (4-12)	1,019	1,223	204
Boarding School (4-12) per place fee	62	74	12
Boarding School (13-50)	1,601	1,921	320
Boarding School (51-500)	2,240	2,688	448
Boarding School (500+)*	2,690	2,856	166
Residential FE College (0-3)	1,356	1,627	271
Residential FE College (4-10)	1,356	1,627	271
Residential FE College (4-10) per place fee	83	100	17
Residential FE College (11+)	2,001	2,401	400
Residential Special School (0-3)	2,494	2,993	499
Residential Special School (4-13)	2,494	2,993	499
Residential Special School (4-13) per place fee	249	299	50
Residential Special School (14)*	5,233	5,995	762
Residential Special School (15)*	5,482	5,995	513
Residential Special School (16)*	5,731	5,995	264
Residential Special School (17)*	5,980	5,995	15
Residential Special School (18+) **	5,995	5,995	-
LA Adoption functions	2,059	2,471	412
LA Fostering functions **	3,216	3,216	-

Holiday Schemes for Disabled Children ***	500	500	-
Supported Accommodation (0-10)	N/A	2,700	N/A
Supported Accommodation (11+)	N/A	3,000	N/A

\* Proposed 2024-25 fees capped at full cost

\*\* Fee capped at full cost from previous years

\*\*\* Fee capped

## Annex B: Proposed registration/variation fees for 2024-25

### Children's Home (small)

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	1,162	1,394	232
Manager registration	No Fee	No Fee	-
Minor variation	194	233	39
Variation requiring visit **	910	910	0

### Children's Home (large)

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration*	3,202	3,284	82
Manager registration **	910	910	0
Minor variation	194	233	39
Variation requiring visit **	910	910	0

### Multi-Building Children's Home

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	3,202	3,842	640
Manager registration**	910	910	0
Minor variation	194	233	39
Variation requiring visit **	910	910	0

### Voluntary Adoption Agency (small)

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	807	968	161
Manager registration	No Fee	No Fee	-
Minor variation	134	161	27
Variation requiring visit*	807	821	14



**Voluntary Adoption Agency (large)**

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	2,959	3,551	592
Manager registration	No Fee	No Fee	-
Minor variation	134	161	27
Variation requiring visit **	910	910	0

**Independent Fostering Agency**

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration*	3,202	3,284	82
Manager registration **	910	910	0
Minor variation	194	233	39
Variation requiring visit **	910	910	0

**Adoption Support Agency (small)**

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	807	968	161
Manager registration	No Fee	No Fee	-
Minor variation	134	161	27
Variation requiring visit*	807	821	14

**Adoption Support Agency (large)**

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration*	2,959	3,284	325
Manager registration*	807	821	14
Minor variation	134	161	27
Variation requiring visit **	910	910	0

**Residential Family Centre (small)**

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
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Provider registration	969	1,163	194
Manager registration	No Fee	No Fee	-
Minor variation	161	193	32
Variation requiring visit**	910	910	0

#### Residential Family Centre (large)

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration*	3,202	3,284	82
Manager registration**	889	889	0
Minor variation	161	193	32
Variation requiring visit **	910	910	0

#### Holiday Schemes for Disabled Children

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration***	596	596	0
Manager registration***	596	596	0
Minor variation	No Fee	No Fee	-
Variation requiring visit	No Fee	No Fee	-

#### Supported Accommodation (Small)

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	3,600	3,600	0
Manager registration*	900	910	10
Minor variation	176	211	35
Variation requiring visit**	910	910	0

#### Supported Accommodation (Large)

Type	2023-24 fee (£)	2024-25 fee (£)	Increase (£)
Provider registration	4,600	4,600	0
Manager registration *	900	910	10
Minor variation	176	211	35
Variation requiring visit**	910	910	0

- \* Fee capped at full cost in 2023-24
- \*\* Fee capped at full cost in previous years
- \*\*\* Fee capped



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