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## Leicestershire Staff Guidance

### Use of 16+ semi-independent (supported) accommodation

#### Applies to-

#### Children in Care

### 3.1 Context and Purpose

Some young people in care live in semi-independent (also known as supported accommodation). For some of these young people, this is the right decision and they receive the right support to achieve independence. For other young people, their needs are more complex and brings into question whether semi-independent accommodation is suitable.

It is the Council's responsibility to ensure that young people in care receive the right service. The following staff guidance sets out information about how this will be done, by whom and what the assurance processes are.

Young people who have care needs and not support needs should not be placed in supported accommodation

This document aims to help inform placement decisions for young people, to assist the young person's worker and manager to differentiate between care and support needs.

Ofsted draws a helpful distinction between unregulated and unregistered provisions -

**Supported Accommodation** provision is allowed in law. This is when young people (over the age of 16) need support to live independently rather than needing full-time care. provision is now regulated as of October 2024.

It should be used as a stepping stone to independence, and only ever when it's in a young person's best interests. For many young people, it's the right choice. Some children do not want to live with foster parents or live in a children's home. For some unaccompanied asylum-seeking children this can be the right option too, but not for all.

Ofsted has provided guidance for Local Authorities to help them determine whether a Young Person's placement constitutes "supported accommodation" as opposed to care provided in a Residential home.

Ofsted has identified a number of criteria, set up as questions, that indicates the difference in status of the accommodation, based on whether the young people are able to assume responsibility for aspects of their lives.

These questions will help:

- a. Officers decide whether the placement is suitable to meet the young person's needs; and
- b. Identify whether the service being proposed or provided is 'supported accommodation' and would therefore not require the provider and manager to register under the Care Standards Act 2000, rather than a children's home, which would require the provider and manager to register.

Relevant guidance and legislation is set out below:

Guide to registration for children's social care services, Ofsted, 2015;  
[www.gov.uk/government/publications/guide-to-registration-for-childrens-social-care-services](http://www.gov.uk/government/publications/guide-to-registration-for-childrens-social-care-services)

The Children Act 1989, section 105 (1), HMSO 1989;  
[www.legislation.gov.uk/ukpga/1989/41/contents](http://www.legislation.gov.uk/ukpga/1989/41/contents)

This guidance does not apply to young people aged 16 and 17 who are homeless. Further information about supporting these young people can be found here:

<https://www.gov.uk/government/publications/provision-of-accommodation-for-16-and-17-year-olds-who-may-be-homeless-and-or-require-accommodation>

### 3.2 Role of the Social Worker

The social worker is the key individual in ensuring the young person receives the right service at the right time. In doing this, the social worker needs to have a good understanding of the young person's needs, through the assessment. In doing so, the social worker will take the following into consideration - the young person's needs and views, the views of his or her carers, if appropriate, and the Independent Reviewing Officer.

To help the social worker make an informed decision about whether the young person has support or care needs, the following questions must be answered:

- Can young people go out of the establishment without staff permission?
- Do young people have full control of their own finances?

- Do young people have control over what they wear and of the resources to buy clothes?
- Do young people have control over what they eat and do they prepare meals for themselves?
- Are young people in charge of meeting all of their health needs, including such things as arranging GP or specialist health care appointments? Do members of staff control any of the Young Person's medication? Is the young person able to take prescribed medication independently?
- Is there a sanctions policy which goes beyond house rules and legal sanctions that would be imposed on any adult?
- If the establishment accommodates both adults and young people, do those under 18 have any different supervision, support, facilities or restrictions?
- Are there regularly times when young people are on the premises with no direct staff supervision?
- Do members of support staff have any responsibility for aftercare once a Young Person has left?
- Does the establishment's available literature promise provision of care or relate to specific care support provided to all residents rather than provide general information about services young people can choose whether or not they use?
- Does the home provide or commission a specialist support which forms part of the primary function of the establishment for a significant number of young people?

A table is provided as Appendix 1 to be used by the Social Worker. This sets out each criterion in the form of a question and suggests whether a 'yes' or 'no' answer means care is provided or supported accommodation.

It is expected that for some of the criteria, a young person will require levels of support to achieve independence, for example:

- Advice in managing his or her budget
- Advice and support in undertaking shopping
- Advice and support in making appointments

Requiring support does not mean they have care needs.

And it is expected that at the age of 16-18, a young person will be listened to but there will still be reasonable expectations regarding house rules and curfew, like ensuring the support staff know where they are going and what time they will be expected to return. Reasonable house rules and monitoring does not mean a young person has care needs. These expectations should be set out in the first placement meeting in the Placement Plan and reviewed regularly by the social worker.

If a young person has a disability, EHCP, health or medical needs, the social worker must consider the young person's ability to manage his or her own needs and risk to them if they do not have a carer e.g. regarding self-management of medication and the views of other professionals like that of CAMHS regarding the type of support or care required.

Where care is needed or being provided (this may only become evident once the young person is in placement and/or his or her needs change/escalate over time and remain escalated), the provider of the placement meets the definition of a children's home and so will usually need to register with Ofsted; failure by the provider to do is an offence so if this circumstance arises the social worker and team manager will need to consider what the young person's care plan needs to be and whether a change of placement to a registered provider is required.

### 3.3 Process

- a. The Social Worker completes checklist and sends to the Team Manager and Service Manager for agreement – attached to the DSA.
- b. Team Manager and Service Manager sign off the DSA, providing a clear analysis in their decision as to why a 'support' placement rather than 'care' package is appropriate.
- c. DSA comes through to Commissioning Family Placement Team (FPT) with all documents attached – FPT check 16+ checklist responses.
- d. FPT follow placement search process and commission appropriate placements.

### 3.4 How will we be assured that young people are receiving the right service?

If the checklist is not included in the DSA, FPT will return the DSA to the social worker.

If the checklist indicates care rather than support is required, and do not feel the Team and Service Manager have addressed this in their decision making, the DSA will be returned to the Service Manager

The social worker and IRO is expected to review the placement plan and/or care plan/pathway plan in line with regulations and should include consideration of the appropriateness of the placement and services being provided.

Annual audit undertaken by the Children in Care Head of Service. 16+ YP that may be on the fringe of care rather than support. The methodology is set out below:

- Ask FPT to provide the list of the young people who have a package of 'support and placement' over £1,5k per week
- Case audit, using Pathway Plan, Placement Plan, case notes and supervision notes to determine type of support being received.

- Discussion with the Team Manager or Social Worker, if required, to understand how the decision regarding support rather than care was made and how this has been reviewed.
- Completion of DfE criteria checklist by the auditor and recommendations.
- If immediate action is required, the auditor will escalate to the relevant Head of Service and Service Manager.
- The audit report will be considered by the Senior Manager Team (SMT), chaired by the Assistant Director.
- Service improvement activity will be authorised by SMT.

## Appendix 1

### 16+ semi-independent (support) Placement Checklist for support needs.

#### TO BE COMPLETED BY THE SOCIAL WORKER

Criteria	
Can young people go out of the establishment without staff permission? (letting staff know where they are going and when they will return is not considered seeking permission)	
Do young people have full control of their own finances?  (needing some advice with budgeting or shopping does not mean they do not have control)	
Do young people have control over what they wear and of the resources to buy clothes?	
Do young people have control over what they eat and do they prepare meals for themselves?  (needing some level of advice is expected for a young person and does not constitute needing care)	
Are young people in charge of meeting all of their health needs, including such things as arranging GP or specialist health care appointments?  (needing some support to make appointments, reminders to attend or advice about bus/travel routes to attend does not constitute needing care)	

<b>Criteria</b>	
<p>Are young people in full control of their medication?</p> <p>(i.e. the medication is not being held and administered by staff in the provision)</p>	
<p>Do staff have any access to any medical records (other than LAC paperwork)?</p>	
<p>Can young people choose to stay away overnight?</p>	
<p>Is there a sanctions policy that goes beyond house rules and legal sanctions that would be imposed on any adult?</p> <p>(this is particularly relevant if the young person has a safety or risk management plan e.g. relating to CCE, CSE or self-harm)</p>	
<p>If the establishment accommodates both adults and young people, do those under 18 have any different supervision, support, facilities or restrictions?</p>	
<p>Are there regularly significant periods of time when young people are on the premises with no direct staff supervision?</p>	
<p>Do staff have any responsibility for aftercare once a young person has left (i.e. will they still be delivering a service once the young person leave the placement)?</p>	

Outcome/analysis:

Completed By:

Date: