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STATUTORY INSTRUMENTS

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**2023 No. 416**

**The Supported Accommodation (England) Regulations 2023**

**PART 2**

**Quality standards and related matters**

**Quality standards for supported accommodation undertakings**

**3.** The following standards are prescribed for the purposes of section 22(1A) of the Care Standards Act 2000 as it applies in relation to supported accommodation undertakings by virtue of the 2022 Regulations—

- (a) the leadership and management standard (see regulation 4);
- (b) the protection standard (see regulation 5);
- (c) the accommodation standard (see regulation 6);
- (d) the support standard (see regulation 7).

**The leadership and management standard**

**4.—(1)** The leadership and management standard is that the registered person enables, inspires and leads a culture in relation to the supported accommodation undertaking that puts children first and prioritises their wellbeing and development.

(2) In particular, the standard in paragraph (1) requires the registered person to—

- (a) lead and manage the supported accommodation undertaking in a way that is consistent with the ethos, and delivers the outcomes, set out in the undertaking’s statement of purpose;
- (b) ensure that staff work effectively as a team, where appropriate, to meet the needs of children;
- (c) ensure that staff have the experience, qualifications and skills appropriate for the work that they are to perform;
- (d) ensure that the supported accommodation undertaking has sufficient staff to support and accommodate children safely and effectively;
- (e) implement recruitment practices that ensure staff are suitable to work with children and to keep them safe from harm<sup>(1)</sup>;
- (f) ensure that arrangements are in place to manage referrals of children to the supported accommodation undertaking and admissions of children to premises used as supported accommodation, including, where relevant, emergency referrals and admissions;
- (g) ensure that arrangements are in place for the supervision, training and development of staff;
- (h) ensure that each child is fully aware of their entitlements throughout the duration of their placement in supported accommodation, including—

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<sup>(1)</sup> Section 121 of the Care Standards Act 2000 defines “harm” as ill-treatment or the impairment of health or development.

- (i) what they can expect from the provision of supported accommodation,
  - (ii) their entitlement to education,
  - (iii) where relevant, their entitlements as a looked after child,
  - (iv) where relevant, their entitlements as a care leaver, and
- where necessary, support each child to access those entitlements;
- (i) ensure that staff have the skills necessary to support children to identify, access and receive their entitlements in a way that helps them to learn to identify, access and receive their entitlements independently in the future;
  - (j) ensure that a workforce plan (see regulation 10) for the supported accommodation undertaking is in place;
  - (k) ensure that a business continuity plan is in place, outlining the actions the registered provider will take during unplanned disruption, covering all areas of the undertaking's operation, including staffing, premises and emergency scenarios.

### **The protection standard**

5.—(1) The protection standard is that children are enabled to feel safe and that their needs are met.

- (2) In particular, the standard in paragraph (1) requires the registered person to—
  - (a) ensure that children—
    - (i) are protected from harm;
    - (ii) are enabled to keep themselves safe;
    - (iii) have their individual needs met;
    - (iv) have 24-hour access to help in a crisis or emergency situation;
  - (b) prepare and implement child protection policies;
  - (c) ensure that the effectiveness of child protection policies is kept under review and ensure that, where appropriate, those policies are revised;
  - (d) comply with requests from a local authority to provide it with information relating to a child for which it is the accommodating authority;
  - (e) ensure that there is a suitable person representing the supported accommodation undertaking available to attend any meeting the accommodating authority may hold about a child;
  - (f) ensure that staff—
    - (i) are familiar and act in accordance with child protection policies;
    - (ii) have the skills to identify and act upon signs that a child is at risk of abuse, neglect, exploitation or any other harm, and act to reduce such risk;
    - (iii) work collaboratively with children to help them understand how to keep safe, by offering guidance and support on how to minimise any potential risk of harm;
    - (iv) work collaboratively with other professionals and agencies, and share information where relevant to keep children safe;
    - (v) support children to maintain appropriate and safe relationships with family, friends and other people who are important to them;
    - (vi) understand the relevant roles and responsibilities assigned to them by the registered person in relation to protecting children.

## **The accommodation standard**

6.—(1) The accommodation standard is that children experience a comfortable and secure living environment.

- (2) In particular, the standard in paragraph (1) requires the registered person to—
- (a) ensure that the location of the premises used as supported accommodation is suitable for the category or categories of supported accommodation provided, by—
    - (i) reviewing the appropriateness and suitability of the location of each of the premises used as supported accommodation (“a location assessment”), and in doing so, consulting and taking into account the views of each relevant person;
    - (ii) carrying out a location assessment of each of the premises used as supported accommodation at least once in each calendar year;
  - (b) ensure that the premises used as supported accommodation—
    - (i) provide stability and consistency of accommodation for children;
    - (ii) enable children to have consistent and continuous access to local services, including education and healthcare;
    - (iii) promote children’s positive self-esteem and sense of belonging within the local community, and discourage stigmatisation of children;
    - (iv) are located so as to enable children to actively participate and form relationships in the local community;
    - (v) are designed and furnished so as to meet the needs of each child individually and all children collectively;
    - (vi) are suitable for the purposes of supported accommodation and are accessible, safe, secure and well-maintained;
    - (vii) offer a comfortable, positive and nurturing environment, while respecting children’s need for privacy;
    - (viii) are adequately maintained so as to provide a welcoming and homely environment within both individual and shared living spaces;
    - (ix) are designed, furnished and maintained to remove avoidable hazards which could pose a health and safety risk to children;
    - (x) comply with all relevant statutory provisions dealing with health and safety or fire safety matters;
  - (c) only use devices for monitoring or surveillance in communal areas and then only if—
    - (i) the monitoring or surveillance is for the purposes of safeguarding and promoting the welfare of children,
    - (ii) each child’s accommodating authority consents to the monitoring or surveillance,
    - (iii) children are informed in advance of the intention to carry out monitoring or surveillance, and
    - (iv) the monitoring or surveillance is no more intrusive than necessary, having regard to each child’s need for privacy;
  - (d) ensure that each child is provided with a private bedroom—
    - (i) with sufficient space to accommodate a reasonable number of personal possessions,
    - (ii) which is equipped to meet the child’s individual needs,
    - (iii) which has sufficient telephone or internet connectivity in order to enable the child to maintain relationships and feel connected, and

- (iv) which is physically secure;
- (e) ensure that each child is provided with basic items such as bedding, towels, personal hygiene products and kitchen equipment, where the child does not have access to such items;
- (f) provide children with a written agreement, in an accessible format, which outlines their rights, the terms and conditions of the supported accommodation and how they can raise concerns about the provision of supported accommodation;
- (g) ensure that the supported accommodation undertaking has adequate levels of insurance to cover all aspects of the provision of supported accommodation.

### **The support standard**

7.—(1) The support standard is that children receive individual and tailored support that meets their needs.

- (2) In particular, the standard in paragraph (1) requires the registered person to—
  - (a) ensure that children are encouraged and enabled to take a lead role in determining the support they receive and to participate in and influence how the supported accommodation operates;
  - (b) ensure that plans for support are based on initial referral information, are meaningful and are created in full consultation with the child, taking account of relevant plans for the child;
  - (c) keep the child's support under review, taking into consideration the plans for support, and relevant plans, to ensure that the child's needs continue to be met and that the child is kept safe;
  - (d) co-operate with the child's accommodating authority in agreeing the child's placement plan or, as the case may be, pathway plan;
  - (e) comply with requests by the child's accommodating authority to provide—
    - (i) the accommodating authority with information relating to the child;
    - (ii) a suitable representative to attend any meeting the accommodating authority may hold about the child;
  - (f) engage and work with the accommodating authority if the registered person has concerns or if the child's support needs to be changed, including where that change may mean that the child requires more intensive support;
  - (g) ensure that processes are in place to enable children to access support from other organisations and community services, such that they are encouraged and enabled to access a range of services, including those offered by advocacy organisations and training providers;
  - (h) in the event that the registered person or a member of staff considers that an accommodating authority or a relevant person is failing to provide the support set out in a child's relevant plans, make representations, or, as the case may be, enable staff to make representations, to the accommodating authority or relevant person with a view to ensuring that the child's needs are met;
  - (i) ensure that staff seek to develop and maintain effective professional relationships with such individuals or organisations that the registered person considers appropriate, having regard to the range of needs of children for whom it is intended the supported accommodation undertaking is to provide support and accommodation;
  - (j) before a child arrives or upon a child's arrival, ensure that the child is given a written guide, in an accessible format, containing information about—

- (i) the support and accommodation provided by the supported accommodation undertaking;
- (ii) what advocacy support or services are available, how the child may access that support or those services, and any entitlement the child may have to independent advocacy;
- (iii) how to make a complaint or representation in relation to the support and accommodation provided and how any such complaint or representation will be dealt with;
- (iv) what services and facilities are available that take account of children's needs arising as a result of cultural differences or disability;  
and which the registered person must keep under review, seeking children's comments before revising the written guide;
- (k) ensure a plan for support is in place to support the child to develop the resilience and skills required to transition out of supported accommodation when the child is ready to live more independently;
- (l) ensure that an adequate level of support is available to the child to assist with the transition out of supported accommodation;
- (m) ensure that children are supported to access education, training or employment;
- (n) ensure that children are supported to understand and manage the impact of any experience of abuse or neglect.

**Duty to have regard to statements of national minimum standards published under section 23 of the Care Standards Act 2000**

8. If the Secretary of State publishes a statement of national minimum standards applicable to supported accommodation undertakings under section 23 of the Care Standards Act 2000<sup>(2)</sup>, the registered person must have regard to the statement.

**Statement of purpose**

9.—(1) The registered person must compile a statement (“the statement of purpose”) which covers the following matters in respect of the supported accommodation undertaking—

- (a) its purpose, including its ethos, core aims and function;
- (b) the category or categories of supported accommodation it offers;
- (c) the services it provides for children it accommodates and supports;
- (d) the characteristics of the children for whom it is intended the supported accommodation undertaking will provide accommodation and support, including the age range, number and sex of the children;
- (e) the facilities it provides to the children it accommodates;
- (f) a description of the accommodation it provides, including how the accommodation meets the accommodation standard (see regulation 6), how the accommodation might be adapted to meet the individual needs of children it accommodates and the security arrangements in place;

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(2) Section 23 was amended by the Adoption and Children Act 2002 (c. 38), Schedule 3, paragraph 110, the Health and Social Care (Community Health and Standards) Act 2003, Schedule 9, paragraph 21, the Children and Young Persons Act 2008, section 28(6) and the Children and Families Act 2014, section 104.

- (g) the address of the registered provider’s principal office, except where this is the same address as where the children are accommodated;
  - (h) the organisational structure, including management structure and staffing arrangements;
  - (i) how it ensures that the child’s rights and views are at the centre of the support, service delivery and planning;
  - (j) the arrangements in place to ensure a child is fully aware of their entitlements throughout the duration of their placement in supported accommodation;
  - (k) the positive outcomes the service seeks to achieve for children and its approach to achieving those outcomes;
  - (l) the arrangements in place to support the development of children’s independent living skills, in line with their identified individual needs;
  - (m) the arrangements in place to promote children’s involvement and progress in education, training or employment;
  - (n) the arrangements for and policies on protecting and promoting the mental and physical health needs of children, including medication handling, recording and safekeeping;
  - (o) anti-discriminatory practices in respect of children and their families;
  - (p) how it supports the cultural, linguistic and religious needs of children;
  - (q) details of who to contact if a person has a complaint and how that person can access the complaints procedure (see regulation 31);
  - (r) details of how a person involved in the support or protection of a child can access the supported accommodation undertaking’s child protection policies.
- (2) The registered person must provide a copy of the statement of purpose to the CIECSS and make a copy of it available on request to—
- (a) a member of staff of the supported accommodation undertaking;
  - (b) a child, or a child for whom supported accommodation provided by the supported accommodation undertaking is being considered;
  - (c) a parent<sup>(3)</sup> of a child, or a parent of a child for whom supported accommodation provided by the supported accommodation undertaking is being considered;
  - (d) a child’s accommodating authority.
- (3) The registered person must—
- (a) keep the statement of purpose under review and, where appropriate, revise it, and
  - (b) notify the CIECSS of any revisions and send the CIECSS a copy of the revised statement within 28 days of the revision.
- (4) Subject to paragraph (5), the registered person must ensure that the supported accommodation undertaking is at all times conducted in a manner which is consistent with its statement of purpose.
- (5) Nothing in paragraph (4) requires or authorises the registered person to contravene or not comply with—
- (a) any other provision of these Regulations, or
  - (b) any conditions in relation to the registration of the registered person under Part 2 of the Care Standards Act 2000.

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(3) Section 121 of the Care Standards Act 2000 defines “parent”, in relation to a child, as including any person who is not a parent of the child but who has parental responsibility for the child, and “parental responsibility” has the same meaning as in the Children Act 1989 (see section 3).

## **Workforce plan**

**10.**—(1) The registered person must compile, in relation to the supported accommodation undertaking, a plan (“the workforce plan”) which covers the following matters in respect of the recruitment and employment of all staff—

- (a) the management and staffing structure;
  - (b) the experience and qualifications of managers and other staff, and any further training required for those managers and staff;
  - (c) the processes and timescales for staff to complete induction, probation and core training, including in safeguarding and health and safety;
  - (d) the process for managing and addressing poor performance;
  - (e) the process and timescales for supervision and monitoring of staff.
- (2) The registered person must—
- (a) keep the workforce plan under review and, where appropriate, revise it, and
  - (b) make a copy of the workforce plan available on request to the CIECSS.