

# Inspection of adoption support agencies

Framework for inspection from September 2012

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This document sets out the framework for the inspection of adoption support agencies from September 2012. It should be read alongside the *Inspections of adoption support agencies: evaluation schedule and grade descriptors* and *Conducting inspections of adoption support agencies: guidance for the inspections of adoption support agencies*.

**Age group:** all ages

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# Contents

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<b>Introduction</b>	<b>4</b>
<b>Legal basis for inspection</b>	<b>4</b>
<b>Frequency of inspection</b>	<b>5</b>
<b>Types of inspection</b>	<b>5</b>
<b>Notice given for inspection</b>	<b>6</b>
<b>Inspectors</b>	<b>6</b>
<b>Evaluation schedule</b>	<b>6</b>
<b>Inspection activity</b>	<b>9</b>
<b>User and partner views and surveys</b>	<b>10</b>
<b>Communication and feedback</b>	<b>10</b>
<b>Confidentiality</b>	<b>10</b>
<b>Quality assurance</b>	<b>10</b>
<b>Conduct during the inspection</b>	<b>11</b>
<b>Expectations of providers</b>	<b>11</b>
<b>Complaints</b>	<b>12</b>
<b>Further information</b>	<b>13</b>

## Introduction

1. This document sets out the framework for Ofsted's inspections of adoption support agencies. It sets out how the principles that underpin all Ofsted inspections will apply in this setting; the statutory basis for inspection; and a summary of the main features of the inspection process. More detailed guidance is available on Ofsted's website in *Inspections of adoption support agencies: evaluation schedule and grade descriptors* and *Conducting inspections of adoption support agencies*.
2. Ofsted's general principles of inspection and regulation are to:
  - support and promote improvement
  - be proportionate
  - focus on the needs of service users<sup>1</sup>
  - focus on the needs of providers
  - be transparent and consistent
  - be accountable
  - demonstrate value for money.

## Legal basis for inspection

3. The powers to regulate and inspect children's social care services, including adoption support agencies, transferred to Ofsted under section 148 of the Education and Inspections Act 2006. The Act requires Ofsted to carry out its work in ways that encourage the services that it inspects and regulates to:
  - improve
  - be user-focused
  - be efficient and effective in the use of resources.
4. The legal basis for the regulation of adoption support agencies is set out in the Care Standards Act 2000 and the Adoption and Children Act 2002. Section 9 of the Adoption and Children Act 2002 allows for regulations to be created in relation to adoption support agencies. Section 8 of the Adoption and Children Act 2002 sets out a definition of an adoption support agency. Ofsted's powers to register, inspect and, where necessary, enforce compliance with statutory requirements and relevant regulations are set out in the Care Standards Act 2000.

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<sup>1</sup> This term is used throughout the evaluation schedule to encompass all users: children, young people and adults.

5. When inspecting adoption support agencies, Ofsted gives consideration to:
  - the Care Standards Act 2000
  - the Adoption and Children Act 2002 and the Children and Adoption Act 2006
  - the relevant regulations
  - the adoption national minimum standards
  - Department for Education statutory guidance.

## Frequency of inspection

6. The frequency of inspections is set out in regulations.<sup>2</sup> All adoption support agencies have at least one inspection in each three-year inspection cycle.
7. The timing of an inspection is influenced by an assessment of:
  - the outcomes of previous inspections
  - any current complaints or enforcement action
  - notifications received from the adoption support agency
  - other relevant information received by Ofsted.
8. Where an adoption support agency has been judged inadequate, we re-inspect the agency within six to 12 months.

## Types of inspection

9. The following types of inspection are carried out by Ofsted in adoption support agencies.
  - An inspection is carried out at least once in each three year cycle. This inspection is conducted against the evaluation schedule and will result in a set of graded judgements.
  - A monitoring inspection may be carried out if there is an incident, complaint or concern regarding an agency.
  - A survey inspection (also known as a thematic inspection) may be carried out to gather evidence on a particular theme, issue or aspect of best practice which Ofsted is examining with the intention of publishing a report on the findings. These could be conducted as part of an inspection or separately as part of Ofsted's programme of surveys. We will not conduct a survey inspection at the same time as a monitoring inspection.

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<sup>2</sup> Her Majesty's Chief Inspector of Education, Children's Services and Skills (Fees and Frequency of Inspections) (Children's Homes etc.) (Amendment) Regulations SI 2007/694, as amended.

## Notice given for inspection

10. Agencies receive 10 working days' notice of an inspection, unless they are individuals working alone providing an adoption support service, in which case they will receive 20 working days' notice. This is in accordance with our policy of giving as little notice as possible while giving recognition to the specific nature of the service and enabling agencies to identify service users who would be willing to talk with the inspector.

## Inspectors

11. Adoption support agencies are inspected by experienced and trained social care inspectors.

## Evaluation schedule

12. The evaluation schedule is set out in a separate document. This outlines the judgements that inspectors make on inspection and outlines the grade descriptors that inspectors use in arriving at their judgements. Inspectors gather evidence across the evaluation schedule.
13. The judgements made on inspection are set out below:
  - overall effectiveness
  - outcomes for service users
  - quality of the provision
  - safeguarding children, young people, adults and families
  - leadership and management.
14. Adoption support agencies must meet their statutory obligations, in particular those in the regulations and take account of the national minimum standards and statutory guidance. However, failure to meet all the requirements in full does not necessarily result in a judgement of inadequate. The seriousness of the failure and its potential impact on outcomes for service users is considered carefully to determine how it should impact on the overall judgement. Inspectors' professional judgement is used to assess the impact of any breach against other aspects of the service provided.
15. Inspectors must weigh up the evidence in a particular area and consider how it best fits the grade descriptors for outstanding, good, adequate or inadequate before making a judgement.
16. Examples of practice may be used to support more than one judgement. Judgements are made on a carefully balanced consideration of the impact on service users and not on a formulaic approach.

## Grading inspection findings

17. Inspectors judge the quality of provision using the evaluation schedule to arrive at a conclusion of how an adoption support agency's operation best fits the following grades.

Outstanding	An agency of exceptional quality that significantly exceeds minimum requirements
Good	An agency of high quality that exceeds minimum requirements
Adequate	An agency that meets minimum requirements
Inadequate	An agency that does not meet minimum requirements

18. The descriptors are hierarchical; a good agency should also meet the grade descriptors for an adequate agency and so on.

### The approach following an overall judgement of inadequate

19. An overall effectiveness judgement of inadequate is made where there are failures to comply with requirements and as a result the outcomes for service users are inadequate or their welfare is not safeguarded.
20. Where an adoption support agency is judged inadequate, the inspector sets requirements against the Care Standards Act 2000, the Adoption and Children Act 2002 and relevant adoption regulations. The registered person/s must meet these requirements as set out in regulations. Inspectors may also make recommendations to help the registered person/s to improve the quality and standards of care. Recommendations should always relate to particular national minimum standards.
21. On making a judgement of inadequate, the inspector must consult with the compliance, investigation and enforcement team and instigate a case review where:
- there is evidence of any immediate risk to service users, breach of regulations which constitutes an offence, or breach of any conditions placed on the registration
  - the last inspection resulted in a judgement of inadequate for overall effectiveness.
22. The inspector should also consider consultation with the compliance, investigation and enforcement team where there is any history of:

- complaints against an adoption support agency which have not been dealt with in a satisfactory way
  - failures to comply with regulations and/or national minimum standards which have not been dealt with in a satisfactory way
  - failures to take satisfactory action to meet requirements and recommendations which call into question the suitability of the registered person.
23. The purpose of a case review is to consider whether any enforcement action should be taken. The *Compliance, investigation and enforcement handbook*<sup>3</sup> has more information about the criteria for instigating a case review, the enforcement options available and the arrangements for following up enforcement activity.
24. In all instances where an overall judgement of inadequate is given, the next inspection must take place within six to 12 months. It takes place sooner if any further significant concerns arise during this period or if earlier inspection is necessary to meet statutory requirements.

## Reporting findings at inspections

25. A report follows each inspection, which sets out the inspection findings using text and grades, organised under the headings in the table below. The adoption support agency should be working to ensure that no child, young person or adult is disadvantaged due to age, ability, disability, ethnicity, faith, gender, language, sexual orientation, gender identity or religious belief. How the agency promotes equality and tackles discrimination will be taken into account across all the judgement areas and will be reported on throughout the inspection report.

## Report contents

Agency information	Brief contextual information about the agency
<b>Overall effectiveness</b>	Grade
Areas for improvement	No grade
<b>Outcomes for service users</b>	Grade
<b>Quality of service provision</b>	Grade
<b>Safeguarding children, young people, adults and families</b>	Grade

<sup>3</sup> *Compliance, investigation and enforcement handbook* (08188), Ofsted, 2012; [www.ofsted.gov.uk/resources/compliance-investigation-and-enforcement-handbook](http://www.ofsted.gov.uk/resources/compliance-investigation-and-enforcement-handbook).



<b>Leadership and management</b>	Grade
About this inspection	Information about the legal basis for the inspection

26. The draft inspection report is sent to the registered provider, for a factual accuracy check, within 10 working days of the end of the inspection.
27. The registered provider or representatives should return the draft inspection report with any comments on factual accuracy within five working days. The final report is published on the Ofsted website within 20 working days of the end of the inspection (irrespective of appeals or complaints).

## Inspection activity

28. Inspectors focus their inspection activities on evaluating the outcomes for service users and how the quality and impact of service help to promote positive outcomes.
29. In preparation for inspection, inspectors look at the information that Ofsted has about the service which includes:
  - previous inspection reports
  - the statement of purpose and, where appropriate, the children's guide
  - concerns and complaints received
  - notifications of significant events received
  - any changes to registration, including a change of manager
  - any current or recent enforcement activity
  - any responses to questionnaires submitted by children, young people and adults using the service and stakeholders
  - any data, quality assurance assessment and reports under national minimum standard 25 submitted by the agency
  - knowledge and understanding gained from previous inspections.
30. Inspection activities include:
  - discussion with service users, including children and young people whenever possible
  - discussion with staff and managers
  - gathering views from partners and stakeholders; such as referring local authorities and commissioners
  - case file reading

- examination of records.
- 31. Four inspector days are allocated to each inspection which includes preparation, fieldwork and report writing. The number of days may vary based on the range of adoption support services offered and size of the agency.
- 32. The inspection specifically focuses on gathering evidence against the evaluation schedule. The detail of activities undertaken and discussions held may vary depending on the services the adoption support agency provides and on lines of enquiry identified for each individual inspection.
- 33. The views of children, young people, adoptive families, adults and other agencies are sought through pre-inspection questionnaires. We will meet with a range of service users whenever possible and as appropriate.

## **User and partner views and surveys**

- 34. Inspectors take account of the extent to which agencies have sought and acted on the views of service users and partner agencies in reviewing and improving services and outcomes for service users.
- 35. For each inspection, questionnaires are distributed to all service users and partner agencies. Electronic communication methods are used to reduce the impact of a shorter notice period and to improve accessibility. All questionnaires are available in a variety of communication formats.

## **Communication and feedback**

- 36. Inspectors provide regular opportunities for dialogue and feedback during the inspection. Oral feedback about draft findings is given to the agency at the end of the inspection. Requirements and recommendations are clearly stated, as are any strengths and weaknesses in practice.

## **Confidentiality**

- 37. Ofsted takes appropriate steps to ensure that personal information provided to inspectors remains confidential, as required by statute. However, evidence gathered during inspections may be subject to disclosure under the Freedom of Information Act 2000, although the identity of named individuals is not disclosed. Where Ofsted considers that any information provided indicates the likelihood of harm, we pass the necessary information to the local authority children's services for action.

## **Quality assurance**

- 38. Quality assurance is the action that we take to ensure an inspection is of the quality needed and expected by users, providers and Ofsted itself. All Ofsted inspection reports are subject to quality assurance procedures.

39. The inspector has responsibility for ensuring all evidence gathered is robust, reliable and secure.
40. Ofsted asks the manager of the adoption support agency to complete a short evaluation form following each inspection, which is used to improve the quality of inspections.
41. To ensure national consistency, some inspections include an Ofsted inspector whose role is to quality assure the inspection process. During these visits, the visiting inspector speaks to the inspector, managers and other staff, and where appropriate service users. S/he always seeks views from the staff at the adoption support agency on the conduct of the inspector and samples the way evidence is being gathered and used.

## **Conduct during the inspection**

42. Inspectors must uphold the highest professional standards in their work, and ensure that everyone they encounter during inspections is treated fairly and with respect. The code of conduct requires inspectors to:
  - evaluate objectively, be impartial and inspect without fear or favour
  - evaluate provision in line with frameworks, national standards or requirements
  - base all evaluations on clear and robust evidence
  - have no connection with the provider which could undermine their objectivity
  - report honestly and clearly, ensuring that judgements are fair and reliable
  - carry out their work with integrity, treating all those they meet with courtesy, respect and sensitivity
  - endeavour to minimise the stress on those involved in the inspection
  - act in the best interests and well-being of service users
  - maintain purposeful and productive dialogue with those being inspected, and communicate judgements clearly and frankly
  - respect the confidentiality of information, particularly about individuals and their work
  - respond appropriately to reasonable requests
  - take prompt and appropriate action on any safeguarding or health and safety issues.

## **Expectations of providers**

43. In order that inspection and regulation are productive and beneficial, it is important that inspectors and providers establish and maintain a professional

working environment based on courtesy and professional behaviour. Inspectors are expected to uphold our code of conduct but Ofsted also expects providers to:

- be courteous and professional
- apply their own codes of conduct in their dealings with inspectors
- enable inspectors to conduct their visit in an open and honest way
- enable inspectors to evaluate the provision objectively against the standards/framework
- provide evidence that enables the inspector to report honestly, fairly and reliably about their provision
- work with inspectors to minimise disruption, stress and bureaucracy
- ensure the health and safety of inspectors while on their premises
- maintain a purposeful dialogue with the inspector or the inspection team
- draw any concerns about the inspection to the attention of inspectors promptly and in a suitable manner
- respect that inspectors need to observe practice and talk to staff and users without the presence of a manager or registered person.

## Complaints

44. The great majority of our work is carried out smoothly and without incident. If concerns do arise during an inspection, they should be raised with the inspector immediately so that they can be resolved while the inspection is taking place.
45. Normally, a complaint can be made at any stage during an inspection or up to 30 calendar days from the date of publication of any report or letter. Lodging a complaint does not normally delay publication of the report. The complaints procedure, which sets out how providers or users can complain about their inspection and what happens to their complaint, is available at:  
[www.ofsted.gov.uk/publications/070080](http://www.ofsted.gov.uk/publications/070080).

46. Complaints should be made in writing (including by email to [enquiries@ofsted.gov.uk](mailto:enquiries@ofsted.gov.uk)) to:

Sue Aldridge  
Principal Officer, Complaints  
Ofsted National Business Unit  
Piccadilly gate

## **Further information**

47. We hope that you find this document useful in helping you to prepare for your inspection. If you have any queries about your inspection, please discuss them with your lead inspector when they contact you.
48. If you have any other general queries about the inspections of adoption support agencies, please contact Alison Bailey on 0300 123 1231 or [socialcare@ofsted.gov.uk](mailto:socialcare@ofsted.gov.uk).