

National Guidance for the External Management of Residential Child Care Establishments in Scotland

June 2013

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Ministerial Foreword



We want Scotland to be the best place for all of our children and young people to grow up. If children need to be looked after away from home we want residential care to be a positive choice, not a place of last resort. The National Guidance for the External Management of Residential Child Care Establishments in Scotland focusses on the important part that external managers play in making residential child care a positive choice for children and young people.

This guidance, developed in partnership with CELCIS, emphasises the role external managers have as a safeguard for children and young people and a champion for residential child care services. It also aims to develop a shared understanding of the external management function.

In Scotland we have a dedicated residential child care sector working together to meet the needs of children and young people. All of our work is ultimately concerned with improving outcomes for children and young people and residential care is an important part of the continuum of services.

Research and practice has highlighted that robust external management plays a pivotal role in ensuring the rights and needs of children and young people are met in residential child care. We recommend that all providers of residential child care services take the time to consider the implications of this guidance for you and your organisation.



Aileen Campbell MSP
Minister for Children and Young People

Summary

The external manager must have the skills, knowledge and experience to be:

- A champion for residential child care.
- An effective safeguard for children and young people.
- A significant source of support to the 'person in charge'.

The external manager has been highlighted as key in the development of residential child care services and as a safeguard for children and young people living in residential care. This guidance clarifies the roles and responsibilities of the external manager building on the requirements already set out in regulations. The main tasks of the external manager were introduced in the [Children \(Scotland\) Act 1995 Regulations and Guidance, Volume 2: Children Looked After by Local Authorities](#) (1997).

In Scotland there are a range of individuals, across diverse provider organisations, performing the individual role of 'external manager' for residential child care services, often as one part of a varied role. They are the person or group of people identified by providers as responsible for the work of residential child care establishments but not involved in full-time day-to-day management.

The National Residential Child Care Initiative (NRCCI) set an ambitious agenda for residential child care and emphasised the importance of effective external management and governance. The review recommended greater clarity about the roles and responsibilities of external management should be set out in guidance.

This guidance draws on existing statutory requirements, research and the experiences of those currently in the role. It describes current positive practices, provides 'principles' and outlines the essential tasks and key responsibilities of the external manager.

1. Introduction

This Guidance aims to:

- Increase understanding and raise awareness about the external management role in residential child care.
- Share and promote positive practice.
- Provide principles, responsibilities and tasks of external management which will assist external managers to perform their role effectively.

1.1 The external manager has a lead role in achieving the ‘culture change’ envisioned by the National Residential Child Care Initiative (NRCCI). They must champion residential child care, promote partnership working and ensure congruence within a continuum of services for children and young people. They emphasise the centrality of relationships formed by staff with children, young people and their families. The external manager understands the importance of the ‘person in charge’ in establishing a positive culture and is an important source of support to the ‘person in charge’.

1.2 **In practice the ‘provider’, ‘external manager’ and ‘registered manager’ can be the same person, it is important therefore to provide a clear definition of the ‘external manager’ in respect of this guidance.** Any definition needs to recognise the range of residential child care service providers, from large local authorities to small independent organisations, also including secure services and some residential schools. Drawing on the [National Care Standards](#) (2005), this guidance offers the following definition for an external manager:

The person or group of people, sometimes a board or committee, identified by providers as responsible for the work of the residential child care establishments but not involved in full-time day-to-day management. The person in day-to-day charge is responsible to the external manager(s).

- 1.3** The role of the external manager has been highlighted in many reports as key to the development of residential child care services (Kent 1997, Utting 1997, NRCCI 2009, Skinner 1992). Critical inquiries have also emphasised the significance of external management as a safeguard for children and young people living in residential care (Edinburgh Inquiry 1999, Kerelaw 2009, Shaw 2007, Waterhouse 2000). Yet despite the recommendations stemming from inquiries, the role of the external manager has received little attention in the development of residential child care services (Whipp et al., 2005; Hicks et al., 2009).

This omission was highlighted in the National Residential Child Care Initiative (NRCCI) resulting in Recommendation 15:

The Scottish Government should commission a piece of work that sets out the roles and responsibilities of the external manager and governing bodies of service providers and of those commissioning services similar to that undertaken for the Chief Social Work Officer, building on the requirements already set out in regulations.

- 1.4** In 2011 the Scottish Government, in collaboration with the Centre for Excellence for Looked after Children in Scotland (CELCIS), based at the University of Strathclyde, embarked on a national scoping exercise to inform the development of the national guidance. Twenty five professionals participated in structured discussions representing statutory, voluntary and independent sector providers for residential child care, as well as inspection agencies and advocacy organisations. This guidance aims to develop a shared understanding of the external management function to help ensure all Scotland's children are safe, healthy, active, nurtured, achieving, respected, responsible and included.
- 1.5** This guidance is divided into three sections. Section 2 provides the legal, research and practice context for the role of the external manager in Scotland. Using evidence from the scoping study, Section

3 provides a comprehensive overview of the main tasks of the external manager as set out in the Children (Scotland) Act 1995 and associated regulations and guidance. The conclusion provides guiding principles and summarises the roles and responsibilities of external management in residential child care services.

- 1.6** This guidance draws on statutory requirements, national policy and guidance, research and current positive practices. This new guidance will be used as appropriate by regulators for the purposes of registration and inspection.

2. Context

2.1 Legislation and Regulations

- 2.1.1** The [Residential Establishments – Child Care \(Scotland\) Regulations 1996](#) define the manager of children’s residential establishments as different from the ‘person in charge’. The 1996 regulations are concerned with the conduct of the residential establishment with a clear focus on the functions and objectives statement. These regulations remain largely in force.
- 2.1.2** The 1997 guidance accompanying the [Children \(Scotland\) Act 1995](#) states that an external manager must be designated and outlines the main tasks as:
- Monitoring the experience of children;
 - Ensuring that practice complies with legislation, regulations and national and local guidance;
 - Supervising and supporting the ‘person in charge’;
 - Ensuring that staff are familiar with their responsibilities and equipped, through training, to perform them;
 - Ensuring that resources, including staffing, the building, furnishing and fittings are sufficient and suited to purpose;
 - Identifying the need for and instigating any necessary changes;
 - Reporting on progress to the managing authority or agency (The Scottish Office, 1997: 80).

- 2.1.3** The 1997 guidance states that written functions and objectives should include 'identifying the functions and role of external managers'. Unfortunately this is not included in the 1996 regulations which state the formal functions of the external manager (these functions can be delegated for non-local authority services). There are no specific statutory expectations of the structures of governance or management within which residential child care establishments should operate.
- 2.1.5** The [Regulation of Care \(Scotland\) Act 2001](#) set up the Care Commission and the Scottish Social Services Council (SSSC) for the registration of care services and social services staff. The [Public Service Reform \(Scotland\) Act 2010](#) replaced the Care Commission with the Social Care and Social Work Improvement Scotland (SCSWIS) (known as the 'Care Inspectorate') and gave powers to create further regulations.
- 2.1.6** The Care Inspectorate must take into account the relevant [National Care Standards](#) (published in 2005). These care standards define 'external manager' and make reference to the role of the external manager (see Appendix 1). The Care Inspectorate developed a Quality Framework for the purposes of inspection which includes statements on the quality of management and leadership.
- 2.1.7** The 2001 Act also included powers to make further regulations and the [Regulation of Care \(Requirements as to Care Services\) \(Scotland\) Regulations 2002](#) superseded some parts of the 1996 regulations. The 2002 regulations do not use 'person in charge' for those responsible for the day to day management. They prefer to use the term 'manager' which is inconsistent with the 1996 regulations. The external manager role is not discussed and is therefore not distinguished within the broader duties of the 'provider'.

2.1.8 The [Public Service Reform \(Scotland\) Act 2010](#) repealed Parts 1 and 2 of the 2001 Act and the [Social Care and Social Work Improvement Scotland \(Requirements for Care Services\) Regulations 2011](#) have subsequently superseded the 2002 Regulations. The 2011 regulations largely restate the requirements for care services including the role of provider. This includes the responsibility to appoint a manager if they do not have full-time day-to-day charge of the care service.

2.1.9. The Care Inspectorate will look at external management arrangements at the point of registration but there is currently no requirement for external managers to take part in the inspection process unless they are named as the 'registered manager'. Where young people are placed out of authority the Care Inspectorate maintain a responsibility for updating the commissioning authority. This is most likely where smaller organisations do not have extensive monitoring structures. While providers must notify the Care Inspectorate of a change in 'manager' there is no similar requirement for the external manager role.

2.2 National Policy

2.2.1 'Getting it Right for Every Child' sets out a vision for improving children's services across Scotland. Managers at all levels are expected to provide leadership and strategic support to implement the changes in culture, systems and practice required within and across agencies to implement Getting it Right for Every Child. They should also plan for the transition as staff in agencies move from the current working processes to the new child-centred processes.

2.2.2 The National Residential Child Care Initiative (NRCCI) reported in 2009, articulated an aspirational vision for residential child care as the best choice for those young people whose needs it serves. The external management of children's homes was discussed in the

Workforce report and its findings are used to inform this guidance. The series of NRCCI reports set out an ambitious agenda for change in residential child care.

- 2.2.3** In response to the NRCCI reports, the Scottish Government and the Convention of Scottish Local Authorities (CoSLA) agreed to work alongside the Association of Directors of Social Work (ADSW), providers of residential child care and other key stakeholders, to develop guidance on the roles and responsibilities of external managers and governing bodies of providers of residential care, and to provide any support required to ensure its effective implementation.

2.3 Research

- 2.3.1** There have been few empirical studies exploring the role of external management across the United Kingdom. The lessons of relevant inquiries and other significant reports conclude that where abuse has taken place external management arrangements are inadequate (See Appendix 2). Insufficient monitoring of the environment and a lack of support for staff resonates across these reports. The Children's Safeguards Review, commonly known as The Kent Report emphasised the importance of 'external eyes' and the critical role of direct line management to safeguard children (Scottish Office, 1997). A systematic review of historical abuse in residential child care concluded that legislation and policy needed to be 'fit for purpose' (Shaw, 2007).
- 2.3.2** The seminal study by Whipp, Kirkpatrick and Kitchener (2005) explored the role of external management of residential care units in England and Wales. This study highlighted the specific management challenges facing social services departments due to a multitude of competing goals and illustrated how 'an understanding of the difficulties and structural constraints involved will lead to the development of more realistic appreciations of the external

management of children's homes and their potential for change' (2005:24). One identified challenge has been the 'pressure to establish new management systems and respond to more complex legislation and guidance while being forced to implement cuts in resources and staff establishments' (2005: 183). There has not been an equivalent study in Scotland.

Six processes key to the external management of children's homes:

1. Strategy and implementation

'A capacity to join needs analysis and strategy creation and, in turn, to translate the resulting decision into operational form pays huge dividends' (page 186). This supports the findings of the Waterhouse Inquiry 'Lost in Care' which highlighted the importance of strategic planning.

2. Child placement

Across the study, this was mainly characterised by unplanned admissions and high occupancy rates. There was evidence better placements could be linked to attempts to specialise the purpose of children's homes.

3. Line management

This was highlighted as increasing specialist line manager posts and devolved responsibilities to unit managers. Supervision could still be dominated by a 'custodial' approach. Managers face competing demands and needed to protect supervision (page 188). A lack of clarity in objectives can limit line management.

4. Managing staff

There needs to be an awareness of the culture of public administration, there is a shift towards a human resource management approach. This includes planning and delivery of training for residential staff (page 189).

5. Monitoring and control

There needs to be a balance between regulatory and developmental inspection. There is a specific role in advice to unit managers and support for staff (page 191).

6. Management of external placements

There was greater involvement of senior management than in the past. There was evidence of data not being collected or analysed to inform the decision making processes.

Whipp, R., Kirkpatrick, I. & Kitchener, M. (2005) *Managing Residential Child Care: A Managed Service*, Houndmills, Basingstoke: Palgrave MacMillan (Pg 186-193).

The researchers found that the organisational culture and value of residential child care is paramount in defining the role of external management. They also emphasised that the external management of residential child care services is not simply the relationship between an external manager and the 'person in charge', highlighting the need for an 'inclusive' orientation:

'Building an understanding of the external management of children's homes needs to encompass not only the home and the line manager but also residential staff, service and resource managers, fieldworkers, senior managers, support staff, other professionals, those responsible for inspection, and members of social services committees' (Whipp et al., 2005:192).

- 2.3.3** An English study of 45 residential children's homes (30 local authority homes and 15 from the non-statutory sector) found that the process through which residential child care is provided was central to young people's positive outcomes. The study highlighted:

'Overall, what seemed to matter in children's homes was that the manager was accepted as **embodying good practice from within a clear ethos** and had positive strategies for working both with the behaviour of young people and in relation to their education, and importantly, was capable of enabling staff to reflect and deploy these strategies' (Hicks, 2008:242).

Although this study was focused on the role of the unit managers, the importance of the external manager in the recruitment, training and support of unit managers to fulfil their roles effectively is essential.

2.4 Existing Practice

2.4.1 Across Scotland it is recognised there are a diversity of providers with different structures of management and practice models. It is important to emphasise that this guidance is not prescriptive in who performs the role of external manager and how the functions of external management are exercised. The scoping exercise highlighted many similarities within sectors (for example, local authority structures are broadly comparable); however, across private and third sector providers there is considerable diversity.

2.4.2 Whilst recognising that the views of those involved in the scoping study recommended that any guidance should not be overly prescriptive, it is important to emphasise that most participants described a systematic approach to oversight and monitoring and these arrangements must be adequate. Where there was evidence of shared or delegation of responsibilities there was an emphasis on this being appropriate to the role, position and skills of the individuals concerned. Delegation of tasks, where appropriate, cannot become an abdication of responsibilities.

2.4.3 With regard to the multiplicity of structures within which residential establishments exist, it is the responsibility of individual organisations to decide who the external manager is with reference to this guidance. There is general agreement that young people and families need to know who the external manager is, and most specifically who the 'person in charge' is accountable to. In the scoping study there were occasions where identifying where the external management responsibilities lay required some interrogation.

2.4.4 Considering the importance of this role we would recommend that the registration of services includes the identification of the person or group of people with external management responsibilities and the Care Inspectorate are informed of any changes.

2.4.5 A number of external managers commented on not having enough time to visit services as much as they would like, whilst others noted the need for them to take a 'back seat' on day-to-day issues. Structures must allow those with external management responsibilities to have adequate opportunities for direct monitoring balanced with sufficient critical distance from the day-to-day management of individual establishments.

3 The External Management Tasks

This section further explores existing practice in the context of the key responsibilities outlined in the 1997 guidance.

3.1 Monitoring the experiences of children

Sharing learning from the scoping study

One external manager for a large voluntary organisation emphasised the importance of meeting with all new residents as soon as possible to ensure they knew who he was and how the young person could contact him.

Another external manager working for a private provider noted that monitoring had to be separated from supervision of the 'person in charge' to ensure that monitoring was not overly reliant on the supervisory relationship. Other methods were required.

One external manager spoke of accessing reports and case notes on their IT database and felt this allowed them to enhance their oversight of care planning.

One of the organisations described a **residential services monitoring group** chaired by a senior manager which met quarterly, consisting of children's rights officers, complaints officers, advocacy groups and young people which considered any arising issues.

3.1.1 Regular and rigorous monitoring of the experiences of children and young people in residential settings are an essential role and responsibility of the external manager. In order for an external manager to have a full understanding of the operations of the home, it is crucial for her/him to have routine contact with the children and

young people by visiting the home on a regular basis. External managers should be aware of the different shift patterns and visit accordingly to monitor children's experiences throughout the day and at different times of the year. We heard various views on how often external managers should visit from those involved in the scoping study. Actual practice ranged from daily visits (easier for those 'on campus') to four times a year. We would recommend that external managers will know how frequently they should visit and respond to differing needs of the 'person in charge' or services at times of crisis. We would suggest that external managers should agree this with individual services and in consultation with young people but ensure they visit at least once a month (and not always to supervise the 'person in charge').

- 3.1.2** The children and young people should know who the external manager is and how he/she can be contacted. The external manager should have extensive knowledge of the needs of children and young people placed in a residential setting.

- 3.1.3** The external manager should ensure effective feedback opportunities are established and adhered to for children, young people, families/carers and professionals to express their views. These should take into account the variety of communication needs. To support this process, the external manager should be supportive of the work of advocacy organisations. The external manager should be informed of all complaints and concerns raised by children and young people, families and professionals.

- 3.1.4** Monitoring experiences will also involve regular checks on record keeping, up-to-date care plans and inspection reports. The Care Inspectorate requests the attendance of the external manager and/or a member of the board of governors to the formal feedback session following inspection.

3.1.5 Monitoring the group living environment and cultures of practice are a key task of the external manager. This will include monitoring and acting upon patterns in reports of significant events, for example, absconding and physical restraint (See Holding Safely guidance (2005) for good practice).

3.1.6 External managers have a central role in 'gatekeeping' for residential child care services. The scoping study highlighted a variety of involvement in admissions policy. Positive reflections were shared when external managers were actively involved in admissions and the views of the 'person in charge' and the whole team were taken into account prior to a final decision. External managers must have an active involvement in admissions and transitions of children and young people. Consultation with the unit manager is key to good decision-making. An external manager must have knowledge of resource provision and what will best meet the needs of children and young people.

3.2 Ensuring that practice complies with legislation, regulations and national and local guidance

3.2.1 Residential child care staff can often feel quite remote and unaffected by national developments. It is imperative that front line staff in residential child care have access to training and briefing on new policy and procedures. Specifically 'Getting it Right for Every Child' requires local implementation with recognition that residential staff are an integral part of the team around the child.

3.2.2 Similar to the need for compliance is the need for congruence and the external manager must have an overview of services to ensure that their work is consistent with the organisational goals and objectives and is an integral part of children's services.

- 3.2.3** Consolidated experience of residential child care can help external managers fulfil their role. Regardless of experience, the external manager must maintain a good knowledge of relevant statutory frameworks effecting and influencing the delivery of residential child care. A good awareness of relevant statutory expectations will mean that external managers will be able to see non-compliance when he/she sees it in practice; hears of it in supervision and team meetings or reads about it in incident reports or complaints.
- 3.2.4** The monitoring role of the external manager must include an oversight on statutory compliance (even if most of the responsibility in this area appears to be delegated to the 'person in charge').
- 3.2.5** The external manager has a key role where allegations are made against staff (see SIRCC (2011) [Allegations against residential workers: Guidance on how agencies should respond](#)).

3.3 Supervising and supporting the ‘person in charge’

Sharing learning from the scoping study

- ✓ Regular supervision requires protected time and no interruptions.
- ✓ Supervision is focused on the role and management of the ‘person in charge’.
- ✓ Supervision is not always held in the children’s residential setting to enable critical distance.
- ✓ Professional development is always an agenda item.
- ✓ The person in charge has an opportunity to discuss opportunities and challenges.
- ✓ Develop peer support meetings for ‘persons in charge’ across residential settings.
- ✓ Supervision is a separate activity from monitoring children’s experiences.
- ✓ Informal supervision through regular contact is highly valued.

3.3.1 ‘Persons in charge’ highly valued the informal support of external managers. Developing a good working relationship is essential to this role. Clear communication and recognition of boundaries should be set out to ensure all can effectively fulfil their role.

3.3.2 Ensuring the ‘person in charge’ is supervised effectively is a key responsibility of the external manager. In the majority of scenarios, supervision is conducted by the external manager, although this can depend on the line management structure of an organisation. External managers must be available to the ‘person in charge’ – either in person, by telephone or email contact.

3.3.3 As highlighted in the Kerelaw Inquiry (2009), it is an essential safeguarding role of the external manager in ensuring the ‘person in charge’ is working appropriately and receiving support. Organisational

supervision procedures should be sufficiently flexible to respond to the challenging role of the 'person in charge'.

3.3.4 Managing referrals and making decisions about placement beginnings and endings is a key responsibility of the external manager and also a potential source of strain in the relationship between the external manager and the 'person in charge'. Positive experiences appear to be characterised by a shared responsibility for placement decisions, a good knowledge of the service's strengths and a consideration of the needs of the other young people in the placement.

3.4 Ensuring that staff are familiar with their responsibilities and equipped, through training, to perform them

Sharing learning from the scoping study

- ✓ All larger organisations had corporately designed supervision and appraisal systems – there was a recurring theme that these often needed some (unofficial) amendment or additional parts added in order that they were relevant to the role of the 'person in charge'.
- ✓ One rural local authority developed group 'cultures of learning' within residential settings due to logistical challenges in attending further education. More experienced and senior staff were able to share reflective practice. This led to greater dialogue about practice within the residential settings and provided a rich resource valued by a wide range of staff.

3.4.1 The focus of the external manager must be the 'person in charge' and other senior staff. The 'person in charge' should have a current professional development plan and receive regular formal supervision. The external manager must also ensure that the 'person in charge' has these plans in place for all staff.

3.4.2 Experience and knowledge of residential child care will enable the external manager to have a clear understanding of the professional development needs of frontline staff. They will also have a commitment to ensuring the relevant development opportunities are available to all staff. This commitment will go beyond mandatory training to further the knowledge and skills which enable frontline staff to meet the needs of the children and young people they look after.

3.5 Ensuring that resources, including staffing, the building, furnishing and fittings are sufficient and suited to purpose

3.5.1 An external manager should have a comprehensive overview of the short-term and long-term needs of every residential child care provision. Regular financial updates are required and can be achieved through close working with the 'person in charge' and finance officer. Establishing a positive three-way relationship was considered by many to be key; this allowed delegation to the 'person in charge' to have budget responsibility. This was emphasised as particularly important in allowing flexibility for extra staffing.

3.5.2 Projecting and prioritising future expenditure is essential. Ensuring that there is corporate awareness of the actual financial costs of a residential provision is part of the role of an external manager.

3.5.3 In terms of maintenance of the building, respondents emphasised that a residential home needs to be more than just 'wind and water tight'. The external manager should have a vision for residential care that recognises the importance of providing a high-quality environment.

3.6 Identifying the need for and instigating any necessary changes

Sharing learning from the scoping study

- ✓ Organisations with an agreed philosophy of care (e.g. trauma informed, attachment promoting) evidenced a clear sense of direction for their individual services.
- ✓ The role of leading change is largely delegated to the 'person in charge' and the leadership role of the 'person in charge' was inextricably linked to a trusting relationship with the external manager.
- ✓ While priorities are identified by managers there is an increasing need to agree changes at an interagency level.
- ✓ A shared understanding of purpose and a clear referral and admissions process, with external managers playing a key role in 'gate-keeping', can have a major effect on the need for change.

3.6.1 The external manager will have a strong sense of service development and the need for services to learn from and respond to current research, policy and legislation. Experience of residential care could help the manager in fulfilling this task, this experience can give the external manager credibility with the whole team.

3.6.2 The external manager should be promoting positive outcomes for all looked after children and young people in a residential setting. This requires an understanding of the individual child and also of the group.

3.6.3 The external manager will also have experience of instigating change and will have a relationship with the 'person in charge' and their team

which creates an environment where staff at all levels have the opportunity to influence and direct necessary change.

3.6.4 Where changes are necessary to ensure that services are up to date with local or national developments the external manager has a role to play to ensure professional development opportunities are available to front line staff in residential care.

3.7 Reporting on progress to the managing authority or agency

3.7.1 The external manager can often be the conduit between the front line service and the broader organisation. As a champion they will positively present the work of the front line service but they also model the openness and transparency they expect from the residential service.

3.7.2 The external manager also has a role in promoting a learning culture where residential services actively review their work and make development plans. It is important that external managers are involved and present during Care Inspectorate announced inspections and are clear in their responsibilities in relation to all other regulatory activities.

3.7.3 The external manager should ensure effective reporting systems are in place within and between agencies.

4. Conclusion

4.1 Principles of practice – External manager for residential child care establishments

The external manager has a lead role to play in achieving the ‘culture change’ envisioned by NRCCI. There is a key link between the residential child care setting and the broader organisation, as well as other agencies at all levels, promoting partnership working and ensuring congruence.

The external manager must have a strong sense of the role that residential child care plays in the continuum of services for children and young people and the contribution it can make to achieving good outcomes for children and young people. Central to achieving these outcomes will be the relationships formed by front line staff with children, young people and their families and the external manager will ensure, with the help of the ‘person in charge’, that the workforce are best prepared for their role.

The external manager understands the importance of the ‘person in charge’ in setting the tone and establishing a positive culture within the residential environment. The external manager should be one of the most important sources of support for the ‘person in charge’ – providing informal and formal opportunities.

They will promote evidence based residential child care as a positive option for those children and young people whose needs it serves and challenge the perception of residential child care as a last resort.

The external manager must also ensure that the structures support the positive culture and where necessary instigate the changes required to decision making and communication systems.

4.2 Key requirements of an external manager

In summarising the content of this guidance we offer the following as 'Key Requirements' for fulfilling the external management role:

The external manager must have the skills, knowledge and experience to be:

- A champion for residential child care.
- An effective safeguard for children and young people.
- A significant source of support to the 'person in charge'.

4.3 Key Responsibilities and Essential Tasks

In the scoping exercise it was clear that participants did not want a "checklist" of things the external manager must do. However, we felt it was important to reaffirm the list included in the 1997 guidance and, in gathering evidence for the scoping exercise, imperative that we expand on this. We would recommend that external managers use this list to reflect and review their role and not as an exhaustive list of duties.

Key Responsibilities

- Ensure that acceptable standards are maintained
- Monitoring the experiences of children
- Ensure that practice complies with all legislation, regulations and national and local guidance.
- Develop a relationship with the 'person in charge' which allows them to best support and constructively challenge.
- Ensure all staff are aware of their responsibilities, properly supported and have clear professional development plans.
- Ensure the home and physical environment is in a good state of repair, and ensure any problems are dealt with swiftly.
- Identifying the need for and instigating any necessary changes;
- Reporting on progress to the managing authority or agency

- Ensure the work of their own organisation is informed by the views of children and young people.
- Ensure robust and fair policies are in place to oversee any allegations made against staff to safeguard both young people and staff.
- Promote the objectives, purpose and values of the organisation, and in this particular case the residential unit.

Essential tasks

- Professional supervision and appraisal of 'person in charge' (including the development of an appropriate professional development plan).
- Involvement in the recruitment of the 'person in charge'.
- Provide young people and their families with an outline of how the above responsibilities will be met.
- Regular visits to the residential establishment.
- Manage referrals and make decisions about placement admissions and transitions.
- Receive and read all complaints and incident reports from the residential establishment.

4.4 Final Comment

This guidance reaffirms the key messages from existing research and policy. The reference to existing statute also ensures that this guidance has a formal relevance to all providers of residential child care services. In addition to this, the contribution of staff from across the sector has provided valuable evidence of positive practice and further emphasised the importance of the individuals in external management roles. We would expect that all providers of residential child care services will use this guidance to review their external management arrangements and make any changes necessary to ensure that children and young people receive the highest standards of care.

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Appendix 1

National Care Standards

The National Care Standards Committee (NCSC) developed National Care Standards to describe what each individual child and young person can expect from the service provider. The Standards include reference to the role of the external manager as follows:

Care Homes for Children and Young People

Standard 7.6 - You know that external managers monitor the care you receive in the care home. The quality and performance of the care home and children and young people's views and complaints are monitored. The external manager or board makes sure the manager is suitable for the role.

Standard 18.7 - A summary of complaints and outcomes is provided regularly to external managers and is outlined in the annual report.

From the Glossary:

External manager

The person or group of people, sometimes a board or committee, responsible for the work of the care home but not involved in day-to-day management.

School Care Accommodation Services

Standard 7.2 - You can be assured that staff are supervised and appraised. They have access to advice and support when they do their jobs. The roles and responsibilities of the manager of the care service, school headteachers, and external managers are clear to you.

Standard 7.6 - You know that external managers monitor the care you receive in the school or hostel. The quality and performance of the school or hostel and children and young people's views and complaints are monitored. The external manager or board makes sure that the manager is suitable for the role.

Standard 17.7 - A summary of complaints and outcomes is provided regularly to external managers and is outlined in the annual report.

From the Glossary:

External manager

A manager or group of managers responsible for the running of the school or hostel who is not based in the school or hostel. The person in day-to-day charge of your school or hostel is responsible to the external manager(s).

Appendix 2

Key Inquiries and Reports

Key Inquiries & Reports	Key messages for external managers
<p>Another Kind of Home: A review of residential child care (Scottish Office, 1992) Commonly known as <i>The Skinner Report</i>.</p>	<p>'It is important that middle managers have a good understanding of the homes tasks and functions and that they have a clear responsibility to ensure a high quality of care in the homes for which they are responsible' (p.82).</p> <p>Good management of residential child care services should be based on effective strategic planning and a vision for residential child care. This strategic role for middle managers is emphasised while at the same time recommendations to increase the operational responsibilities of 'officers in charge' (Rec.63). Skinner concludes that the responsibility for affecting the required change and improvement to residential child care lies primarily with external managers.</p>
<p>'Choosing With Care' – The Warner Report - The Report of the Committee of Inquiry into the Selection, Development and Management of Staff in Children's Homes (HMSO, 1992)</p>	<p>This report was focussed on the selection, development and management of staff in children's homes. It considered grouping homes under a single manager and linking management of homes to fieldwork.</p> <p>The report recommended that employers, wherever possible, should ensure that the person to whom heads of homes report has experience of residential care (Rec.41).</p> <p>In discussion with residential child care staff the writers found that the respect for the external manager is diminished if they do not have residential experience (p.94). In the same report it was suggested that an induction for the external manager would help increase knowledge. Another issue identified was that of accountability and the importance of staff knowing who they were accountable to and who their manager was accountable to.</p>

<p>The Children's Safeguard Review (Kent, 1997).</p>	<p>The Children's Safeguard Review (The Kent report) reported on the measures and arrangements for protecting children in out of home care across Scotland. The external manager is considered as one of the potential safeguards 'residential units benefit from having a line manager who knows the staff and the residents well, and is liked and trusted by them' (p.79).</p> <p>The report considered the role of 'external eyes' in providing safeguards for children in residential care suggesting the importance of independent visitors and advocates but also noting that not all "external eyes" should be independent of responsible authorities.</p> <p>'A key figure in the protection of children should be the dedicated line manager, outside the children's unit, who specialises in child care or better still in residential child care, having had experience of working in it' (Rec.48).</p> <p>The report also recognised the pressure these individuals can be under and the workload sometimes affecting their capacity to offer the level of support required. It is recognised that employers must recognise the importance of senior staff maintaining contact with residential units (Rec.49).</p>
<p>"People Like Us" (Utting 1997)</p>	<p>A review of safeguards for children living away from home in England and Wales. It noted that external management should be:</p> <p>"continually vigilant in safeguarding the welfare of the children for whom they are responsible. The role of the external manager is critical to preventing abuse" p.174</p> <p>The report noted weaknesses in arrangements for visiting services and emphasised the key role the external manager has in supervising the person in charge and ensuring supervision is available to all staff.</p> <p>The report concluded that "overall excellence" was the best safeguard and a "protective strategy" must include management which "pursues overall excellence and is vigilant in protecting children and exposing abuse" p.1</p>

Edinburgh's Children: The report of the Edinburgh Inquiry into the abuse and protection of children in care (Marshall et al., 1999)

There were a number of references to the role of external management:

Lesson 12: External managers did not recognise that there were serious problems in one of the homes investigated.

Lesson 14: The children in Dean House (home run by independent organisation) were not aware of McLennan (convicted of sexual and other abuses against children) having a boss.

Lesson 23: Staff in Dean House experienced the governors as distant. They said that their attempts to talk about their concerns were not responded to.

Lesson 26: There was no clear allocation of roles and responsibilities and no clear accountability.

There were particular comments on the visits of external managers. In the Director of Social Work's contribution he notes that: 'the external manager of a residential unitis a key person in picking up on regular visits any oppressive or inappropriate behaviour'. This monitoring can include planned and unplanned visits, attendance at meetings (staff and residents), supervision of the unit manager, involvement in training days, sampling of case files/care plans, reading of incident register etc (p.181).

However, he noted that 'these visits had been reduced' (due to 'financial restructuring'). The Inquiry found that external managers did visit units but frequency and time on site had been adversely affected by increased responsibility on the individuals concerned. It also noted that some young people did know the name of the external manager but others did not and this may be a cause for concern (Lesson 14).

The Inquiry recommends that sufficient time was allocated to external managers to visit units and senior management should recognise the value of these visits (Rec. 69).

The report also raised concerns about the accountability of residential homes, especially within independent organisations and the role of their external management.

<p>'Lost in Care' - The Waterhouse Report investigated the abuse of children in care in the former county council areas of Gwynedd and Clwyd since 1974 (Waterhouse et. al., 2000)</p>	<p>The report is critical of all levels of management in the local authorities, especially in relation to the monitoring and supervision of the homes.</p> <p>The section in relation to Clwyd describes senior management as having a 'lack of awareness of its responsibility to safeguard and promote the welfare of the child' and also noted that 'weakness of management arrangements' contributed to the lack of care (p.91).</p>
<p>Historical Abuse Systemic Review: Residential schools and children's homes 1950 – 1995 (Scottish Government, 2007)</p>	<p>The Tom Shaw report recommended that legislation and policy should be evaluated for fitness for purpose (p.155).</p> <p>It also suggested setting up a task force which would, among other things, ensure that monitoring and inspection of residential child care services would focus on what can be done to best safeguard children and enable them to achieve their potential (p.156). Support for staff from external managers was key (p.204).</p> <p>Effective monitoring and inspection was given particular significance in the concluding remarks emphasising that good governance, external evaluation, informed supervision and support and good guidance contribute to the best protection of children in residential child care (p.161).</p>
<p>National Residential Child Care Initiative (NRCCI) (2009)</p>	<p>The National Residential Child Care Initiative reported in 2009, producing four substantial reports.</p> <p>The workforce report makes specific reference to the role of the external manager and recommends this piece of work as well as reaffirming those from the Kerelaw report in relation to supervision and professional development of unit managers.</p> <p>Another significant issue raised within NRCCI was the responsibility of local authorities for young people placed out of authority or with non-local authority providers.</p>

	<p>There are no statutory requirements for the structures of management or governance which mean that these can be varied. The workforce report states that the expectations of the external management of services should apply to all regardless of structure.</p>
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