

Key question 7 for care homes for children and young people and schoolcare accommodation (special residential schools)

March 2024



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**Keeping The Promise at
the heart of what we do**

Our approach to inspection of care homes for children and young people and schoolcare accommodation (special residential schools)

We are committed to continually reviewing and developing our approaches to scrutiny. Since the introduction of the Health and Social Care Standards we have been developing new approaches to scrutiny. This has included our range of quality frameworks. The primary purpose of a quality framework is to support services to evaluate their own performance. Inspectors then use the same framework to provide independent assurance about the quality of care and support. By setting out what we expect to see in high-quality care and support provision, we can also help support improvement. Using a framework in this way develops a shared understanding of what constitutes good care and support. It also supports openness and transparency in the inspection process.

We want to make sure that inspections and our other scrutiny work are strongly focused on assessing the extent to which people experience wellbeing, and on understanding the difference care and support makes to their lives.

The Promise is the work of change that intends to strengthen Scotland's care system to become more caring and collaborative. It outlines the belief that, to do this, children's services across Scotland need to transform. This process of transformation must be built on the experiences, views and voices of children and young people at its core.

As part of our commitment to keeping The Promise, we developed key question 7 for care homes for children and young people and school care accommodation (special residential schools). Key question 7 is designed to:

- Produce a proportionate regulatory footprint, affording services space to focus on development.
- Prioritise the quality of relationships experienced by children, not the process surrounding their care.
- Support engagement with more children and young people, through visiting more services.

In our discussions with young people about this revised approach, this was deemed to be particularly important to them.

Our children and young people's inspection teams began using key question 7 in April 2022. During the summer of 2023, we reviewed key question 7 with inspectors, young people who experience or have experienced care and providers to evaluate the impact it was having and how well it was supporting the sector to self-evaluate its own performance. We have made some changes as a result of this review and agreed that we will continue to use key question 7 for inspections from April 2024 onwards.

Each key question 7 augments its corresponding quality framework on our [website](#).

How can key question 7 be used by care services?

Key question 7 focuses on the key aspects of the quality framework that contribute to the outcomes of The Promise. While key question 7 can be used as a self-evaluation tool, services should continue to use the full framework document, particularly if you are looking at issues in more detail.

We will work with care services and sector-wide bodies to build the capacity for self-evaluation, based on key question 7 and the framework. Self-evaluation is a core part of assuring quality and supporting improvement. The process of self-evaluation, as part of a wider quality assurance approach, requires a cycle of activity based around three questions:

- **How are we doing?**

This is the key to knowing whether you are doing the right things and that, as result, people are experiencing high quality, safe and compassionate care and support that meets their needs, rights and choices.

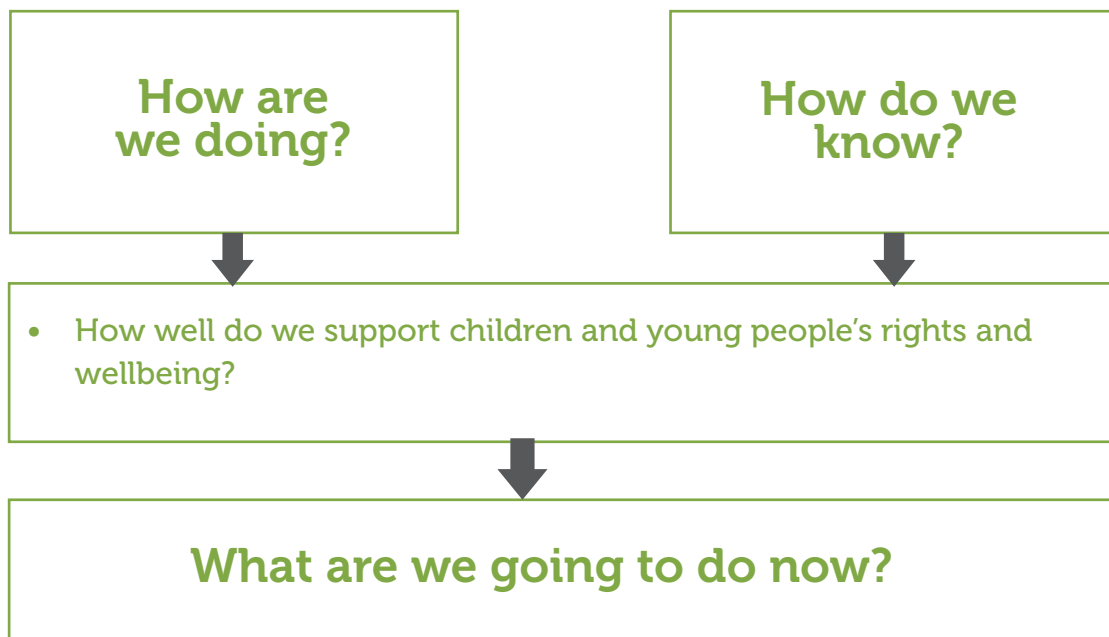
- **How do we know?**

Answering the question 'how are we doing?' must be done based on robust evidence. The quality indicators in this document, along with the views of people experiencing care and support and their carers can help you to evaluate how you are doing. You should also take into account performance data collected nationally or by your service.

- **What are we going to do now?**

Understanding how well your service is performing should help you see what is working well and what needs to be improved. From that, you should be able to develop plans for improvement based on effective practice, guidance, research, testing and available improvement support.

Using key question 7 and the framework can help provide an effective structure around self-evaluation. This diagram on the next page summarises the approach.



Irrespective of our role as the national scrutiny and improvement body, care providers will want to satisfy themselves, their stakeholders, funders, boards and committees that they are providing high quality services. We believe key question 7 and the quality framework are a helpful way of supporting care and support services to assess their performance and make improvements as part their own quality assurance. We are promoting this approach as we believe it adds value, and we consider it important that care and support providers do not take actions merely to satisfy the inspection process.

How is key question 7 structured and used?

Key question 7 is comprised of a single key question with two quality indicators. The key question is **'How well do we support children and young people's rights and wellbeing?'** and the quality indicators are:

- 7.1 Children and young people are safe, feel loved and get the most out of life.
- 7.2 Leaders and staff have the capacity and resources to meet and champion children and young people's needs and rights.

Each quality indicator has a small number of key areas, short bullet points, which make clear the areas of practice covered. Under each quality indicator, we have provided quality illustrations of these key areas at two levels on the [six-point scale](#) used in inspections. The illustrations are the link to The Promise, good practice guidance and the Health and Social Care Standards and are drawn from the expectations set out in these. They describe what we might expect to see in a care service that is operating at a 'very good' level of quality, and what we might see in a service that is operating at a 'weak' level of quality. These illustrations are not a definitive description of care and support provision but are designed to help care services and inspectors evaluate performance against the quality indicators.

In line with our commitment to keeping The Promise, we have reviewed the illustrations to ensure they demonstrate what is important to children and young people, are outcome-focused and promote the highest standards of care and support.

In each quality indicator, we have included a scrutiny and improvement toolbox. This includes examples of the scrutiny actions that we may use in evaluating the quality of provision and links to key practice documents. This toolbox will also support self-evaluation and help care services in their own improvement journey.

Inspectors will always look at 7.1 and will also look at 7.2 in some services depending on the current evaluations (grades) for the service, the intelligence we hold about the service and risk factors that we may identify.

We will use the quality illustrations in our professional evaluations of the care and support we see. We will provide an overall evaluation (grade) for each of the quality indicators we inspect, using the [six-point scale](#), from 'unsatisfactory' (1) to 'excellent' (6).

Where we inspect one quality indicator, the evaluation for that quality indicator will be the evaluation (grade) for the key question overall. Where we inspect more than one quality indicator per key question, the overall evaluation (grade) for the key question will be the lowest evaluation (grade) of the quality indicators for that specific key question. This recognises that there is a key element of practice that makes the overall key question no better than this evaluation.

Core assurance checklist

Experience has taught us that when things go wrong in care services, they often relate to key areas. Theory and inquiries into when care goes wrong has highlighted the areas that are important to monitor because these can be identified as early indicators of concern to people using services ([Scottish Government 2014](#), Hull University 2012, Francis Report 2013, Wardhaugh and Wilding 1993). These are the key areas considered during the registration process, and policies and procedures relating to them must be in place before a service is registered. Because we know, and research tells us, that these key areas are essential to a service being safe, we have called them “core assurances”.

This checklist of core assurances highlights what inspectors must look at in the course of an inspection. They help guide providers on the areas that are important to people’s safety and wellbeing as well as identifying any potential risks to outcomes for children and young people. This is because children and young people’s rights to be safe and have good outcomes must be consistent, planned and embedded. We know that quality inputs and processes are a key driver for good outcomes and minimising the risks to poor outcomes, which is why we examine these core assurances at every inspection. Our focus is on the effectiveness of these in delivering good outcomes and minimising the risk of poor outcomes.

The core assurances span the entire framework, covering elements of several different quality indicators. If we have any concerns arising from our assessment of a particular core assurance, we may also decide to evaluate quality indicator 7.2 if this is not already being evaluated. We may also decide to look at a specific quality indicator from the full framework.

In making our evaluations we will make every effort to obtain the views of children and young people who live in the service, families, staff, visiting professionals and relevant stakeholders.

General

- A registration certificate is on display and contains accurate information that reflects the service currently being delivered.
- A valid insurance certificate is either displayed or readily available (except local authority services).

Protection

- There is a child and/or adult protection policy and procedure that evidences how people are kept safe.
- Staff are trained in child and/or adult protection and are confident in knowing when and how to make referrals, including notifying the Care Inspectorate.

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- Where required, there is evidence that appropriate child and/or adult protection referrals have been made and followed up.

Infection prevention and control

- All staff have an understanding of infection prevention and control, including the importance of regular handwashing, which contributes to a safe and hygienic environment for children and young people.
- The service has governance and quality assurance processes in place for infection prevention and control. This includes regular training in key areas such as infection prevention and control and food hygiene where appropriate.
- Leaders ensure that staff have access to suitable equipment and appropriate cleaning products where needed.

Medication system and records

- Children and young people are protected by safe medication management policies and practices. This includes regular audits and accurate tracking of children and young people's medication.
- Legislation and good practice guidance are followed when supporting children and young people who do not have capacity to take medication, where medication is given covertly and when 'as required' medication is prescribed.
- Where there are medication errors, services make appropriate notifications and learn from these to improve medication practice. This is supported by regular training and development opportunities for staff.

Management of people's finances

- Children and young people's personal property and finances are managed and protected in line with legislation. This includes children and young people in continuing care still receiving pocket money or an allowance.
- Clear financial policies and procedures for the management of children and young people's money and possessions are documented and evidenced in practice.
- Where decisions are being made on behalf of an individual who lacks capacity, legislation principles and good practice guidance are followed. For some services working with young adults, this includes proper financial accounting and audit measures being in place in accordance with Part 4 of the Adults with Incapacity (Scotland) Act 2000, and the Acts guidance for managers – code of practice.

Accident/incident/restraint records

- A record of all accidents and incidents involving children and young people occurring in the service is maintained and, where required, notified to the Care Inspectorate and/or the appropriate agency or authority. There are quality assurance processes around accident and incidents and evidence of learning from these.
- Clear records of any instances where restrictive practices are used must be kept in line with national guidance. This should include details of any debrief or learning and development arising from the incident.

Development/Improvement plan

- There is an up-to-date development/improvement plan in place that is informed by feedback from staff and children and young people who use the service and their relatives or people who are important to them. This plan reflects the principles of The Promise and is actively used to drive improvement in the service.

Complaints

- The complaints and concerns of each child or young person, their family, advocate or representative and visitors are listened to and acted upon and there is an effective appeals procedure.
- People are made aware promptly of the outcome of any complaints and there are processes in place to implement learning from complaints. A record is made of all complaints, responses and outcomes and details of any formal investigations undertaken.
- The complaints process is accessible and easy for people to use. It can easily be understood by children and young people using the service.

Staff recruitment procedures

- Safe and effective recruitment practices are in place to recruit staff in accordance with good practice and national safer recruitment guidance.

The physical environment

- The service is clean, tidy, welcoming and free from avoidable and intrusive noise and smells. The layout of the setting and quality of the furnishings and fixtures provides a nurturing environment that meets children and young people's needs and outcomes.

Maintenance records for safety equipment

- Equipment necessary to the safe operation of the service is well-maintained in line with manufacturer's instructions and any other relevant legislation.

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- Staff and children and young people are aware of emergency procedures, including where evacuation is required.
 - Where specialist equipment is needed, there is a process for ensuring this is properly installed and remains safe through appropriate testing and servicing.

Planned care and support

- The child or young person's personal plan is outcome-focused and based on an ongoing comprehensive assessment of individual's needs and strengths. It is implemented, evaluated and reviewed, reflects the child or young person's changing needs and outlines the support required to maximise their quality of life in accordance with their wishes.
- Children and young people are actively involved in their personal planning process and care is person-centred and delivered in accordance with each child or young person's individual plan.
- Personal plans are accessible to children and young people and the staff providing their care and support, ensuring their needs and wishes are met.

Management oversight and governance

- There are governance and oversight systems in place to identify risks and ensure appropriate action is taken to improve outcomes for children and young people. These include leaders' behaviours which create the right environment for safe quality care.
- There are internal and external quality assurance systems in place to promote high quality care and support.

Meaningful connections

- Children and young people are actively supported with physical meetings, visits and digital and/or traditional forms of communication to maintain social and community connections. This includes staying connected with siblings and other people important to children and young people.
- Staff demonstrate they understand and apply the principles of sustaining meaningful relationships in children and young people's lives and how to support them with this.
- Practice is strengthened by a policy which outlines how children and young people will be supported to keep in touch with people who are important to them.

The quality indicator framework

Key question 7: How well do we support children and young people's rights and wellbeing?	
7.1. Children and young people are safe, feel loved and get the most out of life.	7.2. Leaders and staff have the capacity and resources to meet and champion children and young people's needs and rights.

Key question 7: How well do we support children and young people's rights and wellbeing?

This key question has two quality indicators associated with it.

They are:

- 7.1 Children and young people are safe, feel loved and get the most out of life.
- 7.2 Leaders and staff have the capacity and resources to meet and champion children and young people's needs and rights.

Quality indicator 7.1: Children and young people are safe, feel loved and get the most out of life

Key areas include the extent to which children and young people:

- feel safe and are protected from harm
- feel loved and their views, wishes and rights are of utmost importance to everyone
- have their aspirations met and can reach their potential.

Quality illustrations

Very good	Weak
<p>Children and young people feel, and are kept, safe - both emotionally and physically. This is because they benefit from knowledgeable, responsive staff who understand their needs, listen to them and help build their skills. These staff work authoritatively with other agencies and effectively use preventive, risk-assessed, practice.</p> <p>Children and young people have access to responsible adults outside the service who always act in their best interests, including advocacy.</p> <p>The service fully implements national guidance and best practice in child protection, including child sexual exploitation.</p> <p>Children and young people experience therapeutic and stable care, which supports their emotional wellbeing. The significant risk of young people experiencing trauma from being subject to or witnessing restraint is minimised by a culture, policy and practice, which progressively reduces the likelihood of this. All restrictive practice interventions follow best practice.</p>	<p>The extent to which children and young people are protected from harm is compromised. Safe care practice is reactive. Staff do not consistently identify indicators of concern and strategies to manage risk are ineffective. There is insufficient collaboration with relevant external partners.</p> <p>Children and young people may not feel safe, and some experience being intimidated, feeling afraid or excluded. Their wellbeing is affected by insensitive responses to their concerns.</p> <p>Networks of support outside the home are limited and do not provide the safeguards required. Children and young people have limited access to either informal or independent advocacy.</p> <p>Daily life for young people is stressful and uncertain. Young people feel restraint is not always undertaken in a caring and safe manner. They may experience being unnecessarily subjected to restrictive practices, which do not follow best practice.</p>

Children and young people enjoy warm, trusting, and nurturing relationships with those caring for them. They are based on compassion and a full understanding of the impact of their trauma on behaviours and development.

Supporting recovery and building children and young people's resilience, as well as their ability to manage risk, is central to all staff interactions.

Children and young people experience spontaneity and fun with staff who know them really well.

Children and young people experience a high level of respect from everyone involved in looking after them. This respect is also reflected in the quality of environment and the resources available for young people.

Children and young people are fully engaged in their care and support. They participate meaningfully and easily in decisions affecting them.

There is effective and passionate championing of children and young people's legal and human rights. Their sense of wellbeing, worth and identity is protected and nurtured.

Children and young people feel unsupported at times. They are not always valued or understood by the people looking after them. The care and support children and young people receive does not recognise all behaviour is communication.

Children and young people experience relationships overly focussed on rules and routines. Staff are not always sensitive and gentle in their response to distressed behaviours.

Children and young people are not respected as the accommodation, facilities and resources do not reflect their needs, wishes and choices.

Children and young people's views do not consistently make a difference. There are limited opportunities for children and young people to express themselves or have their voices heard. Where children and young people's views are provided, these are not listened to or used to support the development of the service.

Children and young people's rights are compromised as staff fail to recognise and address exploitation, discrimination and intolerance.

Children and young people get the most out of life because their mental and physical health needs are promptly and comprehensively met.

Meaningful connections to family, including siblings, friends and the community are championed, fostered and sustained.

Children and young people's individual ambitions, interests and life-skills are consistently supported and developed. They also experience exciting experiences, which broaden their horizons.

Children and young people receive individually tailored support to participate fully in learning and maximise attainment and attendance. Going to, or taking part in preparation for, school, college, or higher education is the norm.

There is demonstrable and enduring commitment to children and young people staying in the service, as they become an adult. This is clearly reflected in planning, policy, advocacy and enduring relationships and support.

The meeting of children and young people's needs and aspirations is maximised through the implementation of high quality, SMART* and person-centred personal planning and risk assessment strategies.

Children and young people's physical and mental health is not given sufficient attention and these needs are not fully known or effectively met.

Children and young people's sense of belonging and identity are compromised because they are not supported to keep and develop bonds with family, siblings, and friends.

Care practices and activities are institutionalised, repetitive or largely limited to, or aimed at, groups.

Children and young people are disadvantaged because there is limited ambition or support to build on their individual strengths and develop skills. School attendance is low and there is little broader achievement.

Children and young people's right to continuing care is not advocated for and they feel pushed into making a decision to move out before they feel ready and properly prepared.

The extent to which children and young people's needs are met is limited because necessary personal planning and risk assessment strategies are not identified or put into practice.

*Specific, Measurable, Attainable, Relevant, Time-bound

Scrutiny improvement and support toolbox

Key improvement resources

Key improvement resources are available on The Hub [here](#).

Scrutiny and improvement support actions

Observation of:

- staff practice
- interactions and communication with children and young people
- the experiences of children and young people.

Discussions with:

- people using the service
- relatives, friends and carers of children and young people using the service
- key professionals and other stakeholders
- staff.

Sampling of:

- personal plans (tracking children and young people's experiences)
- service training plan and records
- complaints received by the service
- records relating to the physical environment
- infection prevention and control records
- protection issues and practice frameworks including the child and/or adult protection policy
- accident/incident/restraint records
- continuing care welfare assessments.

Consideration of:

- children and young people's access to advocacy and the use of communication support tools in obtaining their views
- how the physical environment meets children and young people's needs
- how children and young people are supported to be involved in the community and engage in activities/hobbies that they enjoy
- how personal plans are informing care and evidencing changes in children and young people's needs, wishes and choices
- processes in place to support children and young people to keep in touch with those important to them and to engage in their community
- how the service has sought and responded to feedback.

Quality indicator 7.2: Leaders and staff have the capacity and resources to meet and champion children and young people's needs and rights

Key areas include the extent to which children and young people:

- leaders and staff are confident in their practice and are well supported
- staffing levels and skills are right to meet the needs and rights of children and young people
- self-evaluation and quality assurance maintain safe care and children and young people's rights. They drive improvement in every aspect of children and young people's lives.

Quality illustrations

Very good	Weak
<p>Leaders ensure the culture is supportive and empowering. They model consistently high standards of practice and successfully champion the best possible outcomes for children and young people.</p> <p>External managers are clear about their roles and responsibilities and effectively perform these. They play a key role in monitoring the quality of children and young people's experiences, safeguarding and improving outcomes.</p> <p>All transitions are minimised and support trauma free and successful outcomes. Leaders ensure that the decision for a young person to move into the service has a positive impact on the young person and also takes into account others needs and rights.</p>	<p>The vision for the service lacks clarity and is not sufficiently focussed on children and young people's rights. Leadership lacks the necessary stability, energy or direction.</p> <p>External managers are not visible and do not effectively contribute to keeping children and young people safe and improving outcomes.</p> <p>Transitions are poorly planned and decisions are not based on children and young people's needs or best interests. As a result, children and young people may experience unnecessary upset or trauma, which impacts on their wellbeing.</p>

The service has the right number of staff, with the right skills and experience. The staff team is stable, which allows young people to develop and enjoy enduring and trusting relationships.

Staff are individually equipped and supported to successfully meet all the needs of children and young people and provide the best quality therapeutic, trauma-informed care. Effective support and supervision underpin this and helps staff feel confident and valued in their role.

Staff are consistently safely recruited and registered. There is an emphasis on values-based recruitment. Children and young people are actively involved in this process.

Staffing arrangements and the mixture of skills do not meet children and young people's needs and keep them safe. There is a lack of consistency and continuity, which limits children and young people's ability to build trusting relationships.

Staff may not feel supported or confident in ensuring children and young people experience therapeutic relationships and trauma-informed practice. Leaders and staff do not value stable, therapeutic relationships as central to children's care and support.

There is limited understanding of safer recruitment practices, or these are not followed.

There is continuous, robust evaluation of children and young people's outcomes, experiences and the setting. This ensures they receive the best possible care and support in high quality surroundings.

Leadership and improvement activities drive forward how The Promise will be met. This is underpinned through the effective implementation of both child-centred care planning strategies and sustained service development.

There are some systems in place to monitor aspects of service delivery, and the quality of the setting, but they are largely ineffective. The ability of leaders and staff to support children and young people is impacted by this.

Opportunities for children and young people to achieve the best outcomes are limited as personal planning and service development do not fully inform practice, are not suitably aspirational and are not guided by risk.

Scrutiny improvement and support toolbox

Key improvement resources

Key improvement resources are available on The Hub [here](#).

Scrutiny and improvement support actions

Observation of:

- staff practice
- interactions and communication with children and young people
- the experiences of children and young people.

Discussions with:

- people using the service
- relatives, friends and carers of children and young people using the service
- key professionals and other stakeholders
- staff.

Sampling of:

- personal plans (tracking children and young people's experiences)
- development plan/improvement plan, including how service is meeting The Promise
- personal plans (tracking children and young people's experiences), including risk management strategies
- staff recruitment procedures and records
- service induction and training plan and records
- staff rotas and tools for assessing staffing
- transition plans, including admissions and matching
- accident/incident/restraint records.

Consideration of:

- management oversight and governance of risk
- the analysis of staff skills required to meet the outcomes of those using the service
- how induction is tailored to staff that are new to the service
- how children and young people, or where appropriate, relatives, and carers can be involved in the recruitment process
- how information in personal plans informs staffing
- how leaders monitor staffing levels and skill mix, and when adjustments are made.

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