Inspection of local authority and voluntary adoption agencies
Framework for inspection from April 2012

This document sets out the framework and guidance for the inspection of local authority and voluntary adoption agencies from April 2012.

It should be read alongside the evaluation schedule for the inspection of adoption agencies.
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Introduction

1. This document sets out the framework for Ofsted’s inspections of local authority and voluntary adoption agencies, referred to as adoption agencies. It sets out: how we apply the principles and processes of all our inspections; the statutory basis for inspection; and a summary of the main features of the inspection process.

2. Ofsted’s general principles of inspection and regulation are to:
   - support and promote improvement
   - be proportionate
   - focus on the needs of service users
   - focus on the needs of providers
   - be transparent and consistent
   - be accountable
   - demonstrate value for money.

3. The framework and the inspection judgements are underpinned by the regulations and the national minimum standards. The inspections are intended, not only to test compliance, but also to raise standards and drive improvement in the sector. This will require a greater focus on improving outcomes for children and young people, and reducing delay.

4. Age is the most significant indicator of a successful adoption; the younger a child is when placed, the better the outcomes. Delays in placements can have a severe impact on children and young people’s health, development and ability to make new meaningful attachments, and can damage their chances of enjoying a successful adult life.

   Therefore, inspection will evaluate how the adoption agency ensures that, when adoption is in the best interests of the child or young person, they are placed appropriately, as young as possible, and without avoidable delay.

5. There is more detailed guidance in *Inspections of adoption agencies: evaluation schedule and grade descriptors*.

__________________________

Legal basis for inspection

6. The powers and duties to inspect local authority adoption agencies are specified in section 136 of the Education and Inspections Act 2006. Section 147 also provides that the Secretary of State may, by regulations, require Her Majesty’s Chief Inspector (HMCI) to inspect premises used by local authorities for their adoption functions, on such occasions or at such intervals as are specified by regulations. Such inspections are to be carried out as if they were inspections under section 136.

7. The power to inspect voluntary adoption agencies and local authority adoption services transferred to Ofsted under section 148 of the Education and Inspections Act 2006. The Care Standards Act 2000 sets out Ofsted’s powers to register and inspect voluntary adoption agencies and, where necessary, to enforce compliance with statutory requirements, including relevant regulations.

8. The Education and Inspections Act 2006 requires Ofsted to carry out its work in ways that encourage the services it inspects and regulates to:

- improve
- be user-focused
- be efficient and effective in the use of resources.

9. Section 9 of the Adoption and Children Act 2002 allows regulations to be made in relation to adoption functions exercised by a local authority or voluntary adoption agency. The Care Standards Act 2000 and section 2 of the Adoption and Children Act 2002 define an adoption agency.

10. When inspecting adoption agencies, Ofsted gives consideration to the relevant regulations and:

- the Care Standards Act 2000
- the Adoption and Children Act 2002
- Adoption: national minimum standards
- Adoption statutory guidance: the Adoption and Children Act 2002.

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Frequency of inspection

11. The frequency of inspections is set out in regulations. All adoption agencies must have at least one inspection in each three-year inspection cycle.

12. The timing of any inspection is influenced by an assessment of:

- the outcomes of previous inspections
- any current complaints or enforcement action
- notifications received from a voluntary adoption agency
- other relevant information received by Ofsted.

13. Where we judge an adoption agency as inadequate, we normally re-inspect it within 12 months.

Types of inspection

14. The following types of inspection are carried out by Ofsted in adoption 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 a registered agency.

- A survey inspection may be carried out to gather evidence on a particular theme, issue or aspect of best practice that Ofsted is examining with the intention of publishing a report on the findings. This 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.

Notice given for inspection

15. Inspections will be conducted with 10 working days’ notice.

Inspectors

16. Adoption agencies are inspected by trained social care inspectors.

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7 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.
Evaluation schedule

17. The evaluation schedule is set out in a separate document. It outlines the judgements that inspectors make during inspection and the grade descriptors that they use to arrive at their judgements.

18. Inspectors make judgements on:

- overall effectiveness
- outcomes for children and young people
- quality of service provision
- safeguarding children and young people
- leadership and management.

19. Simply achieving the national minimum standards will not necessarily mean that an adoption agency is good or outstanding. They are, by definition, the minimum standard expected.

The evaluation schedule sets out the characteristics of inadequate, adequate, good and outstanding services, which the judgement grades are based on.

20. Adoption agencies must meet their statutory obligations as set out in legislation and regulations, and must take account of the national minimum standards and adoption 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 children and young people is considered carefully to determine how it should impact on the overall judgement. Inspectors use their professional judgement to assess the impact of any breach against other aspects of the service provided.

21. Local authorities are responsible for the placement of children and young people for adoption; voluntary adoption agencies rarely are. Therefore, roles and responsibilities differ and this is taken into account during inspection.

22. Local authority adoption agencies should monitor and report on their performance in relation to: the timescales for making the decision that adoption is in the best interests of the child; the time it takes to place children and young people with adoptive families; and the length of time before an adoption order is granted.

Therefore, inspections of local authority adoption services will focus on the performance of the local authority as a whole in relation to the adoption of children and young people. This includes the effectiveness of early permanency planning and its outcome in ensuring that all those children and young people
for whom adoption is, or may be, the appropriate plan are identified in a timely way, and that those plans are pursued without avoidable delay.

23. Inspection covers all of the adoption agency’s work. Where agencies work directly with children and young people, this includes the initiation and implementation of adoption plans in accordance with the care planning regulations and adoption legislation.

In local authorities, these functions are usually carried out by the teams responsible for looked after children and young people. Their contribution to positive outcomes for children and young people who are to be placed, or are placed, for adoption is considered, as well as the functions carried out by adoption teams.

24. When inspecting local authority adoption agencies, inspectors consider data relating to: the percentage of children and young people adopted from care; the characteristics of children and young people identified for adoption; and the time taken to agree plans for adoption and to place children and young people with an adoptive family.

25. Voluntary adoption agencies recruit adopters for a wide range of children and young people who need families, regardless of which local authority is responsible for the child or young person. Children from any local authority in the UK can be placed with adopters approved by a voluntary adoption agency.

26. Voluntary adoption agencies (and receiving local authorities who have approved the adopters) are not directly responsible for the placement of a child, and are not accountable for shortfalls in provision by the placing authority. However, they should be contributing to meeting the needs of, and promoting good outcomes for, children and young people through their recruitment, assessment, preparation and training of adopters, and through effective support of adoptive families following a child’s placement.

Therefore, how well voluntary adoption agencies and local authorities work in partnership is crucial, and will be considered during inspection.

27. Inspectors must evaluate the evidence in a particular area and consider how it best fits against the descriptors for outstanding, good, adequate or inadequate, before making a judgement. Examples of practice may be used to support more than one judgement. Judgements are made on carefully balanced consideration of the impact on children and young people, and not on a formulaic approach.
Grading inspection findings

28. Inspectors make judgements against the evaluation schedule using a four-point scale.

<table>
<thead>
<tr>
<th>Grade</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Outstanding</td>
<td>an agency of exceptional quality that significantly exceeds minimum requirements</td>
</tr>
<tr>
<td>Good</td>
<td>an agency of high quality that exceeds minimum requirements</td>
</tr>
<tr>
<td>Adequate</td>
<td>an agency that only meets minimum requirements</td>
</tr>
<tr>
<td>Inadequate</td>
<td>an agency that does not meet minimum requirements</td>
</tr>
</tbody>
</table>

29. The descriptors are hierarchical: an outstanding agency should meet the grade descriptors for an outstanding agency and also for a good and an adequate agency, and a good agency should meet those for good and adequate.

The approach following an overall judgement of inadequate

30. An overall effectiveness judgement of inadequate is made where there are failures to comply with requirements and, as a result, the outcomes for children and young people are inadequate or their welfare is not safeguarded.

31. Where a voluntary adoption agency is judged inadequate, the inspector sets requirements to achieve compliance with 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 regulation.

Inspectors may also make recommendations to help the registered person/s to improve the quality and standards of care further. Recommendations always relate to the national minimum standards or statutory guidance.

32. Where a local authority adoption agency is judged inadequate, inspectors make recommendations, clearly identifying the regulatory failures under the Care Standards Act 2000, the Adoption and Children Act 2002 and relevant adoption regulations. Ofsted is responsible only for the inspection and not the regulation of local authority adoption agencies and therefore cannot issue requirements.

Inspectors may also make recommendations to help to improve the quality and standards of care further. Recommendations should always relate to the national minimum standards or statutory guidance.
33. On making a judgement of inadequate for a voluntary adoption agency, the inspector must consult with the Compliance, Investigation and Enforcement team, and must instigate a case review where:

- there is evidence of any immediate risk to children and/or young people, breach of regulations that constitutes an offence, or breach of any conditions placed on the registration
- the last inspection resulted in a judgement of inadequate for overall effectiveness.

34. The inspector should also consider consulting with the Compliance, Investigation and Enforcement team where there is any history of:

- complaints against the voluntary adoption agency that have not been dealt with in a satisfactory way
- failures to comply with regulations and/or national minimum standards that have not been dealt with in a satisfactory way
- failures to take satisfactory action to meet requirements/actions and recommendations that call into question the suitability of the registered person.

35. The purpose of the case review is to consider whether any enforcement action should be taken. The Compliance, Investigation and Enforcement handbook contains detailed information about the criteria for instigating a case review, the enforcement options available, and the arrangements for following up enforcement activity.

36. In all instances of provision judged to be inadequate for overall effectiveness, the next inspection will normally take place within 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**

37. Each inspection is followed by a report that sets out the inspection findings using text and grades, organised under the headings below.

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Report contents

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<th>Agency information</th>
<th>Brief contextual information about the agency, including numbers of children placed and adopters approved</th>
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<td>Overall effectiveness</td>
<td>Grade</td>
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<tr>
<td>Areas for improvement</td>
<td>No grade</td>
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<tr>
<td>Outcomes for children and young people</td>
<td>Grade</td>
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<tr>
<td>Quality of service provision</td>
<td>Grade</td>
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<tr>
<td>Safeguarding children and young people</td>
<td>Grade</td>
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<tr>
<td>Leadership and management</td>
<td>Grade</td>
</tr>
<tr>
<td>About this inspection</td>
<td>Information about the legal basis for the inspection</td>
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38. The draft full inspection report is sent to the provider for a factual accuracy check within 10 working days of the end of the inspection. The registered provider or representatives should return the draft full 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

39. Inspectors focus their inspection activities on evaluating the progress of, and outcomes for, children and young people, and the quality and impact of services in helping to improve outcomes.

40. In preparation for inspection, inspectors consider the information that Ofsted has about the service. This includes:

- the annual online questionnaires completed by children, young people, adult adoptees, people who enquire about or apply to adopt, prospective adopters, adopters, birth relatives, staff and partner organisations
- previous inspection reports, including, for local authorities, any inspection of the authority's services for looked after children
- 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 change of manager
- any current or recent enforcement activity
- any self-assessment and dataset submitted
adoption data, including the percentage of children and young people adopted from care, the characteristics of children and young people identified for adoption, the timescales for their placement with adoptive families and the timescales for the approval of adoptive applicants and their characteristics

panel minutes.

We will consider other material submitted by the adoption agency, following notice of the inspection, if the agency has stated the relevance of the material to this framework and the evaluation schedule.

41. Inspection activities, where possible, include:

- gathering views from children and young people, where appropriate
- gathering the views of birth relatives
- discussion with adult adoptees
- discussion with adopters and prospective adopters
- discussion with staff and managers
- discussion with the chair of the adoption panel or other members of the panel if the chair is not available
- discussions with foster carers who provide pre-adoption placements
- gathering views from partners and stakeholders, such as placing social workers, Independent Reviewing Officers and other organisations working with the agency, for example adoption support agencies
- case file reading and case tracking
- examination of records.

42. A maximum of nine inspector days will be allocated to each local authority adoption agency inspection, and six inspector days to each voluntary adoption agency inspection. This includes time for preparation, fieldwork and report writing.

43. The inspection specifically focuses on gathering evidence against the evaluation schedule. The detail of activities undertaken and discussions held may vary depending on the lines of enquiry for each individual inspection.

**User and partner views and questionnaires**

44. In this context, users are the children and young people who are placed for adoption by the adoption agency, people who enquire about and or apply to adopt, prospective adopters, and adoptees, their birth parents, relatives or carers.
45. In this context, partners include other adoption agencies providing or purchasing placements to or from the agency being inspected, adoption support agencies, and health services.

46. We will gather the views of children and young people using online questionnaires. Inspectors will talk to children and young people whenever possible, but only with the agreement of the adopters if the child is already living with them, or with the child’s social worker if they have not placed with an adoptive family.

The identification of children and young people to participate in the inspection must be at the discretion of the adopters and social workers. It may not be possible for inspectors to talk directly to children and young people.

47. Inspectors take account of the extent to which adoption agencies have asked for and acted on the views of children and young people, their birth parents, relatives or carers, their prospective adopters and partner organisations in reviewing and improving services and outcomes. Inspectors also consider the views of those users and partners they speak to during on-site evidence gathering.

48. We ask adoption agencies to complete an annual dataset and to let interested parties, including service users, know about Ofsted’s online questionnaires. These questionnaires will be available for children and young people in different communication formats, and hard copies will also be available.

**Communication and feedback**

49. Inspectors provide regular opportunities for dialogue and feedback during the inspection. Oral feedback about provisional findings, including strengths and weaknesses in practice, is given to the adoption agency at the end of the inspection. Requirements to be set and recommendations to be made are clearly stated.

**Confidentiality**

50. Ofsted takes all appropriate steps to ensure that 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.

51. 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

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

53. The inspector has responsibility for ensuring that all the evidence gathered is robust, reliable and secure.

54. Ofsted asks the manager of the adoption agency to complete a short evaluation form following each inspection, which is used to improve the quality of inspections.

55. For 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 the views of staff at the adoption agency on the conduct of the inspection and samples the way that evidence is being gathered and used.

56. All inspection reports are subject to quality assurance procedures. These may result in changes to provisional judgements.

Conduct during the inspection

57. 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 provisions in line with frameworks, national standards or requirements
- base all evaluations on clear and robust evidence
- have no connection with the provider that 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**

58. For inspection and regulation to be productive and beneficial, inspectors and providers must establish and maintain a professional working environment based on courtesy and professional behaviour. Inspectors are expected to uphold the code of conduct, but Ofsted also expects providers to:

- be courteous and professional
- apply their own codes of conduct in their dealings with inspectors
- allow inspectors to conduct their visit in an open and honest way
- allow 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**

59. The great majority of our work is carried out smoothly and without incident. If concerns do arise during an inspection, you should raise these with the lead inspector immediately so that they can be resolved while the inspection is taking place.

60. 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.

61. Complaints are investigated in accordance with Ofsted’s published complaints procedure, which sets out how providers or users can complain about their inspection and what happens to their complaint. It is on our website: [http://www.ofsted.gov.uk/resources/complaints-procedure-raising-concerns-and-making-complaints-about-ofsted](http://www.ofsted.gov.uk/resources/complaints-procedure-raising-concerns-and-making-complaints-about-ofsted).
62. Complaints should be made in writing (including by email to enquiries@ofsted.gov.uk) to:

Sue Aldridge
Principal Officer, Complaints
Ofsted National Business Unit
Piccadilly Gate
Store Street
Manchester
M1 2WD.

More information

63. 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 inspector when they contact you.

64. If you have any other general queries about the inspections of local authority and voluntary adoption agencies, please contact Alison Bailey on 0300 123 1231 or socialcare@ofsted.gov.uk.