

Benchmarking guidance on making social care inspection judgements

Results of the responses received regarding changes to the guidance

In March 2008 Ofsted published *Benchmarking guidance on making social care inspection judgements* (www.ofsted.gov.uk/publications/080042). Its purpose is to act as a guide for inspectors and information for children, young people, service providers and other stakeholders about how Ofsted makes inspection judgements of children's services.

This document has the results of the responses received regarding changes to the guidance.

It does not include the results of responses about changes to key standards.

Main results from the responses

1. We received 27 responses in total; one was a group response. Of these responses:

- 21 were from Ofsted staff
- six were from private providers.

2. We received 13 responses to our question:

Do you consider the changes to the guidance are reasonable? Please tick the answer you consider is nearest to your views.

Of these:

- seven thought the guidance was a positive change
- two thought the guidance was not a positive change
- five did not know if the guidance change was a positive one.

3. We received 80 comments. Of these:

- 13 were positive
- two were inaccurate
- one was not relevant
- one referred to an error in the text
- 53 made reference to issues that they considered should change
- 44 resulted in changes to the text.

4. Some of the positive comments received were:

Introducing two stages for inadequate provision based on a provider's capacity to improve: those that can improve without further intervention; and those that we judge cannot or will not improve without Ofsted taking enforcement action (<i>is positive</i>).	This is positive comment which makes a clear difference between those that are willing to improve and those that are making efforts to achieve better outcomes for young people from those that do not have this capacity.
Provide a 'child friendly' version of our benchmarking guidance once it is in operation.	This is positive addition and should result in children and young people engaging better with the inspection process and show them how Ofsted reaches decisions regarding the care they receive.
It is good that you have brought Being Healthy back into the equation!	

5. Some of the concerns were:

<p>I would have thought any breach of regulation requires action as it is compliance with legislation. I can't see how we can have an exceptional service that is in the interpretation of regulations.</p>	<p>As a result of this comment the text was amended to state: 'there are no breaches of regulation'.</p>
<p>The use of the word 'inconsistent', point two on page seven under 'Judgement for a satisfactory outcome'. Surely a service must have an adequate approach to equality and diversity? For a service to be 'sound' shortfalls in this area are unacceptable although they may be defined as 'inconsistent'. Given diversity and equality are central themes, a provider that delivers an 'inconsistent' service is not 'sound'? This is central to the point of meeting young people's individual needs.</p>	<p>As a result of this comment the text was amended to state: 'there is an adequate approach to implementing equality and diversity which results in only a satisfactory level of care being provided to children and young people. There is scope for improvement.'</p>
<p>I would suggest that the points made regarding requirements and recommendations for outstanding and good overall judgements should be slightly clarified. These are already causing some misunderstanding and inconsistency in application.</p> <p>For example, at recent meetings, it was said: 'I really had to give them outstanding as I had no requirement and no recommendation to impose, even though it was a good service but nothing outstanding about it.'</p> <p>While others inspectors (and I strongly agree with this second view) maintained that: 'We are inspecting against minimum standards only; therefore the lack of requirements and recommendations would certainly mean that the provision is good, as it well meets the standards, but not necessarily outstanding unless... (and it included all the other points you list to prove outstanding outcomes for children).</p> <p>Therefore, although it is implied, I would suggest that it is clearly stated under point seven that although an outstanding provision would have no requirement and no or few recommendations, it does not follow that a provision is outstanding just because we are stating no requirements or recommendations.</p>	<p>As a result of this comment the text was amended to state: 'There are no breaches of regulation. No actions have been made and no more than three recommendations.'</p>

6. The main issues from the comments received relate to:

Respondents found that the use of subjective criteria instead of objective criteria, for example using the word few instead of a number, was too great and left ambiguity and therefore a greater risk of inconsistency.	In most cases we have changed the wording in the document to increase the use of objective criteria.
How the benchmarking guide can be used when undertaking an interim inspection when all the standards are not inspected.	We are developing guidance regarding how the benchmarking guidance is used at interim inspections to meet this need.
Some re-wording suggestions to improve clarity.	Where possible suggestions to improve clarity have been used.

Consultation with children and young people

7. The Children's Rights Director asked children and young people the following question by text:

Inspectors use a guide to decide how well you are being looked after. Would it be a good idea to have a version of this for young people to see?

We received 22 responses to the question:

- 18 said yes
- two said no
- two were unsure.

Children and young people who responded came from:

- boarding schools (four)
- children's homes (four)
- foster care (seven)
- living at home (one)
- care leavers (five)
- further education college (one).