
Sent: 08 January 2021 18:31
Subject: FW: Planning Application for Children's Home at The Globe Inn, Clifton Road, Exeter

From: Emma McVinnie [mailto:emma.mcvinnie@devon.gov.uk]
Sent: 18 December 2020 12:10
To: Leigh Powell
Cc: Kate Mulford ; Nick Scribbins
Subject: FW: Planning Application for Children's Home at The Globe Inn, Clifton Road, Exeter

Good Morning Leigh.

Following your most recent communication with Kate Mulford. Please see below our response in green to your further questions.

Kind Regards,

Emma McVinnie
Commissioning Officer
Children's Services
Devon County Council
Room 269, Main Building, County Hall, Topsham Road Exeter EX2 4DQ

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From: Leigh Powell <leigh.powell@exeter.gov.uk>
Sent: 03 November 2020 15:30
To: Kate Mulford <Kate.Mulford@devon.gov.uk>
Subject: RE: Planning Application for Children's Home at The Globe Inn, Clifton Road, Exeter

Dear Kate

Thank you very much for your responses, which are very helpful in understanding the processes. Could I, however, please ask a small number of additional questions, which I have added in red below. I am sorry that they tend to focus on potential negative aspects but it is these that could determine the outcome of the application.

I also have one further question that I did not raise previously. Is there any minimum requirement for outdoor play space either set out by the Local Authority or Ofsted?

I look forward to hearing from you. Many thanks for your help.

Regards

Leigh Powell

Project Manager
City Development
Exeter City Council

01392 265284

From: Kate Mulford [<mailto:Kate.Mulford@devon.gov.uk>]

Sent: 06 October 2020 09:38

To: Leigh Powell <leigh.powell@exeter.gov.uk>

Cc: Emma McVinnie <emma.mcvinnie@devon.gov.uk>

Subject: RE: Planning Application for Children's Home at The Globe Inn, Clifton Road, Exeter

Hi Leigh,

Apologies for the delay on this. Please see below responses to your questions, but please do not hesitate to contact me should you have any further questions.

Regards

Kate

Kate Mulford
Commissioning Manager
Children's Services
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From: Leigh Powell
Sent: 08 September 2020 10:42
To: 'emma.mcvinnie@devon.gov.uk' <emma.mcvinnie@devon.gov.uk>
Subject: FW: Planning Application for Children's Home at The Globe Inn, Clifton Road, Exeter

Dear Ms McVinnie

I have been advised that Mr Scribbins is currently on long term leave and that you are covering his position. I apologise if I am misinformed on this. I am a Planning Officer at Exeter City Council currently considering a planning application for the creation of a children's home in the city. I wrote to Mr Scribbins a couple of weeks ago to ask for some factual information about how children's homes are set up. Unfortunately, we don't know enough about the processes involved but we would like to know if the matters I have raised below would fall under any organisation's statutory/regulatory duties in setting up a children's home. I am sorry to trouble you but please could you or someone else in the team provide me with some pointers on the questions I have asked below.

Many thanks.

Leigh Powell
Project Manager
City Development
Exeter City Council

01392 265284

From: Leigh Powell
Sent: 26 August 2020 11:25
To: 'nick.scribbins@devon.gov.uk' <nick.scribbins@devon.gov.uk>
Subject: Planning Application for Children's Home at The Globe Inn, Clifton Road, Exeter

Dear Mr Scribbins

Re: Planning application to change the use of The Globe Inn, Clifton Road, Exeter to a children's home – Ref. 20/0803/FUL

I am the Planning Officer dealing with the above application and I have today been copied in on the attached set of emails where you have confirmed a need for facilities such as these. I am grateful to you for confirming this.

During the public consultation on this application a number of concerns have been raised with me about various detailed aspects of the proposal. I am sorry to take up your time but I would be grateful if you, or someone in your team, could please advise me on the following points or advise me as to who might be able to help. I am only looking for factual information on processes and procedures in this request and do not seek any opinions on the merits, or otherwise, of this particular case.

1. The primary concern is the potential age range of the occupants of the building, which the application says would include 5 children between 8 and 16 and 3 others between 16 and 18. During the consultation a number of people have raised with me whether this age band is too wide – a chief concern being that an 8 year old could well have different needs to those of a 16 year old and that the mix may not be appropriate. Would a public body ultimately be making decisions on this or would the provider have a significant role in this? *It would be a mixture – the provider can respond to referrals but*

the local authority would also assess matching, based on the matching assessment carried out by the provider, and linking with other relevant social workers. There would also be an independent visitor (regulation 44 visit) monthly which would also report on any new admissions to the home and appropriateness of the placements / matching – this is submitted to ofsted on a monthly basis and reviewed by the named ofsted inspector for the home.

Please could you explain in brief outline what the difference is between the roles and responsibilities exercised by the Local Authority and Ofsted in the review process. Ofsted are responsible under the Care Standards Act 2000 (CSA 2000) for regulating Childrens homes. Ofsted inspections are intended not only to check that children's homes meet the legal requirements, but also to raise standards and drive improvements. Which overall means improving the outcomes for children and young people.

The local authority commission the placements of children and young people within social care settings including childrens homes, as a Local authority Devon will work with providers to support, develop and challenge when required to ensure services are striving to deliver best outcomes for children and young people. All children and young people placed in the children home will also have a named social worker.

Who is the Independent Visitor? Is he or she connected to any particular organisation? And would this person be the only one to visit the premises regularly?.

The Independent visitor will visit the children's home on a monthly basis. It is the job of the Independent visitor to write a report that talks about how the home is being run. They have to check and report on how children and young people are being kept safe and how well their wellbeing is being promoted. The report will also take into account if the home is complying with Ofsted regulations. This report will also be shared with the homes named Ofsted inspector on a monthly basis.

It is dependent on which services are involved with young people to the frequency of other visitors. Young people's social workers will visit the home at least every 6 weeks. Please find attached the link to Ofsted's legislation for independent visitors.

<https://www.legislation.gov.uk/ukxi/2015/541/regulation/44/made>

You appear to accept that an 8 year old could mix with a 16 year old if it was thought to be appropriate in a specific individual case. What would happen if that judgment subsequently turned out to be wrong?

The home and the local authorities work together to consider the appropriate matching for all placements. if it was felt by the local authority that the matching was inappropriate the placement would not be agreed. As outlined in the initial response the homes matching process and consideration is scrutinised by both the homes independent visitor and Ofsted.

2. A number of people have questioned whether staffing levels are adequate. The application states there would be a Registered Manager and Deputy Head of Care, a House Manager, two senior support workers and a team of care staff. However, there would be a potential maximum of 3 members of staff staying overnight at the premises, probably 2 in normal circumstances. Who decides what the appropriate level of staffing is for such an establishment? How is it assessed? This will depend on how many young people are in the provision and our expectation would be that the registered manager would be supernumerary and not included in numbers for delivery of care. Staffing is something that ofsted would look at during inspections and again reviewed by the independent Reg 44 visitor. In addition DCC has a QA process that would also consider appropriate levels of staffing.
3. The precise layout of the scheme raised one point from a member of the public who called me to discuss it. She noted that the upper floors, where the 5 younger children would live, would have 4 children sleeping on the second floor without a member of staff and one child on the first floor with two members of staff, potentially sharing the same bathroom. She questioned whether this was the best arrangement in both the interests of the children and the staff. Would any public body have a say in the precise layout of a children's home? No but this would be part of the consideration of appropriateness

of the placement, including how many young are in placement. Whilst they may get registration for up to a maximum amount, it is rare to have that many young people in placement at the same time due to matching and risk management.

I have previously been advised by Mr Nick Scribbens that there is a need for additional children's home, which would suggest there is currently a shortage of places. Is this because all available placements are not filled? If the only available placements are deemed inappropriate, what happens to that child? Devon County Council do not have access to all residential placements within the authority boundary all of the time. There is no duty that exists currently for a residential children's home provider to provide placements only to a placing authority in which the home is located. This means that homes within the Devon County Council boundary will also provide placements to other placing authorities including all other authorities within England.

There is currently a sufficiency need for Children's Home placements within Devon for a variety of reasons. This is a common need across the country.

4. A number of local residents are concerned about what happens if they encounter repeated problems with anti-social behaviour, noise and so on. Whilst the police or environmental health may well be able to assist in some instances, is there another public body that would insist on a management plan being produced and implemented strictly? Can a public body intervene if there is a persistent problem or would such matters be left to other authorities, such as the police? The provider would have their own risk assessment and escalation process / policies. Public bodies can raise concerns with the provider and other external sources such as Ofsted or the local authority. Our expectation would be that the provider would work with the local community to address any initial concerns and that young people would have robust safety plans to mitigate risk with a focus on addressing any presentation of anti-social behaviour.

In a situation where the provider has no management plan or its establishment is attracting multiple legitimate complaints from local residents, is there any action that Ofsted or the Local Authority would take in those circumstances? If there was a public complaint about the management of a home, its presentation or impact on the local area, Devon County Council would seek to address this with the provider. If we found there was no clear escalation process in place such as a complaints procedure this would be challenged by the Devon County Council, and a request would be made for the review and implementation of the identified gap. As a regulated service all children's homes will have a complaints process.

5. Devon and Cornwall Police has raised a number of matters with me to ensure there is a good security at the premises. These include measures around controlling access to the building and the installation of CCTV. It has said:-

"I note that CCTV won't be included in the designs and whilst I appreciate that the privacy of staff and residents must be considered, the installation of CCTV would be beneficial in the prevention and detection of crime, safeguarding staff and residents and monitoring those visiting and leaving the premises. CCTV coverage of entry/exit points and the immediate vicinity, the cycle and bin stores and communal areas would limit the impact on privacy and provide effective surveillance opportunities at the premises."

Would a public body insist on such measures prior to any children being placed at the home?

As a local authority we would not recommend use of CCTV and this is also not viewed positively by Ofsted. Any use of CCTV must meet the needs of the individual and be justified at the time of use. The use of surveillance in a children's home is only permitted by the direction of the court or to safeguard an individual child's welfare. The provider would need to gain consent from both the placing local authority and the young person. Please see attached link.

I am sorry to approach you for assistance. Any help you can provide would be greatly appreciated.

Many thanks.

Leigh Powell
Project Manager (Planning)
City Development
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