



COVID-19

Summary Update from our Regulators – Updated 18th January 2021

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Extraordinary days every day

Regulator's rolling update

Ofsted

It is essential that we continue to deliver high quality compliant services. The regulations as they apply to our registered services are still in force. All regulators are clear that safety and risk concerns will trigger inspections and enforcement powers continue.

Click [here](#) to read latest information about Ofsted regulatory activity.

Ofsted has now announced their [plans for spring](#) and will continue to make assurance visits from January 2021. Read [guidance on our assurance visits](#). Ofsted [resumed inspecting providers on the Childcare Register](#) from 16 September.

All other routine inspections are suspended, but as indicated they will continue with a programme of assurance visits until April 2021. They have also updated their [deferral policy](#), including a section on deferrals during this period.

Ofsted (Children's homes) Reg. 44 visits

During the current lockdown these visits will continue as face-to-face where it is deemed safe to do so following discussion and risk assessment between the visitor and the registered manager. Where this is not deemed safe they will adopt the virtual visit approach as used during the first lockdown. Guidance on the approach is on our internal micro-site. This approach will be influenced by the Tier that applies to the region that the service is located in.

CQC

"We're making changes to the way we work during the coronavirus (COVID-19) pandemic. They include how we do our job and support providers to keep people safe. They also affect how people communicate with us, or send us applications or information. More information for the providers can be found [here](#) which includes:

- *Notifications*
- *Registration*
- *Running Your Service and providing care*
- *Contact*

"In response to the pandemic, we developed the Emergency Support Framework (ESF) as an additional monitoring tool to support structured and consistent conversations with providers. Combined with other sources of information, the ESF helped us to understand where there were risks of unsafe care, prioritise our support to address this, and share learning from providers that were using innovative ways to manage. The ESF also enabled us to have conversations with NHS trusts specifically about infection prevention and control, to assure us that they had effective plans and processes in place.

CIW

“It is essential we continue to provide assurance about the safety and well-being of people receiving social care and childcare services during the COVID-19 pandemic. The well-being of people who work in social care and childcare services, including our own staff is also a key priority. Across Wales we have learned so much from our experience of the last six months and we are using this to inform our approach during this second wave.

Our approach is kept under weekly review. All action we take is in line with Welsh Government and Public Health Wales guidance to help limit the spread of COVIDS-19.

The recovery phase is underpinned by key principles which are detailed in [our recovery statement](#).

- *Putting people first*
- *Being risk based and responsive*
- *Being intelligence led*
- *Working collaboratively*
- *Reflecting and learning*

CIS

“We have developed [key question 7 for children and young people residential services](#). Where there are concerns relating to COVID-19 in a residential childcare setting this key question is to be used as part of our scrutiny. Where there are concerns not relating to COVID-19, areas from the existing quality framework will be used as a basis of our scrutiny work.”

CIS are awaiting guidance from public health Scotland about a planned recovery.

Section 1. Registration

Ofsted

Ofsted made [temporary changes to the process for those applying to register social care provision](#) at the moment.

They have also added a [fast-track application process](#) specifically for registering children’s home provision in an emergency.

Ofsted will still follow the [guide to registration of children’s social care services](#) as far as possible.

Registration visits

On 8 June 2020, Ofsted started to return to on-site registration visits. Individuals who have an application that is at the ‘ready for a visit’ stage will soon receive a telephone call from Ofsted to see if we can arrange a visit. During the current lockdown visits will be risk assessed.

Applicants reserve the right to withdraw their application, or [put their application on hold](#).

Fast-track application process continues, contact your Local authority for further information about this.

During the November lockdown visits will be undertaken virtually where possible.

New social care forms

You should access the following 3 forms through GOV.UK, as [Ofsted Online has now closed](#):

- [SC1 – apply to register a children’s social care service](#)
- [SC2 – declaration and consent for those connected to a children’s social care service](#)
- [SC3 – report changes to your children’s social care service](#)

CQC - more information available [here](#)

CIW - more information available [here](#)

CIS - more information available [here](#)

Section 2. Inspection, assurance and urgent monitoring visits

Ofsted

If Ofsted carry out inspections or visits they will publish reports as normal on the [Ofsted reports website](#).

They also continue to publish statistics and transparency information. Ofsted paused publishing some management information in April, but they will gradually re-start when additional inspection reports have been published.

On-site visits to social care providers

In addition to assurance visits, Ofsted may carry out on-site visits to social care providers when:

- off-site inspection activity has not provided enough evidence that children are safe
- concerns has been received that Ofsted can only fully consider through an on-site visit
- Ofsted must visit to be able to decide whether to take, or to stop taking, regulatory action

There may be other circumstances in which Ofsted decide that an on-site visit is necessary, but they will decide those on a case-by-case basis.

Urgent monitoring visits to social care providers

Ofsted may announce an urgent monitoring visit so that they can take account of the circumstances, such as whether any children are self-isolating.

In some cases, they may need to visit unannounced. When this happens, the inspector will explain on arrival why they have come and ask the provider to take action so that they can safely enter. The inspector will usually stay outside while they do this.

Inspectors will plan the visit to ensure that they are on site for the minimum amount of time.

Post November Lockdown update

Ofsted's programme of autumn visits to schools and colleges took place remotely from Thursday 5 November to Tuesday 1 December. Ofsted continued to carry out their regulatory work in early years and social care to respond to safeguarding concerns or breakdown in leadership, and continue additional inspections of independent schools.

Since 1 December Ofsted has resumed assurance visits to children's homes, residential special schools and residential family centres. They will continue to carry out monitoring visits to any children's home, residential special school or residential family centre where Ofsted risk assess that this is the right thing to do. This could be on site or off site, or a blended approach.

In the current lockdown Ofsted will continue to undertake visits to services where it is deemed necessary to do so due to serious safeguarding concerns as well as compliance and enforcement issues. These may be a combination of virtual and on site visits.

Services inspected under the Social Care Common Inspection Framework (SCCIF) will continue to receive assurance visits until the end of March. From 1 April 2021 Ofsted intends to resume grading inspections of services inspected under the SCCIF.

Senior staff of providers visiting children's homes

Senior or regional managers of providers may need to visit children's homes in person during the current situation. They have responsibilities to safeguard children, and although online and telephone communication may be able to replace some face-to-face aspects of this, providers should retain the option to visit in person when necessary.

All providers need to take a balanced approach to this in the current circumstances. They should follow the government guidance on social distancing where possible.

Ofsted judgment

Off-site activity and urgent monitoring visits will not result in a judgement based on the 4-point scale, [as set out in the SCCIF](#). However, Ofsted will usually publish a report to help local authorities and commissioners in their decision-making. The report will include information such as:

- the off-site activity we carried out
- the findings from any on-site visit
- what the provider told us, and the evidence it shared with us
- what action we have decided to take (if any)
- whether we have evidence to suggest that children are not, or are no longer, at risk (where relevant)
- Requirements and recommendations may be made as part of the visit.
- Ofsted may also take enforcement activity if the visit raises concerns.

The Children's Commissioner for England has issued a [children's guide to coronavirus](#). All children's social care providers may find this useful.

CQC

“Using our transitional regulatory approach, our inspectors will monitor and review information from all available sources, collecting further information where necessary. Along with Experts by Experience, they will gather information from people who use services and local groups as part of this, and we’re testing how we can improve this. The experiences of people who use services, their families and carers are central to this approach, and to our future direction as an organisation. To promote this, we’ve launched a year-long campaign with Healthwatch England, voluntary sector partners and others to encourage people to share their experience through our Give Feedback on Care service”.

We’ll use a range of information sources to support our monitoring. This includes the work we’re doing as part of our Provider Collaboration Reviews (PCRs), and information gathered through our routine ongoing monitoring. As well as information on individual services, we’ll also use information that we hold about local systems, building on the work as part of the PCRs to understand where there are barriers to good care and to target our activity to help break these down”.

CIW

The CIW are now visiting services to carry out inspections but are minimizing the amount of time spent on site. Inspections will always consider the ‘well-being’ theme from their methodology and result in a published report.

If it is possible to gather the evidence CIW need without visiting the service then they will do this. An inspection report will still be published.

The CIW will use risk assessments and risk management plans to ensure the safety of people using the service, staff and inspectors.

CIS

The CIS suspended their normal inspection programme for registered care services for children and young people in March. This was in response to Scottish Government national restrictions on movement put in place to help suppress the spread of COVID-19.

In the current lockdown period CIS are only undertaking emergency visits where there are safeguarding concerns.

Services included in this programme are care homes for children, school care accommodation services (both mainstream and residential), secure care, fostering and adoption, and some support and housing support services. However, this does not include childminders or daycare of children.

CIS inspection priorities will take account of a number of factors.

- Intelligence that causes concern or suggests areas that need exploration. Intelligence may come from notifications submitted, a failure to submit notifications, complaints, relevant information provided by other bodies.

- Inspection history, particularly where the last inspection identified significant areas for improvement and where CIS now need to assess the extent to which improvements have been made.
- Services that have not been inspected since being registered.
- Services where children's liberty is restricted.

CIS will do as much as they can remotely, using digital and other means. They are also asking services to provide documentary evidence promptly and to facilitate conversations between inspectors and children, families, staff and others.

CIS will visit services wherever they need to, to reassure themselves about children's wellbeing. All CIS inspectors have received COVID-19 training to help keep everyone in the service and themselves as safe as possible. CIS will be flexible and amend plans as needed if circumstances change locally and nationally.

Section 3. Notification

There is no change to the regulations or guidance about what providers need to tell Ofsted or what information Ofsted require from providers.

Ofsted social care

Ofsted's position remains that they cannot waive any regulatory or legislative requirements. However, they do need to be notified about the hospitalisation of any children and/or carers in both foster care and children's homes. All other notification requirements continue to apply as per specific service regulations.

In addition Ofsted expect to be notified in the following circumstances and services, if there has been a case or cases of COVID-19:

- at a children's home, where one child or more has a confirmed diagnosis of COVID-19
- at a foster home, where one child or more and/or a foster carer has a confirmed diagnosis of COVID-19.

CQC

There are no changes to the requirements to make notifications or the system used to make them. You should notify CQC of a death and of events that stop you carrying on your service 'safely and properly (regulation 18). This will mean letting CQC know if your service operation is being negatively affected by COVID-19. It does not mean that you need to notify CQC of every single COVID-19 related issue. **If you need support with this please contact C&R through the compliance.regulation@caretech-uk.com.** A team member will support you on completing any notifications for all of our regulators.

Regulation 16 (death notification) form has been updated to enable providers to indicate whether the death was a result of coronavirus, either confirmed or suspected.

The form also asks providers to indicate where the death occurred – please ensure you complete that section. The paper copy of notification can be obtained.

CIW

You should notify CIW of **confirmed** cases of COVID-19 of people using the service, and members of staff (and in the case of childminders, other family members living at the premises). Please use [CIW Online](#) to notify us and report as you would any infectious disease.

We have also amended the online form for notifying us about the death of a service user to include coronavirus (COVID-19) as a cause of death.

We have made this change to enable us to provide more accurate summarised data on deaths of people using social care services related to COVID -19.

CIS

During the early stages of the pandemic, CIS put in place the facility to submit a notification to us using Smart Survey. This was to enable a service to inform CIS of a notifiable event as soon as possible, even when they did not have access to the eForms system or the eForms system was unavailable. This may have occurred for example on weekends, or when our contact centre wasn't open. Now, in order to streamline the notification process once more, CIW ask that all notifications are submitted using eForms only.

- [Outbreak of infectious disease](#) - services will need to notify us of each individual case of COVID-19 in a person using the service. Each individual case should be reported on a separate notification form.
- [Death of person using a care service](#) – for any death of a service user, including from confirmed or suspected covid19. We should be notified immediately.
- [Changes of circumstances due to Coronavirus \(COVID-19\)](#) - Within the notification the provider should note the change to the service provision and confirm the service can meet the care and welfare needs of the individuals that they are providing care for. This form should be used to change operating status (open/closed). It can also be used to request changes to the service delivery, for example opening or moving a Hub.
- [Inactive services during COVID-19](#) - The Care Inspectorate understands that as a result of the current situation regarding Covid-19 that a number of registered care services will not be operational during this period. In normal circumstances, we ask services to submit a notification indicating where the service is 'inactive' for any length of time in certain circumstances and we note this formally on our systems. To reduce further pressure on services and to give maximum flexibility to re-establish registered services as easily as possible, the position is that any registered service not operating directly as a result of the Covid-19 pandemic is not required to submit an application to become inactive during this period. However, you must inform the Care Inspectorate of your operating status (open/closed). You can do this via E-forms by submitting the 'Changes to circumstances due to Covid-19' form.

- End of outbreak - The end of the COVID-19 outbreak in your service is when there has not been a new person who experiences care with symptoms for 14 days. People experiencing care who remain symptomatic should continue to be isolated until they are well and complete their period of isolation. We are not including staff members in this because, if they have symptoms they should not be at work.

You can notify us of the end of an outbreak through your [eForms](#) account.

“These additional notifications are helping us to better understand and inform others of the pressures services across Scotland are facing during COVID-19, so that support measures can be considered and offered”.

Informing DfE of the death of a colleague across children’s services

Employers and providers are encouraged to tell DfE if a carer (see below) or colleague in children’s services has died. This includes:

- children’s social care workers
- foster carers
- education staff

Employers and Providers need to email the inbox to inform DfE if:

- the death of a carer or colleague in children’s services has already occurred, relating to coronavirus (COVID-19)
- there are any further deaths of carers or colleagues across children’s services relating to coronavirus (COVID-19)
- there are any deaths of carers or colleagues across children’s services relating to other causes

To notify the department of a death, email: CSCcovid.NOTIFICATIONS@education.gov.uk.

Employers and providers are encouraged to tell the family, friends or colleagues of the individual who has died that they’re submitting this information.

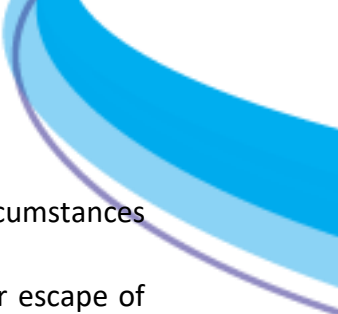
RIDDOR reports

Guidance available on HSE available [here](#).

There is no requirement under RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) to report incidents of disease or deaths of members of the public, patients, care home residents or service users from COVID-19.

The reporting requirements relating to cases of, or deaths from, COVID-19 under RIDDOR apply only to occupational exposure, that is, as a result of a person’s work.

What to report



You should only make a report under RIDDOR when one of the following circumstances applies:

- an accident or incident at work has, or could have, led to the release or escape of coronavirus (SARS-CoV-2). This must be reported as [a dangerous occurrence](#)
- a person at work (a worker) has been diagnosed as having COVID-19 attributed to an occupational exposure to coronavirus. This must be reported as [a case of disease](#)
- a worker dies as a result of occupational exposure to coronavirus. This must be reported as [a work-related death due to exposure to a biological agent](#)

Organisation's internal notification regarding the impact of COVID – 19

When statutory notifications are submitted to Regulator, Caretech Compliance and Regulation team must also be copied into notification email, the following email must be used:

compliance.regulation@caretech-uk.com

Where submission takes place via Regulator's provider/online portal a copy of submission confirmation with an overview must be sent in to the email above.