

Practice guidance for  
inspection of Boarding  
Schools, Residential Special  
schools and Further Education  
Colleges with boarding  
(under 18s)

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

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## **Introduction:**

This document provides practice guidance for inspectors on preparing and undertaking inspections of Boarding Schools, Residential Special Schools and Further Education Colleges (for under 18's only). Whilst these services do not fall within the Regulations and Inspection of Social Care (Wales) Act 2016, the principles set out in the [Code of Practice for Inspection for regulated services](#)<sup>1</sup> will apply.

This guidance does not apply to the services named above that provide accommodation for more than 295 days. Such services fall within the [Regulation and Inspection of Social Care \(Wales\) Act 2016](#)<sup>2</sup> (2016 Act). The inspection framework for care home services, secure, residential family centres services and domiciliary support services applies.

## **Legislative Context:**

The National Assembly for Wales enacted the regulations the Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002<sup>3</sup>, under the powers of Section 87(6), 87(c) 87D (2) and 104(4) of the Children Act 1989. Section 120(2) of the Care Standards Act 2000. These services do not fall within the legislative framework that requires them to be registered. CIW only have the powers to inspect. There are four key regulations that underpin the inspection of Boarding Schools, Residential Special Schools and Further Education Colleges (for under 18s only).

### **Regulation 2: Inspection of Premises:**

2(1) An authorised person may inspect any premises, or part of any premises, which are, or are to be, the premises of a relevant school or college.

(2) An authorised person may carry out such examination into the state and management of the premises inspected under paragraph (1) as he considers necessary for the purposes of the inspection.

(3) An inspection under paragraph (1) may take place without notice to the relevant person (2).

### **Regulation 3: Inspection of record:**

3(1) An authorised person may inspect any record of a relevant school or college which is relevant to the discharge of the National Assembly for Wales' duty under section 87(3) of the 1989 Act.

(2) The power in paragraph (1) includes power to require the relevant person to produce any records, wherever kept, for inspection on the premises.

(3) In this regulation, a reference to a record includes a record which is kept by means of a computer.

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<sup>1</sup> <https://careinspectorate.wales/sites/default/files/2019-09/190831-code-of-practice-en.pdf>

<sup>2</sup> <http://www.legislation.gov.uk/anaw/2016/2/contents/enacted>

<sup>3</sup> <http://www.legislation.gov.uk/eu-legislation-and-uk-law>

#### **Regulation 4: Inspection of Children:**

4(1) Subject to the provisions of this regulation, an authorised person may, for the purpose of enabling the National Assembly for Wales to discharge its duty under section 87(3) of the 1989 Act, carry out an inspection of children who are provided with accommodation by a relevant school or college.

(2) An inspection may include a physical examination of a child by the authorised person, provided that;

(a) The authorised person is a registered medical practitioner or a registered nurse;

(b) The authorised person has reasonable cause to believe that the welfare of the child in question is not being adequately safeguarded or promoted by the relevant person(2); and

(c) The child consents to the examination, or is incapable of giving consent.

(3) An examination under paragraph (2) shall take place in private.

(4) Subject to paragraph (5), an authorised person may interview in private, or solicit written or verbal expressions of opinion from any child or group of children who consent to be interviewed or to express their views, as the case may be.

(5) An authorised person may not interview any individual child in private unless—

(a) The child concerned has expressly asked to be interviewed alone and in private; or

(b) The authorised person considers on reasonable grounds that such an interview is necessary to enable the Welsh Government to discharge its duty under section 87(3) of the Children Act 1989.

(6) No inspection may be carried out under this regulation in respect of;

(a) Any child of a member of staff of a relevant school or college; or

(b) Any other child living with such a member of staff as a member of his or her household, unless the child is also a pupil or student of the school or college.

#### **Regulation 5: Inspection General:**

5. An authorised person may in carrying out any inspection under these Regulations;

(a) Require any person to afford him or her such facilities and assistance with respect to matters within that person's control as are necessary to enable the authorised person to exercise his or her powers under these Regulations; and

(b) Take such photographs, measurements and recordings as he or she considers necessary to enable the exercise of his or her powers.

#### **Approach to inspection:**

##### **Frequency of inspections**

The frequency of inspection is as follows:

- Residential Special Schools an annual inspection.
- Boarding Schools and Colleges of Further Education (U18s), every three years.

### **Announced inspection**

CIW will undertake an announced inspection to Boarding Schools and Colleges of Further Education (U18s). We will notify the service provider of the forthcoming inspection and the information we need to access. A standard notification letter will be sent to the service provide **four weeks** prior to the inspection.

### **Unannounced Inspection**

An unannounced inspection will take place to all Residential Special Schools.

### **Full inspections**

Full inspections will focus on our inspection themes of 'Well-being', 'Leadership and Management', 'Care and Support' and 'Environment'.

### **Focused inspections**

Focused inspections will be undertaken to consider concerns<sup>3</sup>. We generally give five working days' notice for inspections undertaken as a result of a concern. However, we can also consider an unannounced inspection to follow up on any areas of concern and or safeguarding, where children's welfare gives a cause for concern. These inspections can be undertaken jointly with Estyn if there are concerns/safeguarding matters that impact on both the School and Boarding provision.

### **The inspection framework:**

CIW inspection framework for regulated services provides a guide of what to look for at inspection under the Social Services and Well-being (Wales) Act 2014, focusing on the national well-being outcomes<sup>4</sup>. Whilst these services fall outside this legislation it would be good practice to consider how the services are achieving outcomes for children. The extent to which children's well-being outcomes are achieved will be underpinned by the effectiveness of the arrangements put in place by service providers in the themes of 'Well-being' 'Care and Support', 'Leadership and Management' and 'Environment'. Where positive or negative outcomes for children are identified, we need to explore the root cause of this.

The legislative basis for the inspection of these services is set out in Section 1 of the Children Act 1989 that the '*welfare of children is the paramount*'. Under the Children Act 1989 the National Minimum standards were developed to measure the effectiveness of services in meeting children's overall welfare support needs.

Inspections need to consider the following:

- How well the service supports children to achieve their individual well-being outcomes.

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<sup>3</sup> Our concerns guidance is available at:

<https://documents.hf.wales.gov.uk/id:A5572621/document/versions/published>

<sup>4</sup> <https://gweddill.gov.wales/docs/dhss/publications/160610frameworken.pdf>

- The overall procedures and systems ensure that children are effectively safeguarded.
- The effectiveness of the leadership and management.
- Children live in an environment that is safe and secure and promotes their well-being.

### **Scope of Inspection:**

The Inspection of Boarding Schools and Colleges (Powers and Fees) (Wales) Regulations 2002 and the National Minimum Standards (NMS) for Boarding Schools and Residential Schools are used to measure the quality of the service and how well the service is promoting children's well-being outcomes.

The key areas for consideration have been mapped into CIW four inspection themes.

### **Well-being:**

#### **Regulation 4: Regulation 4: Inspection of Children:**

#### **Regulation 3: Inspection of records:**

- Children's rights are promoted.
- Children are safeguarded at all times.
- Children are protected from bullying.
- Children contribute to the operation of the service.
- The school's organisation of boarding contributes to children's wellbeing.
- Children can maintain private contact with their parents and families.
- Children's welfare is protected in any appointment of educational guardians by the school.
- Children have appropriate access to information and facilities outside the school.
- Children' personal privacy is respected.
- Children can obtain personal requisites while living at the school.
- The welfare of children placed in lodgings is safeguarded and promoted.
- The welfare of children is safeguarded and promoted while accommodated away from the school site on short-term visits.

### **Quality of Care and Support:**

#### **Regulation 4: Regulation 4: Inspection of Children:**

#### **Regulation 3: Inspection of record:**

- Children's care and support needs are being promoted by staff.
- Positive models of behaviour support are in place.
- Children's health needs are promoted, including emotional well-being.
- Children are supported to make every day choices in preparation for independence.
- Children have equal opportunities and are not discriminated against.
- Children' possessions and money are protected.
- Children are supported effectively when moving into the school.

- Children have healthy nutritious meals that meet their dietary needs.
- Children and staff have mutually respectful relationships, with appropriate professional boundaries.
- Children's personal privacy is respected.

**Environment:**

**Regulation 2: Inspection of Premises:**

**Regulation 3: Inspection of records:**

- Children are provided with satisfactory living accommodation that is well maintained, homely and comfortable.
- Children are protected from all avoidable safety hazards.
- Children have their own living accommodation, secure from public intrusion.
- Children have access to good quality sleeping accommodation.
- Children have satisfactory provision to study.
- Children have ready access to adequate toilet and washing facilities with appropriate privacy.

**Leadership and Management:**

**Regulation 4: Regulation 4: Inspection of Children:**

**Regulation 3: Inspection of records:**

- A statement of the school's boarding principles and practice is available to parents, children and staff.
- Children's complaints are acted upon and they are informed of the outcome.
- The schools governing body, trustees, Local Authority or person responsible monitor the operations of the school and have in place effective governance and quality assurance measures to ensure children are safeguarded.
- An annual review of the school policies procedures and operations is carried out Children benefit from effective leadership.
- Children are adequately supervised by staff.
- Children are looked after by staff who have specific boarding duties, and have received adequate induction and continued training.
- Children are looked after by staff who are informed by policies and practice guidance and these are implemented effectively.
- Rigorous processes are in place for the selection and vetting of all staff and volunteers working with children.
- Incidents of restrictive practices are recorded.

**Conduct at Inspection:**

CIW approach to inspection is based on mutual courtesy and respect between inspectors, people using the service and those running services. Our expectations for how inspectors and providers should conduct themselves during an inspection is set out in our Code of Practice.

## **Preparing for Inspection:**

### **Determining the complexity of the inspection**

In preparing for an inspection, we need to determine the type, size and complexity of these service, in order to identify the number of inspectors involved and the timescales required. We expect, for example, that:

- Smaller services will require one day's inspection with a maximum of two inspectors.
- For larger services there will be a maximum of two inspectors who will spend up to a maximum of two days on site.
- The allocated inspector for the service will take responsibility for coordinating the inspection.
- Where additional resources are required, this should be agreed with the senior manager.

In addition, the lead inspector will have one day to prepare, which includes the drafting of the inspection plan, the second inspector will have half a day to familiarize themselves with the plan and prepare.

### **Pre-inspection preparation-analysis and planning**

Our case management system (CaSSI) provides a template 'planning and analysis record' document in order to:

- prepare and record the pre-inspection analysis;
- plan the inspection; and
- capture evidence during the inspection visit.

As this is a Word template, we can expand the document to create space to record findings / evidence at the inspection. This record must be saved into CaSSI following the inspection. An outline, '*about the service*' and a chronology of events is auto generated by CaSSI and information received is included in the document.

### **Check the information on CaSSI is correct**

We should check the service information is recorded correctly as part of the pre-inspection preparation. We should follow-up any discrepancies with the service provider during the inspection and ensure that CaSSI is updated to reflect any changes.

### **Information considered as part of pre-inspection analysis**

The following information should be considered for all full inspections.

- The statement of purpose;
- The history of the service;
- Changes to key people since the previous inspection;
- The latest quality of care review.

Where a concern is received, we consider the broader information we hold about service and determine if an inspection is required and whether this should be full or focused. Where the concern relates to an individual, we must consider the impact for that person. We should also consider the broader impact in relation to other children who use the service.

### **Inspection plan**

Once inspectors have completed the analysis, the inspection plan is recorded on the CaSSI planning and analysis record template. This provides a guide during the inspection and helps to structure our approach. Where issues arise during the inspection there is flexibility to change the plan.

We always consider what our analysis tells us or may indicate about outcomes for children using the service. This will form the initial focus of the 'Well-being' inspection theme. These may well expand during the course of the inspection as we talk to people and gather further information.

### **Communication and the Welsh language**

When planning the inspection, we must consider the primary language used within the service and any other barriers to communication that might be anticipated. Inspectors should ask whether they need additional support and factor this into the inspection plan, for example, arranging to return when there is someone available to facilitate communication with a child using the service.

Where services are primarily provided in Welsh, a Welsh speaking inspector must undertake the inspection. This approach aligns with our commitment to the 'Active Offer'<sup>5</sup> to provide a service in Welsh without being asked for it.

### **Undertaking the Inspection:**

#### **Evidence gathering**

Having a structured approach to evidence gathering will help you to complete an analysis (asking the "so what?" question) and reach judgements. This makes the report writing process easier. In gathering evidence, we place emphasis on:

- Children's experience of the service;
- What they tell us about their experiences of how care is delivered; and
- How children's well-being outcomes are met.

The inspection process should provide a range of different perspectives on life in the boarding accommodation. It should draw in a balanced way on a range of sources of evidence. The inspection should focus on children's welfare and their experience of the service and support provided.

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<sup>5</sup> <https://gov.wales/topics/health/publications/health/guidance/words/?lang=en>

Further information on collecting and recording evidence is available in our practice guidance for inspectors on evidence gathering.

## **Reviewing records**

### **Case tracking**

The primary focus of our inspections is the experience of people using the service, this is why we include case tracking. This allows us to understand how the service is provided and whether the service supports children to achieve their outcomes.

We will not be able to case track everyone, so we sample in order to compare the experiences of those case tracked with the feedback received by the service provider through its own quality of care review processes. The number of children we case track and the number of staff records we review, should be in proportion to the number of people using the service and sufficient to ensure we have evidence to support our findings.

The following table gives an indication of the number of children you should consider to case track depending on size of service.

<b>Number of children supported by the service</b>	<b>Number of children we case track</b>	<b>Number of staff records we review</b>
Less than 50	Maximum of three	Up to three
50-100	Maximum of four	Up to four
100+	Maximum of five	Up to five

The number of cases/records reviewed is flexible dependent on what inspectors might find. For example, if there are concerns with two staff files around safe recruitment practice, inspectors may want to check more files to confirm whether this is a broader issue and to provide evidence if we feel recruitment practice is poor.

Inspectors need to allow sufficient time to review individual records in order to identify the necessary information and evidence. The records must demonstrate that the service is operating in line with the regulations and the National Minimum Standards. Evidence needs to support that the service meets children's overall welfare needs, including any that may arise from a disability and appropriate safeguarding arrangements are in place.

Where disabled children are accommodated, the inspection should ensure any call-systems are working and staff respond appropriately and appropriate records and risk assessments are maintained.

## **Feedback from people involved with the service**

Inspectors must seek feedback from people using the service, visiting professionals and staff who deliver and support the service. This allows us to have different perspectives, assess the impact that the service has on children using the service. We should be flexible in our approach and the inspection planning will determine the most appropriate forms of engagement with key stakeholders.

The number of children we receive direct feedback from should be in proportion to the number of children using the service and sufficient to ensure we have evidence to support our findings. The following table gives an indication of the number of children we should consider receiving feedback from, this is a guide, not an absolute number.

<b>Number of children supported by the service</b>	<b>Number of professionals we receive feedback from</b>
Less than 50	10% (up to five people)
50-100	10% (up to 10 people)
100+	10% (up to 20 people)

## **Questionnaires**

We collect people's views through questionnaires; these are available electronically or by providing paper copies. Paper copies can be given directly to people using the service, professionals and staff. We can also leave copies at the service, but we will need to be clear about the deadline for completion. We should encourage use of online survey where possible.

## **Telephone**

Telephone interviews allow us to gain feedback about the service from interested parties who may not be available during our inspection, this could include parents, teachers, educational guardians and independent advocates. We do not use telephone interviews for children, unless it's specifically requested.

## **Other feedback options**

Other options for obtaining information should be considered if they are taking place during the inspection:

- Staff meetings.
- Planned events, pre-arranged social activities, children's council, etc.
- Group or individual discussions with, children, teaching staff who support children and house parents.

## **Interviews**

We will conduct a range of interviews with key people including;

- Children, exploring their experience of the boarding arrangements and the care and support provided;
- The school principle/head teacher person with overall responsibility for the school;

- Person responsible for the boarding provision;
- Senior boarding staff and staff providing support to children and young people who board;
- Safeguarding lead.

### **Providing Feedback:**

The inspector should share with the Principal/Head teacher, and Head of Boarding, a brief verbal feedback about the outcome of the inspection findings at the end of the inspection. Any matters that appear to require urgent action need to be brought to the relevant persons immediately. The inspector will need to make it clear that they are only able to give an overview of their findings, as they would not have had time to complete a proper analysis of the information they have gathered and may be waiting for more information before reaching any final judgement. Consideration should be given to providing feedback around the four themes.

### **Reports:**

An inspection report is drafted following the inspection. The report will be based on the evidence gathered prior to, during and following the inspection visit(s). Inspectors will consider a variety of evidence to support your findings in the report, which will be a consideration of what is said, what is seen and what is read to inform the findings and overall judgements. Further guidance on report writing is available in the practice guidance for inspectors on writing inspection reports. The lead inspector will have two days for smaller services and three days for larger services to write the report, with the support from the second inspector. This arrangement will be subject to discussion with team managers. If an inspection has been co-ordinated with Estyn a discussion must take place between the two inspectorates, to ensure that any post inspection recommendations made are corroborated and reported on consistently.

The report will be sent to the provider so that they can comment on the report, including any factual inaccuracies, which they feel may have affected our findings and judgements. Further information on the process and associated timescales for providers to comment on the inspection report is available in the responding to inspection reports policy<sup>6</sup>.

For maintained Local Authority Schools, a copy of CIW's report will be sent to the Chief Executive and Director of Education of the Local Authority concerned and a copy to the Schools Management, Welsh Assembly Government. In the case of Independent schools a copy of the report will be sent to the Registrar of Independent Schools in Welsh Assembly Government. In all cases a copy of the report to be sent to Estyn once it's been published.

The report will be published in line with CIW's Guidance on Report Publication.

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<sup>6</sup> <https://careinspectorate.wales/providing-a-care-service/our-inspections>

**Appendix 1:  
Records required within Boarding Schools, Residential Special Schools and  
Further Education Colleges:**

<b>Records</b>	<b>Available</b>
Child protection allegations	
Records of Sanctions	
Use of physical restraint	
Complaints	
Individual Children' records (containing personal, health and welfare information)	
Administration of medication, treatment and first aid	
Significant illnesses	
Significant accidents and injuries	
Parental permission for medical and dental treatment, first aid and non-prescription medication	
Risk assessments	
Staff recruitment records and checks (including checks on others given substantial unsupervised access to Children or boarding accommodation)	
Staff duty rotas	
Fire precautions tests and drills	
Risk assessments under the Fire Precautions	
Menus	
Pocket money and any personal property looked after by staff	
Welfare plans for Children with special needs	
Parental permission for high risk activities	
Assessments of lodgings arranged by the school	
Assessment of off-site accommodation used by the school	
Review of quality of care	

**Appendix 1 Continued:  
Where applicable**

<b>Records</b>	<b>Available</b>
<b>Where applicable</b> Welfare care plans for boarders with special needs	
Parental permission for high risk activities	
Checks on licensing of relevant Adventure Activities Centres	
Assessments of lodgings arranged by the school	
Records / register of people staying with homestay or lodgings arranged by the college	
Assessment of off-site accommodation used by the school	

**Appendix 2:**  
**List of Issues to be monitored by the School**

	<b>Evidence of monitoring</b>
Records of complaints and their outcomes	
Records of major sanctions/punishments	
Records of any use of physical restraint	
Administration of medication, treatment and first aid	
Records of significant accidents	
Records of all risk assessments carried out Action taken in response to all risk assessments carried out	
Suitability of any arrangements made for lodgings and education guardians	

**Appendix 3:  
Programmes of training for staff**

<b>Training</b>	<b>Available</b>
Child development	
Residential child-care skills and team working	
Specific child care approaches and skills appropriate to the school's purpose and function	
Exercising appropriate positive means of control over children in the interests of their own welfare and the protection of others	
Permitted and prohibited sanctions	
Use of physical intervention	
Child protection	
Issues of race, ethnicity, religion and culture	
Dealing with sexuality	
Health education relevant to growing children including diet and nutrition	
The implications of HIV and AIDS when looking after children	
Communicating with children, including those with disabilities	
Health and safety at work, including food hygiene and safety with medicines	
Food hygiene	
First Aid and safety with medicine	
The provision of purposeful and enjoyable activities outside class time	
Staff supervision	
Interview techniques	
Complaints and representations procedures	
Working with families.	