



Inspections of secure training centres

A report on the responses to consultation

This is a report on the outcomes of the consultation about the new arrangements for a revised framework for the inspection of secure training centres to be introduced in October 2012.

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Age group: 12-17

Published: October 2012

Reference no: 120170



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Introduction

1. This report summarises the responses to a formal consultation process conducted by Ofsted, Her Majesty's Inspectorate of Prisons (HMIP) and the Care Quality Commission (CQC) on the proposals for a new joint framework for the inspection of secure training centres. Secure training centres are purpose-built centres for young offenders aged from 12 to 17 years. There are four secure training centres established under the terms of the Criminal Justice and Public Order Act 1994.¹ They are currently inspected by Ofsted under arrangements made with the Youth Justice Board, in accordance with rule 43(1) of The Secure Training Centre Rules 1998² and section 146 of the Education and Inspections Act 2006.³
2. Currently, Ofsted inspects secure training centres in conjunction with CQC twice each year as part of the service level agreement with the Youth Justice Board. The revised joint inspection framework has been developed following the independent review of restraint in juvenile secure settings by Peter Smallbridge and Andrew Williamson in 2008. In line with recommendation 23 of that report, the government asked Ofsted and HMIP to consider the development of a framework for joint inspections of secure training centres.
3. The proposal for a joint inspection framework with HMIP is permitted under the Education and Inspections Act 2006, which enables Her Majesty's Chief Inspector (HMCI) to act jointly with another public authority for the efficient and effective exercise of his/her functions.
4. These new inspections will examine the safety, behaviour, well-being, achievement and resettlement of young people. In addition, inspectors will judge the overall effectiveness of the establishment.
5. Ofsted, HMIP and CQC consulted widely from 3 April until 26 June 2012 on eight key questions in relation to the proposed framework. The questions asked about the extent to which respondents agreed or disagreed with the:
 - proposed inspection grade descriptors
 - proposal to make judgements on the four-point scale from inadequate to outstanding
 - proposal to focus on gathering young people's views, including the views of those who have recently left the secure training centre
 - proposal to assess the effectiveness of behaviour management, with a particular focus on the proportionate use of restraint

¹ Criminal Justice and Public Order Act 1994; www.legislation.gov.uk/ukpga/1994/33/contents.

² The Secure Training Centre Rules 1998; www.legislation.gov.uk/uksi/1998/472/contents/made.

³ Education and Inspections Act 2006; www.legislation.gov.uk/ukpga/2006/40/contents.

- proposed approach to assessing the effectiveness of resettlement and moving on
 - proposed approach to making and following up on recommendations
 - proposed approach to reporting on equality and diversity.
6. The results of the consultation will help partner inspectorates to finalise and implement a new framework from October 2012. The new framework and accompanying guidance is to be published in October 2012.

The consultation method

7. The consultation used a range of methods, including an online questionnaire available through Ofsted's website, two consultation visits to secure training centres where focus groups were held with young people and service providers, and a face-to-face consultation with key stakeholders at an event held in July 2012. A wide range of organisations including the Association of Directors of Children's Services, the Department of Health, the National Society for the Prevention of Cruelty to Children, The Howard League, Voice and the Care Leavers Association were contacted to inform them of the consultation and invite them to the stakeholder event. The outcomes of the consultation with young people will be presented in a separate report.

Summary of findings

8. We had 29 responses to the online questionnaire and nine organisations attended the stakeholder event. Overall, the responses from the consultation with stakeholders, providers and others were in favour of almost all of the proposals. There were, however, some strong differences of opinion about certain aspects of the proposed framework, such as the judgements in relation to restraint. The following are the key findings.

Grade descriptors

9. There was strong and consistent support across a range of people and organisations for the proposed grade descriptors. For example, 90.5% of those who responded to the online consultation were in favour. However, a number of organisations made suggestions for amendments to the wording of grade descriptors and for additional aspects of the service to be included in the judgements.

The four-point scale

10. Of those responding to the online questionnaire, 81% agreed with the four-point scale. A similar level of support was evident from all other respondents. A number of stakeholders welcomed the consistency the four-point scale provided with other Ofsted inspections of children's services and some felt that this would assist the general public in making sense of the judgements. A minority

of respondents disagreed with the four judgements. Some of these respondents argued that the specific circumstances of secure training centres warranted a wider range of judgements, for example the introduction of additional judgements such as a 'Very good' and a 'Not fit for purpose' judgement.

Gathering the views of young people

11. There was universally strong support from respondents to the proposal to focus on gathering young people's views. This group included young people in the secure training centre and those who had recently left the centre. A number of organisations highlighted the need for inspectors to employ appropriate methods to consult with young people that take account of the barriers and challenges that some young people face in effectively communicating their views.

Behaviour management

12. There was a wide variation of responses from all respondents to the question on the proposal to assess the effectiveness of behaviour management, with a particular focus on the proportionate use of restraint. While the majority of respondents accepted that it is sometimes necessary to use appropriate restraint on young people in custody and that this should be addressed in inspection, some respondents expressed significant concern that a secure training centre could achieve an 'adequate' judgement while using pain compliant force. Other stakeholders and providers considered that the grade descriptors did not comply with current government guidance that permits the use of pain inducing restraint techniques in 'very limited circumstances'.

Resettlement

13. There was unanimous agreement to the proposal to assess the effectiveness of resettlement from those who responded to the questionnaire (100%) and wide agreement across the other respondents including those attending consultation visits and the stakeholder event. Many respondents welcomed the inclusion of this aspect of provision within the inspection framework. Some stakeholders considered that it would lead to an improved understanding of what it is that secure training centres do that enables successful resettlement of young people which in turn would enable best practice to be promoted.

Recommendations

14. There was strong agreement with the proposal that the inspection should make and follow up recommendations. Just over 90% of those who responded to the online questionnaire agreed or strongly agreed with the proposal. Many respondents emphasised the need for timely follow-up of recommendations, particularly any that related to the safety and well-being of young people. Some concern was expressed that the move to annual inspections may impact upon

the effectiveness of inspectorates to follow up recommendations in timely ways unless some other mechanism was built in.

Equality and diversity

15. A large majority of respondents agreed with the proposed approach to equality and diversity. Some providers requested some clarification from Ofsted as to how they could best demonstrate good practice in relation to equality and diversity.

Findings in full

Q1 To what extent do you agree or disagree with our proposed grade descriptors?

16. There was strong support overall for the proposed inspection grade descriptors. Of the 21 who responded to the online question about this, 19 agreed or strongly agreed with the inspection grade descriptors and support was consistently strong across the range of different people and organisations consulted. One stakeholder organisation stated that:

'The grade descriptors are helpful and they enable secure training centres to understand the direction in which they need to travel.'

17. While strong support for the proposed grade descriptors was evident in the responses to the consultation, there were also a number of suggestions for amendments to the wording of specific grade descriptors and for additional aspects of provision to be included in the judgements. For example, it was highlighted by a number of organisations including the Association of Directors of Children's Services that, in their view, there is limited reference to the physical health and mental well-being of young people within the proposed grade descriptors. They consider therefore that the descriptors do not sufficiently address the underlying causes that may bring young people into secure training centres nor how the subsequent needs of young people are being identified and met. The Association of Educational Psychologists supports this view:

'It is essential that any outstanding, good or adequate provision will have systems in place to assess the underlying problems [that bring young people into secure training centres] at the very beginning and then offer treatment.'

18. A number of respondents were very keen that the health of young people should have a high profile within the grade descriptors and felt that inspectors should consider data from the unit with comparative data on the health of young people in the community.
19. The Association of Educational Psychologists considered that the extent to which secure training centres provide 'emotional warmth and a nurturing

culture' should be included within the grade descriptors. A number of respondents were concerned that the grade descriptor that refers to consultation with young people should be extended to require centres to 'evidence that consultation leads to improvements in practice'. A number of respondents suggested that some of the wording used to describe elements of practice should be more comprehensive to reflect a range of practice in the field. For example, 'restorative justice to be extended to community payback and other innovative approaches'.

20. There were varied responses to the grade descriptor that addresses the safety of young people. Some stakeholders and providers considered that the grade descriptor should be strengthened so that the outstanding judgement includes the provision that young people 'feel safe from bullying and harassment'. However, others considered the judgement that young people 'are safe from bullying' to be unrealistic and that instead secure training centres should be judged as to how they manage bullying.
21. There was strong support from almost all respondents for the grade descriptor that addresses the importance of maintaining family bonds and the recognition within the framework for inspection that this has a considerable impact on the successful resettlement of young people. However, some respondents noted that the wording of this grade descriptor should reflect the fact that in some situations contact with families is not appropriate.
22. Some respondents, including providers, expressed concern that in their view secure training centre staff had no control over some aspects of practice included in the grade descriptors, such as the transporting of young people to the centre and the mentoring of young people post-release. In their view, as post-release planning was a multi-agency activity the grade descriptors should reflect this.
23. There was a wide variation in response to the grade descriptor that addresses the use of restraint. The Association of Directors of Children's Services expressed concern that a secure training centre could achieve an adequate judgement if restraint techniques that involve the use of pain are deployed. Similar concerns were expressed by a national body and a national charity. In contrast, some organisations were critical of the 'good' judgement for behaviour which refers to restraint techniques being used that 'do not use pain'. This, they suggested, was contrary to the government review of restraint and the Restraint Advisory Board which approve medically safe techniques of restraint, some of which 'use pain in defined circumstances'.
24. A national charity considered that the well-being grade descriptors did not sufficiently address the importance of establishing the care or leaving care status of young people to ensure that their entitlements to services are met, and that this is particularly important in planning the resettlement of young people.

Q2 To what extent do you agree or disagree with our proposal to make judgements on the four-point scale?

25. Of the 21 who responded to this question online, 17 agreed with the four-point scale. There was also support from those who attended the stakeholder event and at the face-to-face meetings. A number of stakeholders welcomed the consistency the four-point scale provided with other Ofsted inspections of children's services. One stated that 'The four-point scale offers clarity and simplicity on an examination of a very complex set of factors'. A number of stakeholders commented that in their view this would assist the general public in making sense of the judgements.
26. Some stakeholders felt that the 'safety and well-being' judgement should be a limiting judgement so that a secure training centre could not be judged 'good' or 'outstanding' for overall effectiveness where the judgement for the safety of young people is judged only as 'adequate'. They suggest that where safety is judged 'inadequate' the centre would be judged 'inadequate' for 'overall effectiveness'. Others felt that there needed to be guidance regarding the weighting of each descriptor and how they individually affect the outcome of each judgement.
27. Two online respondents disagreed with the four-point judgement scale and some of these respondents argued that the specific circumstances of secure training centres warranted a wider range of judgements. For example, some felt that inspectors may be reluctant to give an 'outstanding' grade for a secure training centre given the high risk nature of their work and that the introduction of a 'very good' grade would ameliorate this. Others considered that having one 'inadequate' grade did not provide sufficient scope to outline serious concerns and an additional grade of 'not fit for purpose' should be included.

Q3 To what extent do you agree or disagree with the proposal to focus on gathering young people's views?

28. There was almost unanimous support (21 out of the 22 who answered this question) from those responding to the questionnaire, and from those involved in consultation visits and the stakeholder event to the proposal to focus on gathering young people's views. Welcoming the intention, one organisation stated: 'Inspection should be child focused and the experiences of children should be central to all inspection reports.'
29. Many respondents, particularly stakeholders, placed considerable emphasis on the importance of employing appropriate methods to consult effectively with young people and stressed the necessity for an inclusive approach by inspectors that recognised the barriers and challenges that some young people face in effectively communicating their views. One said:

'Effective consultation must consider equal opportunities and diversity issues especially in relation to young people with limited communication so that all children are empowered to participate and are given appropriate support to do so.'

30. A number of respondents noted that the methods for gathering young people's views were not made explicit in the consultation document. There was a suggestion by many respondents that a range of methods to collate young people's views should be employed. One capsulated some views by saying that the 'use of surveys, focus groups and individual interviews with children and young people ... can generate different, very useful information for inspectors' and that 'overreliance on surveys would exclude a significant proportion of young people who may not have communication skills to engage in the process.' Others suggested that: 'Specialist input is needed to establish user voice models similar to those used in the health service, adult prisons and probation service.'
31. Other respondents highlighted issues of confidentiality and the need to create a safe environment for young people to express their views: 'Young people must feel reassured that the contents (of consultations) are kept confidential and that there are no reprisals for speaking openly about their experiences.'
32. Providers had some concerns that annual inspections would mean that some young people had no opportunity to express their views to inspectors and raised questions as to how the inspectors would ensure that the sample of young people spoken to was representative of the whole population. Stakeholders and providers suggested that other means of addressing this area could be to ensure secure training centres are routinely collating the views of all young people and for inspectors to base their judgements on what those views reveal. One organisation summarised this view as follows:

'It is also important to distinguish between a specific consultation event, or means of seeking views in relation to the inspection itself, and ways of eliciting the culture of the home in relation to participation of children and young people generally and in connection with their personal issues.'
33. A range of respondents felt that the views of parents and carers as well as those of young people should be sought by inspectors. Some providers thought that it was imperative that evidence provided by young people should be triangulated and that staff views must also be considered. Others, including stakeholders and providers, stressed the importance of confidentiality and that some young people may fear the consequences of expressing their views while still resident within the centre. Some stakeholders felt that staff within the secure training centre should play no part in the distribution or collation of questionnaires or surveys for the purpose of inspection.
34. The importance of providing feedback to young people in a timely manner was stressed by providers given the high turnover of secure training centres, and

some stakeholders, particularly young people's organisations, warned that some young people may be sceptical of the process of consultation if they have had previous experience of not seeing any effective outcomes resulting from consultation.

35. There was also some concern expressed about what young people may say in relation to their learning experiences. One respondent summarised this view by stating that 'inspectors will need to exercise professional judgement in relating views and comments to what learners may want rather than need'.

Q4 To what extent do you agree or disagree with the proposal to try to gather the views of young people who have recently left the secure training centre?

36. There was unanimous agreement for this proposal from those responding to the online consultation (20 respondents) and the large majority of those who contributed to stakeholder or consultation meetings also welcomed this element of the inspection.

37. A common theme emerging from comments by stakeholders and providers was that this aspect of the inspection would be particularly useful as young people who have recently left the centre 'will be able to give an important perspective on the success of the resettlement plan, allowing inspectors to better evaluate the centre's performance in this area'. In addition, it was considered that those who had left the centre would have had time to reflect on their experiences and may be prepared to be more open 'because they have no fear of reprisal'.

38. A number of respondents noted that the consultation did not explain how this proposal would be carried out. Some suggested that these consultations could best be conducted in partnership with a young people's organisation, such as the advocacy service commissioned by the Youth Justice Board or by the youth offending teams in the community on behalf of the inspectors:

'The key thing here is to devise a way in which young people are going to feel motivated to feed back to the secure training centre and this will in part be determined by their experiences and whether they think that their views will make any difference. It is also very important to ensure that there is a system that ensures that young people feel safe and comfortable in participating and are able to express their true views and feelings about their experience.'

39. Some providers felt that the views of young people who have recently left the secure centre may be influenced by their experiences post-release and that this should be taken into account by inspectors. There were similar concerns about the methods employed for eliciting the views of young people who had left the centre, as expressed in the responses to Question 3. Suggestions as to how to gather views included the use of multiple consultation methods and that 'young people with special educational needs, deaf young people, or those whose first language is not English are suitably supported by a specialist so that their views

are heard'. In addition, it was suggested that the use of multimedia including social networking sites may be an effective means of communicating with young people who have left the centre.

40. A number of respondents thought that all young people leaving secure training centres should be offered the opportunity to contribute their views, by means, for example, of an exit interview that could be conducted by an advocacy service. These could be then sent directly by the advocate to Ofsted and copied to the centre. Some stakeholders felt that in addition to this a purposive random sample of young people should be actively sought.

Q5 To what extent do you agree or disagree with our proposal to assess the effectiveness of behaviour management, with a particular focus on the proportionate use of restraint?

41. Responses to this question online were as follows: 16 agreed or strongly agreed; one didn't know; and three strongly disagreed. However, while the majority of respondents accepted that it is sometimes necessary to use appropriate restraint on young people in custody, responses ranged from those expressing concern that a secure training centre could achieve an 'adequate' judgement while using pain inducing force, while others opined that the grade descriptors did not comply with current government guidance that permits the use of pain inducing restraint techniques in 'very limited circumstances'.
42. Some stakeholder organisations expressed very serious concerns that the focus of the inspection framework on restraint is disproportionate in a wide-ranging section on the management of children and young people's behaviour. One stakeholder organisation strongly criticised the grade descriptors for not specifying:

'that in order to be considered adequate, inspectors must find that restraint is used only as a last resort and only where it is absolutely necessary, and that the level of force used is proportionate. Further, it (grade descriptors) allows an STC which falls below the standard required by international human rights law to achieve a rating as adequate.'

43. A number of stakeholders suggested that the grade descriptors should be extended to include consideration of the secure training centre's monitoring of the restraint and confinement of young people so that:

'to achieve an 'adequate' rating for the behaviour of young people judgement, the secure training centre should also demonstrate that they keep, maintain and monitor transparent and easily accessible records of incidents of restraint and solitary confinement ... The STC also needs to evidence that lessons learned from regular analysis of these records are used to inform and improve effective practice.'

44. A number of respondents, including providers and stakeholders, suggested that the inspection should place a particular focus on the training that staff receive

in de-escalation and mediation restorative approaches. One professional body that responded stated that they 'welcome the focus on reinforcing positive behaviour throughout the grade descriptors and overall approach and we are pleased to see that centres will be assessed on how well they implement a 'whole centre' behaviour management policy'.

45. The Department of Health expressed concern that, in their view, the fact that these new inspection arrangements arose out of the concerns over restraint has made the framework 'overly focused on restraint issues'. 'Given the history, it is clearly very important that these issues are carefully monitored – but it risks other areas having less attention paid to them – and this is very evident when considering health and well-being issues.' The Department of Health recommends that: 'It would seem sensible if this framework could draw more fully on the framework for the inspection of children's homes and the documents accompanying this.'
46. The Ministry of Justice and Restraint Management Board highlight their concerns that as the grade descriptors stand there is some tension between the fact that to obtain a 'good' judgement secure training centres must demonstrate that 'Restraint techniques involving pain must not be used' while government policy reflected in the new training manual⁴ states that under 'very limited circumstances, pain inducing techniques can be lawfully used as a means of restraint'. This concern was also reflected by providers, one of whom stated that 'the adequate and good descriptors too prescriptively limit the ability to be good or outstanding while remaining compliant with govt. guidance'.
47. One organisation expressed concern that 'the use of restraint appears to be a limiting judgement and these have been abandoned in new frameworks in other remits...' In their view, 'limiting judgements do not support better inspection as they inhibit the scope for inspectors' professional judgement'.
48. Some suggested re-drafting of the grade descriptors so that they clearly specify that 'the degree of force used in restraint (as well as duration) should be the minimum necessary'.

Q6 To what extent do you agree or disagree with our proposed approach to assessing the effectiveness of resettlement and moving on?

49. There was unanimous agreement to this proposal from those who responded to the online questionnaire (20 out of 20 respondents who answered this question) and wide agreement across the other respondents, including from those attending focus groups at the consultation visits and the stakeholder event.

⁴ *Use of restraint policy framework for the under-18 secure estate*, Ministry of Justice, July 2012; www.justice.gov.uk/downloads/youth-justice/custody/mmpr/use-restraint-policy-framework.pdf.

50. Many respondents welcomed the inclusion of this aspect of provision within the inspection framework and some stakeholders felt that this could lead to an improved understanding of good practice in the resettlement of young people which may serve to promote best practice. Others, particularly stakeholders, considered that the wording of the grade descriptors and judgement areas in this respect needed strengthening. This, they felt, was necessary to reflect the significance of successful resettlement both to the prevention of re-offending and to ensure the well-being of young people. Suggestions included strengthening grade descriptors to cover the participation of young people in their development plans and evidence of planning that ensures that the entitlements of young people with looked after and care leaver status are met.
51. One national charity suggested that in order to obtain an 'adequate' judgement 'the secure training centre demonstrates that findings relevant to resettlement from post-secure training centre consultations with young people are heard and implemented where appropriate' and in addition that the 'outstanding category for resettlement reflects the secure training centre's monitoring of re-offending rates and evidence of making positive changes for young people in its care as a result'. Other stakeholders felt that in order to achieve an 'outstanding' grade secure training centres should demonstrate a clear vision and strategy for the resettlement of young people and have established mechanisms for the involvement of parents in the process.
52. Some stakeholders felt that this area of the inspection needed strengthening so that consultation with young people who had left the centre should be a requirement, and not only carried out 'where possible' as stated in the current documentation.
53. A number of respondents, both stakeholders and providers, raised the concern that the responsibility for resettlement did not rest solely with the secure training centre but rather that centres work together with external agencies to plan the resettlement and that this needs to be acknowledged within the framework for inspection. One stakeholder organisation stated that:
- 'The issue is therefore in relation to the robustness of the secure training centre in pursuing those who do have statutory responsibility and knowing when to make a referral elsewhere to secure the young person's rights. We believe that this is so important that it should form part of an adequate judgement.'
54. Providers emphasised the need for inspectors to be cognisant of the remit of secure training centres' responsibilities so that they are not judged on areas of practice for which they are not responsible.
55. A number of stakeholders consider that more emphasis could be given to the role of education throughout the document, especially the links to young people's education providers in their home area when planning resettlement, given the role of education in reducing re-offending. Stakeholders and providers considered that inspectors could gain useful information from external agencies

with whom the secure training centre would be working to facilitate resettlement:

'While secure training centres cannot be held responsible for the performance of other agencies, we believe that the focus should be upon establishing that they have done all they can to ensure that children and young people are properly resettled and reintegrated into the community upon and after release.'

Q7 To what extent do you agree or disagree with our proposed approach to making and following up on recommendations?

56. There was strong agreement with this proposal overall, with 19 out of 21 of those who responded to this question online agreeing or strongly agreeing with the proposal. Some respondents emphasised, however, that any follow-up should focus on the impact of measures put in place as a result of inspection recommendations as opposed simply to their implementation.
57. Some felt that it should also be possible to make recommendations that do not refer to a specific grade descriptor.
58. Many respondents emphasised the need for timely follow-up of recommendations, particularly any that related to safety and well-being. There was some concern expressed about the plan for annual inspections so that in some situations there would be significant time lapses before recommendations could be followed up. The suggestion of a follow-up visit by Ofsted after six months was made by some respondents, including service providers.
59. Providers wanted assurance that secure training centres would only be held responsible for those recommendations over which they had complete autonomy and control so that, for example, recommendations made by inspectors that refer to Youth Offending Service processes should not affect the overall judgement of the secure training centre.

Q8 To what extent do you agree or disagree with our proposed approach to reporting on equality and diversity inspection findings?

60. Of the 20 respondents who answered this question online, 18 agreed with the proposed approach, and there was general agreement amongst other respondents to this proposal.
61. A number of respondents suggested that inspection should extend to an audit of staff qualifications and experience in dealing with issues of equality and diversity so that 'staff have the necessary skills, support and guidance to function effectively in what can be highly stressful working environments'.
62. Some respondents, particularly stakeholders, felt that equality and diversity should appear as a grade descriptor in each judgement area, not just in relation to well-being. Others suggested that the inspection should specify that secure training centres should have an 'equality strategy that encompasses

management and training, addresses discrimination systematically and individually and is devised with the involvement of young people...’ A national charity suggested that equality should relate not only to protected characteristics in the Equality Act 2010 but also to other statuses such as socio-economic status, lone parent status or to those without parental care. In relation to this, some respondents, including providers, considered that further work was needed to make explicit what was expected of secure training centres in order to achieve a ‘good’ or ‘outstanding’ judgement. It suggested that best practice case studies be provided to secure training centres to assist them in improving practice.

63. Some stakeholders considered that inspection should review what secure training centres are doing to promote positive attitudes to equality and diversity between young people. A number commented that the inspection team should reflect a diverse workforce.
64. One national body expressed concerns that: ‘In terms of equality, there does not appear to be any intention to assess the extent to which the use of restraint disproportionately affects particular groups, and/or whether effective strategies are implemented to overcome any such disproportionality.’ This point was also raised by a number of other stakeholders.

Q9 Do you have any other comments on our proposals for the inspection of secure training centres in future, or suggestions for other aspects that we should consider?

65. Of those that responded to the consultation, most chose to offer further comments in response to this question. A number of themes emerged from these comments as follows.
66. The frequency of inspections was commented on by a number of respondents. Respondents suggested that annual inspections would fail to pick up upon significant changes that affected performance in a secure training centre. In addition, concerns were expressed by a number of respondents that ‘many young people will go through the system without any opportunity to express their views to an outside inspector’. However other respondents, particularly, but not exclusively, providers welcomed the change in frequency of visits as it would provide more time for the implementation of some recommendations that may require a longer timescale. The unannounced aspect of the inspection provision was generally welcomed by all respondents with one stating that ‘units should be ready and working at high levels at all times’.
67. A number of respondents were concerned that the consultation document did not define the circumstances that would result in a re-inspection. A number of suggestions were made in this regard, for example a poor record on the use of restraint and poor performance in preparing young people’s release. It was also suggested that there should be ‘mechanisms whereby young people and other

agencies concerned for their wellbeing can contact OFSTED requesting an additional inspection.'

68. Some respondents expressed concerns that the consultation document did not make clear how the management and leadership of secure training centres was to be evaluated. In addition, some had concerns that 'without a management judgement, [there are] concerns that staff supervision/support not sufficiently prioritised by inspectors'.
69. Some national organisations emphasised the importance of an 'inclusive' approach to inspection. One said it would welcome 'the inclusion of lay inspectors who have experience of the secure estate being involved in the inspection field work' and would like more emphasis being placed on secure training centres meeting the needs of looked after children and young people. Others considered that careful consideration should be given within inspection to the needs of young people with learning difficulties and those with Autism Spectrum Disorder, since both groups are over-represented within the secure training centre population.
70. There was a welcome for the recognition that the inspection proposals give to families as they play a 'key role in supporting young people in secure training centres and helping them in their resettlement upon their release'. However, others felt that the grade descriptors lacked clarity as to how feedback from parents would be gathered. One suggested that 'at the centres "meet and greet" sessions parents should be told about the inspection and given the chance to provide feedback'.

The way forward

71. We are grateful to all those who responded to our online consultation and attended face-to-face meetings with us. Although responses showed support for many areas of our proposals, they have also highlighted aspects that we have reconsidered in light of the very constructive views that have been expressed. We aim to publish our framework in October 2012, and as a result of the comments raised, we will amend the documents to reflect the feedback comments set out below.

Specific comments on grade descriptors

72. Make specific reference in the grade descriptors to young people's physical health needs and mental well-being being assessed and responded by the secure training centre.

Response: Specific reference is now incorporated.

73. Consultation with young people should lead to improvements in practice.

Response: the relevant grade descriptor has been amended accordingly to make this point specific.

74. Suggestion that reference in the grade descriptors relating to bullying needs revision to make them more specific.

Response: We are committed to children and young people being free from bullying and harassment. However, we are realistic about how difficult this is to achieve in secure establishments. The grade descriptors reflect the ambition but are also clear that we shall inspect to establish the effectiveness of secure training centres in identifying and managing all aspects of bullying.

75. Concern was expressed that grade descriptors implied that providers would be judged on aspects of service for which they were not responsible.

Response: Judgements will be based on the quality of outcomes for young people rather than the performance of providers. However, inspectors will assess the response of centres on behalf of young people to practices which fall short of the required standards and which adversely affect the care of young people.

76. Significant feedback has been received on the issue of restraint and the deployment of pain inducing interventions.

Response: These have been dealt with in the section on behaviour management below.

77. Concerns that particular issues in relation to establishing the looked after or care leaving status of young people are insufficiently specific in grade descriptors relating to the resettlement of young people.

Response: The grade descriptor has been amended.

Judgements on a four-point scale

78. Following significant support from respondents, we will continue to make judgements using the four-point scale and we will not have any limiting judgements. We shall continue with our existing commitment to 'best fit' principles, acknowledging that a single failure to meet the requirement for a particular descriptor will not result automatically in a lower judgement. Conversely, achievement of some, though not all, descriptors of a high-rated grade will not necessarily secure a higher judgement.

Gathering the views of young people

79. There was strong support from respondents to our proposal. Respondents emphasised the need for a range of methods to be deployed to meet the needs of young people and for the inspectorates to establish the confidential nature of contributions of young people and a safe environment within which they can be

given. Some respondents reminded us that a substantial number of young people who have been resident in the centre but who had been discharged before our inspection will be excluded.

Response: These are helpful comments. The inspection will start with a survey of resident young people's views that will be gathered, aggregated and anonymised in confidential interviews with trained researchers using a bespoke survey framework. The themes emerging from this survey will be taken forward in interviews and discussions with individuals and groups of young people in a variety of forums. We will be sensitive to those with learning and communication difficulties and will actively seek to ensure that they can be helped to fully participate where necessary. We will inspect the effectiveness of the centre in consulting and responding to young people, how their views impact upon services and whether this results in improved outcomes for young people. Grade descriptors refer to this. In part, this will help us understand the experiences of those who left the centre between inspections but we also propose to consult with some ex-residents, the details of which are set out below.

80. Finally, each inspection will end with feedback to the young people of inspectors' findings and this will be followed within three weeks by a report of the inspection specifically written for young people. We anticipate that this immediate response will reassure young people that we have considered and acted upon their views and that we will expect the secure training centre to respond. We will inspect the impact of the centre's responses at the next inspection.

Gathering the views of young people who have left the secure training centre

81. Respondents strongly agreed that we should gather the views of young people who have recently left the centre. The complexity of successfully achieving this aim has been pointed out by a number of respondents who suggested a variety of means for doing so.

Response: The partner inspectorates are committed to capturing young people's reflections on their experience of the centre and to understanding the extent to which their resettlement plans are effective. However, we are fully aware of the difficulties of achieving this aim and are considering a range of approaches. We are requiring secure training centres to seek young people's consent to be consulted as part of an inspection before they are discharged. They are also required to maintain details of the young person's youth offending team or children's service allocated worker to help the process of locating the young person prior to contact with an inspector. This contact will usually be by telephone but we shall consider further using multimedia and the use of exit interviews at the point of discharge carried out by an independent body.

Behaviour management

82. There was strong agreement for assessing the effectiveness of behaviour management. However, it was this proposal that drew the strongest and most diverse comment from respondents, particularly in relation to the use of restraint. One significant response considered that restraint was over-represented in the grade descriptors, while other respondents opined that the wording of the relevant parts of the grade descriptors put them at odds with Ministry of Justice policy and in effect introduced a limiting judgement by appearing to 'cap' the judgement as adequate if pain inducing methods were deployed. One respondent considered that the grade descriptors allowed an adequate judgement to be achieved even though the centre fell below the standards of international human rights law.

Response: The inspectorates have reconsidered the grade descriptors in light of the responses and following legal advice. The grade descriptors as written do not contain a limiting judgement but they do reflect a strong view that pain inducing interventions should remain an unused option. However, the use of pain inducing techniques is permitted in specified circumstances by government policy. In each case of restraint that we examine in detail, we shall establish the circumstances, whether all alternative interventions have been considered and whether the extent of force used was proportionate. The grade descriptors have been amended to make this more explicit. The inspectorates are committed to examining behaviour management in the widest context and we will be particularly focusing on the effectiveness of alternative approaches to physical intervention and de-escalation techniques.

Resettlement and moving on

83. There was very strong agreement with our proposal. Most respondents recognised that the secure training centre had limited control over the quality of service offered and taken up by young people after their discharge. A number of respondents considered that grade descriptors in this area could be strengthened.

Response: A number of good practice suggestions were made and where those were achievable by centres, grade descriptors have been amended appropriately.

Recommendations

84. There was strong agreement for making and following up on recommendations. Respondents emphasised that recommendations must be followed up within an appropriate time and that the impact of the response to recommendations should be assessed.

Response: Inspectors will make recommendations, known as 'areas for improvement' and will set them against one of three timescales for completion

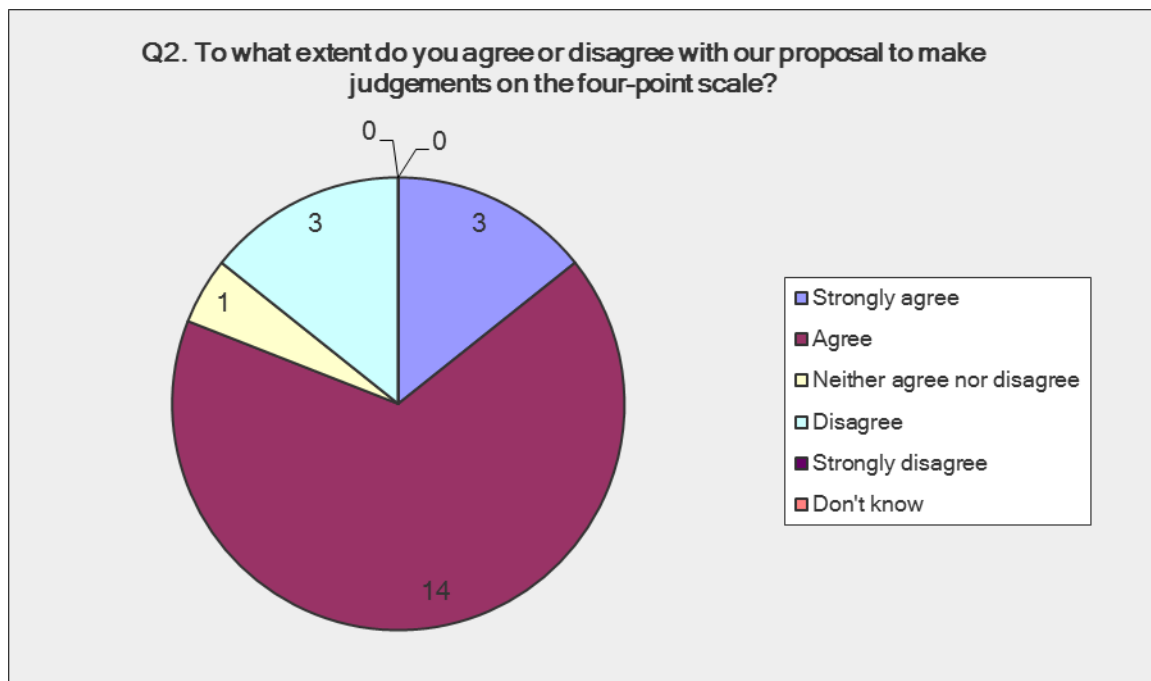
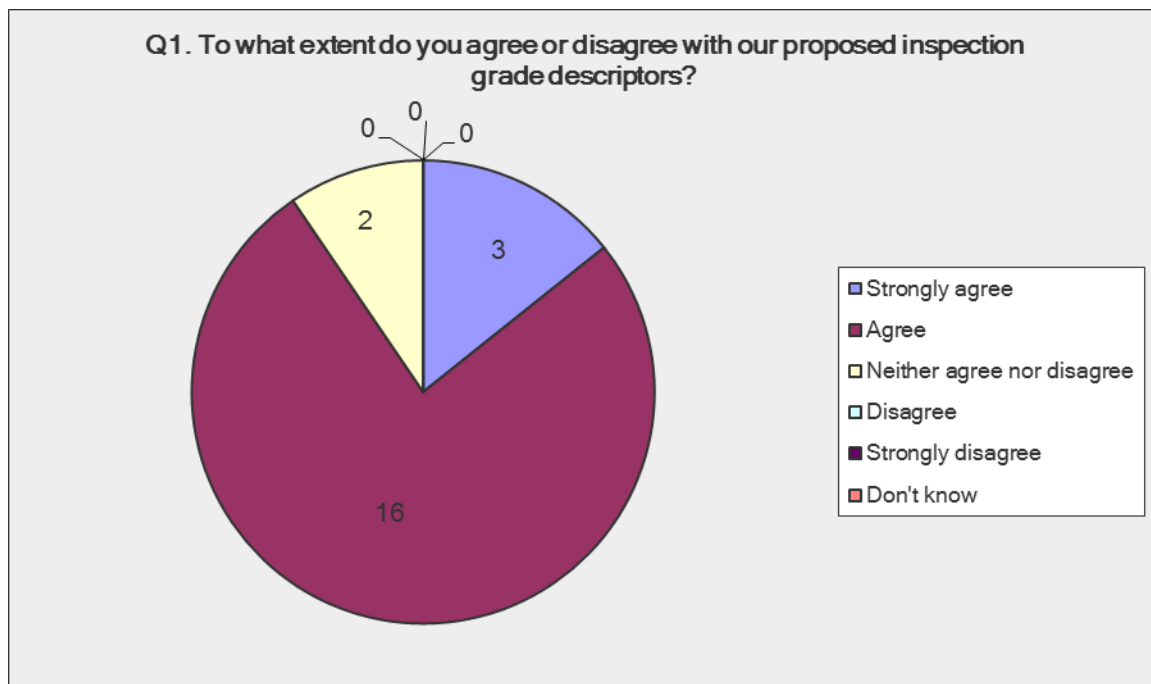
(immediately, within three months or within six months). Actions in response to recommendations will be followed up at the next unannounced inspection and their impact upon outcomes for young people will be assessed. In specific circumstances where outcomes for young people in a centre have been judged to be inadequate, the Youth Justice Board can commission an earlier inspection from inspectorates.

Equality and diversity

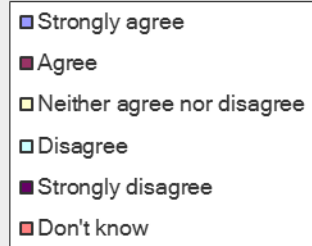
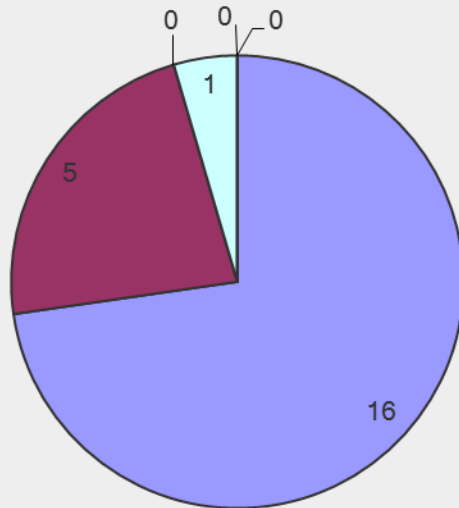
85. Respondents were largely in agreement with our proposal, although there was a majority view that equality and diversity should be reported upon across judgement areas rather than in the well-being judgement area.

Response: The inspectorates are in broad agreement with the respondents and the grade descriptors have been amended to ensure that there is explicit reference to equality and diversity in each judgement area. However, a specific focus will remain in the well-being section.

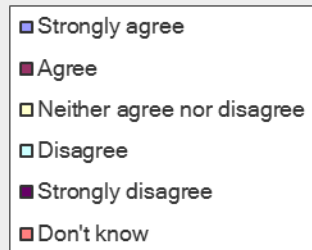
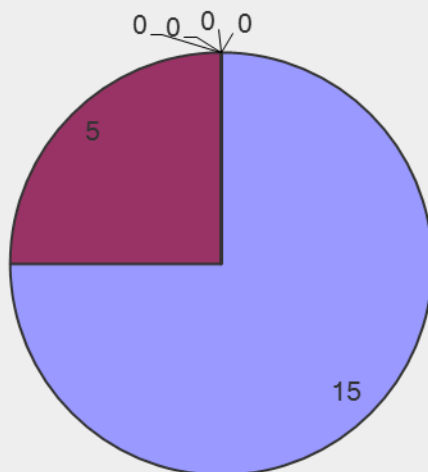
Annex A. Data from the online consultation



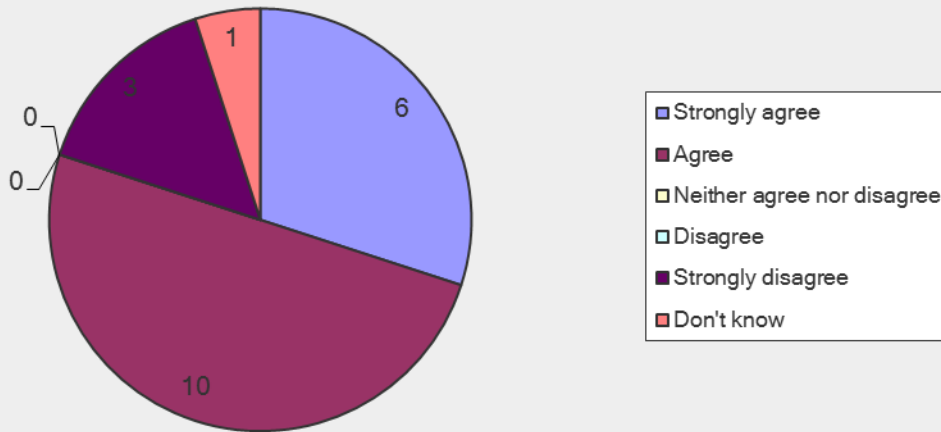
Q3. To what extent do you agree or disagree with our proposal to focus on gathering young people's views?



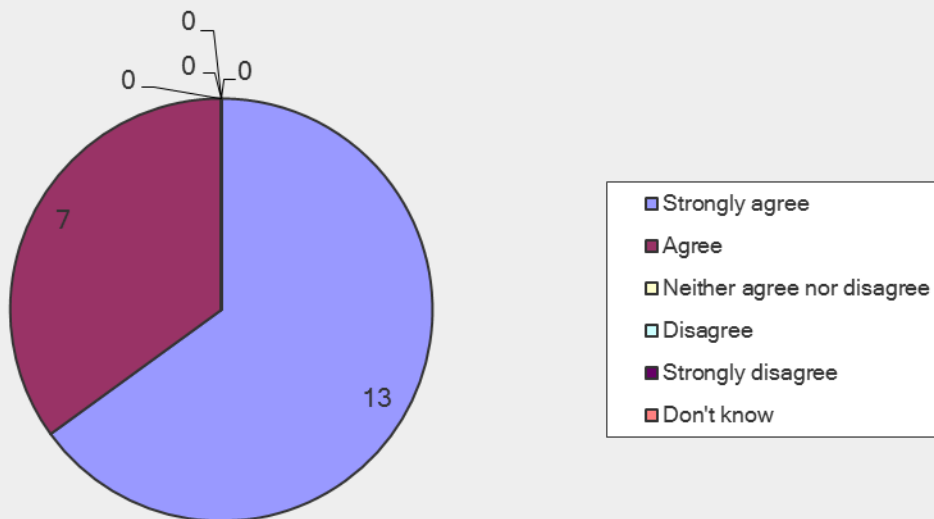
Q4. To what extent do you agree or disagree with our proposal to try to gather the views of young people who have recently left the secure training centre?



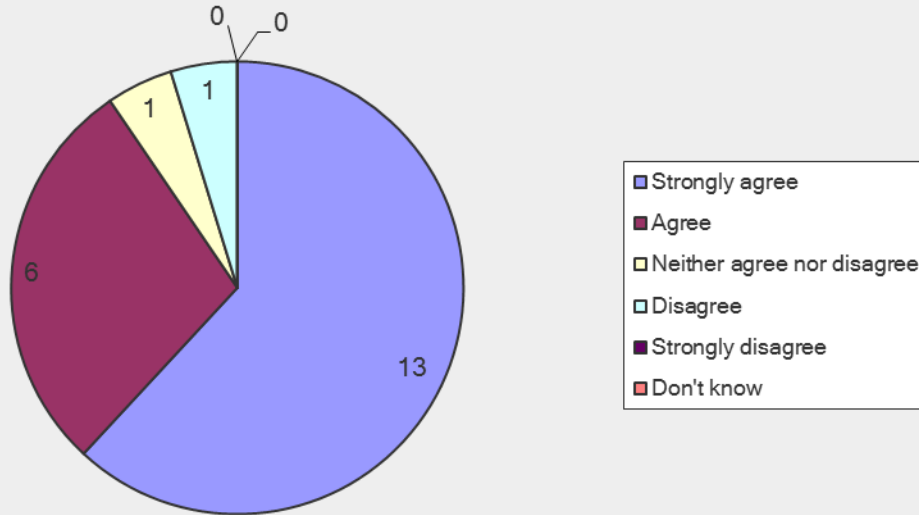
Q5. To what extent do you agree or disagree with our proposal to assess the effectiveness of behaviour management, with a particular focus on the proportionate use of restraint?



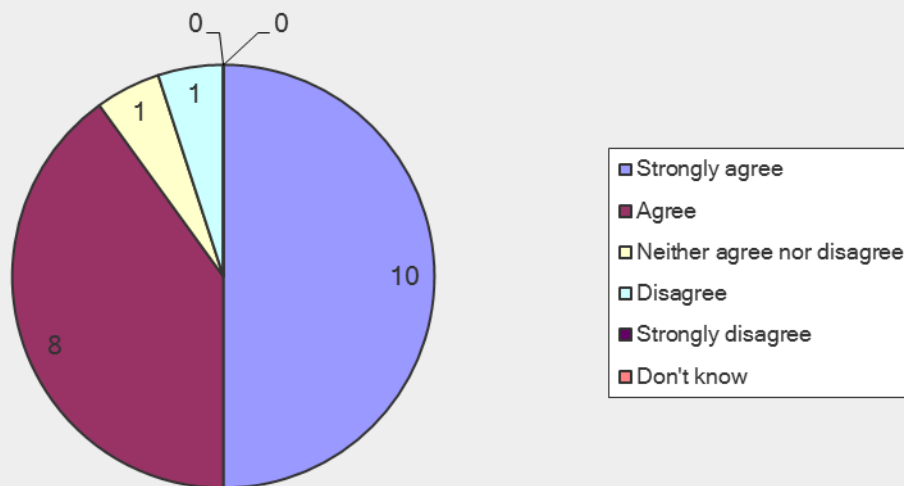
Q6. To what extent do you agree or disagree with our proposed approach to assessing the effectiveness of resettlement and moving on?



Q7. To what extent do you agree or disagree with our proposed approach to making and following up on recommendations?



Q8. To what extent do you agree or disagree with our proposed approach to reporting on equality and diversity inspection findings?



Annex B. Organisations that responded to the consultation

Foyer Federation

Ministry of Justice

Magistrates' Association (Youth Courts Committee)

Office of the Children's Commissioner

British Association of Social Workers

Association of Educational Psychologists

Care Leavers' Association

Action for Prisoners' Families

G4S Children's Services

Prospects Services Ltd

Waltham Forest Youth Offending Service

CfBT Education Trust

Gateshead Youth Offending Team

Devon Youth Offending Service

Portobello Day Care Nursery

British Institute of Learning Disabilities

Care Quality Commission

Association of Directors of Children's Services

Communication Trust

Children's Rights Alliance for England

Department of Health

The Howard League

Voice