

# The Importance of Champions: Developing National Guidance for the External Management of Residential Child Care Establishments in Scotland

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## **Abstract**

External managers can play a critical role in safeguarding children and young people, supporting staff and championing residential child care across local authority, voluntary and independent settings. Despite the recommendations stemming from inquiries into abuse and neglect in residential child care, there has been relatively little attention given to the role of the external manager. This article outlines the development of the National Guidance for External Management for Residential Child care Establishments in Scotland. The guidance was informed through a national scoping exercise involving external managers, unit managers, inspection bodies and advocacy providers. Drawing on national and local expertise, the authors highlight the importance of keeping the child at the centre, creating a positive culture and ensuring compliance to effectively fulfil the external manager role. The opportunities and challenges of implementing the Guidance are discussed.

## **Keywords**

Children's homes, external management, staff support, leadership

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## **Introduction**

The development of national guidance for the external management of children's homes arose from the recognition of the critical role external managers can play in safeguarding children and young people, supporting staff and championing residential child care. This paper considers the context which prompted the need for guidance for external managers and examines the steps taken to produce it. Some of the essential aspects of the role are discussed to illustrate the ways in which external managers serve to champion, enable and support good practice within residential child care settings.

In 2008, the Minister for Children and Early Years Adam Ingram MSP announced a strategic review of residential child care services ‘to deliver on the government’s commitment to work with partners to make residential care the first and best placement of choice for those children whose needs it serves’ (Bayes, 2009, p.6). The National Residential Child care Initiative (NRCCI) initially set up three working groups to consider matching resources and needs; commissioning and workforce development. Greater clarity about the roles and responsibilities of external management were specifically highlighted in the workforce development report (Davidson Wilkinson, Doherty and Anderson, 2009). The report recognised the multifaceted role of the external manager which required developing management relationships that are ‘constructive, supportive and challenging’ (Bayes, 2009, p.37). An experienced external manager will be an effective ‘champion’ for residential child care in the wider child welfare arena (Bayes, 2009, p.37). The report also highlighted the findings from the independent inquiry into abuse at Kerelaw residential school and secure unit (Frizzell, 2009) where the failures of management systems, beyond the home itself, were identified as significant factors. As a consequence, a specific recommendation was submitted:

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.

This was part of a series of recommendations stemming from the NRCCI working groups and was presented to Scottish Ministers and the Convention of Scottish Local Authorities (COSLA) in 2009. The Scottish Government and COSLA responded positively to the recommendation and stated: ‘As we saw from the report of the Kerelaw inquiry, the role of the external manager and governing bodies of providers of residential child care services must not be underestimated in terms of safeguarding the children and young people’ (Scottish Government, 2009, p.24). In 2011 the Scottish Government, in collaboration with the Centre for Excellence for Looked after Children in Scotland (CELCIS), started to develop national guidance for external management to fulfil this recommendation.

## Background

Independent inquiries into abuse and neglect in residential child care settings have repeatedly highlighted the vital role of external management (Frizzell, 2009; Kent, 1997; Marshall, Jamieson and Finlayson, 1999; Scottish Government, 2007; Skinner, 1992; Utting, 1997; Warner, 1992; Waterhouse et al., 2000). In a review of safeguards for children living away from home in England and Wales, Utting (1997, p.174) argued external management should be ‘continually vigilant in safeguarding the welfare of the children for whom they are responsible. The role of the external manager is critical to prevent abuse’. The Children’s Safeguards Review (commonly known as The Kent Report) introduced the concept of ‘external eyes’ in protecting children in ‘out of home’ care in Scotland (Kent, 1997). This term included those who were independent advocates, but also highlighted that not all ‘external eyes’ should be independent of responsible authorities. In Scotland,

a systematic review into historic abuse of children in residential schools and children's homes between 1950 and 1995 (known as The Shaw Report) concluded that good governance, external evaluation, informed supervision and support and good guidance contribute to the best protection of children in residential child care (Shaw, 2007, p.161).

Given the importance of external management of residential child care in safeguarding children, it is perhaps surprising that there have been few empirical studies exploring the role of external management and no specific study has been conducted in Scotland. Whipp, Kirkpatrick and Kitchener (2005, p.186-193) identified six key processes in the role of external management of residential care units in England and Wales: strategic planning and implementation; child placement; line management; managing staff; monitoring and control; and managing external placements. The 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' (Whipp & Kitchener, 2005, p.24). The researchers found that the organisational culture and value of residential child care is paramount in defining the role of external management.

An English study of forty-five residential children's homes (thirty from local authority provision and fifteen from the non-statutory sector) found that the *process* through which residential child care is provided was central to young people's positive outcomes (Hicks, 2008). 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, p.242).

The ability to fulfil this role relied on having clear management roles with a degree of autonomy and external support within the organisational hierarchy (Hicks et al., 2009). Recruitment, induction, training and supervision of the residential child care manager by an external manager would significantly shape the future direction and achievements of residential child care services. Whilst the research identifies the positive impact of external management support, the study also found that the provision of support could be 'the sign that things are not going well, is something that is supplied when the home is in difficulty, and is associated with poor outcomes' (Hicks et al., 2009, p.840). Therefore, there could be a misconception that external managers are only required at times of crisis, rather than being a known, accessible and informed senior colleague who fulfils an empowering role of child care managers and their teams.

In Scotland, the roles and responsibilities of external managers are set out in statutory regulations. There is a variety of terms used for the 'person in charge' of the day-to-day running of a residential home, which is a distinctly different role to that of an external manager. Unhelpfully there is a lack of congruence in the use of 'person in charge' and 'manager' across regulations that may risk confusion in roles. For example, 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. The manager in these regulations would be a senior external manager in the organisation who is not responsible for the day-to-day running of the residential home. Although slightly dated, these regulations remain largely in force across Scotland. However, the *Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002* which superseded some parts of the 1996 regulations do not use 'person in charge' for those responsible for the day-to-day management; instead these regulations use the term 'manager' which is inconsistent with the 1996 regulations. The external manager role is not discussed. This lack of clarity is compounded by the diversity of voluntary, independent and local authority providers of residential child care who have their own designated roles and structures. The *Public Service Reform (Scotland) Act 2010* established the Social Care and Social Work Improvement Scotland (SCSWIS) (known as the 'Care Inspectorate'). The Care Inspectorate must take into account the relevant *National Care Standards* (Scottish Executive, 2005) which provide a useful definition of an 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.

External management arrangements will inform part of the inspection process on management and leadership. However, there is no statutory requirement for the external manager to be registered with the Care Inspectorate.

The *Children (Scotland) Act 1995 Regulations and Guidance, Volume 2: Children Looked After by Local Authorities* states the external manager should be designated and has clear responsibilities. The primary responsibility, in conjunction with the 'person in charge', is to ensure that acceptable standards are maintained. In promoting high standards the external manager should not only be familiar with other monitoring arrangements, for instance, local inspection reports, but should also visit the establishment to talk with and listen to children, parents and staff (section 57). The guidance 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, p.80).

These key tasks provided the statutory framework for developing the National Guidance.

## National Guidance

The guidance was developed based 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 external management. The guidance was informed by a national scoping exercise primarily conducted with external managers and 'persons in charge'. Twenty-five professionals participated in semi-structured interviews representing statutory, voluntary and independent sector providers for residential child care, as well as inspection agencies and advocacy organisations. The aim of the scoping exercise was to establish how external managers fulfilled their statutory requirements in practice. Interviews were also conducted with 'persons in charge' and staff teams to gain further insight into how the external management relationships were directly experienced. Given the critical role of independent advocacy organisations and inspection bodies in alerting external managers to concerns from children, families and staff and ensuring accountability, representatives were also included in the national scoping exercise. Documents relating to the operational procedures of organisations relevant to the role were sought and analysed.

In June 2013, Minister for Children and Young People Aileen Campbell MSP launched the Scottish Government's *National Guidance for External Management for Residential Child care Establishments in Scotland* at the first national event for external managers. Over 100 delegates attended the event with external managers from local authorities, voluntary and independent organisations. The scoping exercise had identified the isolation for some external managers in this role; thus, the event provided an opportunity for external managers to critically reflect and discuss their own practice in a supportive peer environment.

The National Guidance sets out three key requirements from a skilled and experienced external manager: to provide support and guidance to the 'person in charge' or unit manager; to be an effective safeguard for children and young people, and to champion residential child care within a broader child welfare setting. The guidance is structured around the main tasks set out in the regulations accompanying the *1995 Children (Scotland) Act*; however, in recognition of the diversity of providers and in response to external managers we spoke with, we did not aim for the guidance to be prescriptive. As returned to in our discussion, we share some of the reflections of the opportunities and challenges of external managers in implementing this guidance.

## Discussion

### Keeping the child at the centre

Our scoping study indicated that monitoring the experiences of children and young people was considered to be an essential role and responsibility of the external manager. To fully understand the individual and group needs of children, many external managers emphasised the importance of their direct experience of residential child care over a period of time. Mechanisms for monitoring included: regular visits to residential homes to meet with children and staff, formal and informal updates from the ‘person in charge’, access to care plans and log books, knowledge of all serious incidents including complaints, restraints and absconding behaviour. Many external managers aspired for all children and young people and their families to have knowledge of their role and accessible methods to contact them with any concerns. For example:

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 (Scottish Government, 2013, p.13).

Visiting the residential home at different times of the day and year was identified as good practice to gain a holistic understanding of the day-to-day experience of residents. This created opportunities for the external manager to be accessible to children and staff. Furthermore, it was acknowledged that visits should not only be conducted at times of concern or crisis, rather that they are a regular part of an external manager’s activities. The Kent report (1997) specifically recognised the pressured role of external managers with large workloads that could impact on their capacity to maintain contact with residential settings (Recommendation 49). The guidance recommends at least monthly visits. There needs to be a balance between rigorous monitoring and respecting children’s right to a normal home life without undue interference. In a response to the consultation to the Kent report on children’s safeguards when living away from home (The Scottish Office, 1998), advocacy organisations warned against ‘a “goldfish bowl” effect for children who may have already experienced disruption and distress’ (The Scottish Office, 1998, p.3). Therefore, the task requires a skilled communicator who uses a child-centred approach.

Involvement in decision-making of children entering and leaving residential care was highlighted as an area of particular importance for external management. In the scoping study, 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 being made. Whipp and colleagues (2005) identified child placement in their study as being mainly characterised by unplanned admissions and high occupancy rates; they evidenced that better placements could be linked partly to the specialisation of children’s homes. The study also found that management of external residential placements (for example, where a child is placed in a non-local authority placement) could be limited due to a lack of informed evidence-based decision making. Recent inquiries into child sexual exploitation found that the use and lack of oversight of

out-of-authority placements for children in care was an area of significant concern (Jay, 2014). Despite the early identification and concerns from residential staff:

There was no appropriate management response to the problem of children being exposed to exploitation whilst in the care of the Council. Nor did we find that elected members as corporate parents were advised of the scale and gravity of the problem (Jay, 2014, p.53).

Our scoping study did evidence a strong awareness of the monitoring role but we did not explore in-depth the external manager's role in relation to external placements. The specific value of an external manager should be their wider knowledge of resource provision and future vision for residential child care. This leads us onto the next area of an external manager's role in developing and promoting positive culture of care.

### *Developing a positive culture in residential child care*

The external manager must have a strong sense of the key 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. A central task of an external manager is to support, develop and inspire the 'person in charge' and through them the staff team, to ensure that the workforce can excel in their roles. Developing a positive working relationship between the 'person in charge' and external manager is fundamental to achieving this goal. In the scoping study, 'persons in charge' highly valued the informal and formal support of external managers. Accessibility (whether by phone, email or in person) and timely responsiveness was specifically relevant in providing support. Formal support through regular and time-protected supervision was important. There were advantages with supervision of the 'person in charge' not being held in the residential home as this could provide space for a more reflective discussion. Supervision should always include consideration of professional training and development needs. This is highlighted as external managers and 'persons in charge' can be under considerable time pressures and face competing demands on their time.

In order to create an aspirational, positive culture within residential care settings, external managers need to share their own expertise and be aware of research, policy and practice innovation. The external manager understands the importance of the 'person in charge' in creating and maintaining a positive ethos within the residential environment. External managers need to be committed to meeting the professional development needs of frontline staff. There was acknowledgement of the practical challenges of providing training opportunities for staff due to geographical, time and resource restraints. There were innovative approaches to address these challenges:

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 (Scottish Government, 2013, p.18).

Initiating and responding to the learning development needs of a staff team is one part of instigating any required changes in residential child care. The external manager, in discussion with the 'person in charge', should have a vision for service development that can be effectively resourced and implemented. They are instrumental in creating an environment where staffs (at all levels) have the opportunity to influence and direct necessary change.

### ***Ensuring Compliance***

There is a requirement that external managers must maintain a good working knowledge of relevant statutory frameworks effecting and influencing the delivery of residential child care. Without this knowledge, the task of identifying 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 will be incredibly difficult. However, one identified challenge for external management 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' (Whipp et al., 2005, p.183). Similarly, the Edinburgh Inquiry into the abuse and protection of children in care found that visits by external managers had been reduced due to financial restructuring and limited due to an increase in other responsibilities (Marshall et al., 1999).

The external manager has a responsibility to ensuring that resources, including staffing, the building, furnishing and fittings are sufficient and suited to purpose. An external manager should have a comprehensive overview of the short-term and long-term needs of every residential child care provision. The scoping study found establishing a positive three-way relationship with the 'person in charge' and finance officer 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. The delegation of tasks to the 'person in charge' can be empowering; however, this should not be an abdication of responsibility by external management.

The external manager has a key role in reporting on progress to the managing authority or agency, as well as to relevant external agencies. The external manager can often be the conduit between the residential home and the rest of the organisation. To fulfil this role, the external manager should ensure robust recording and reporting procedures are in place. 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. Following the introduction of this guidance (Scottish Government, 2013), inspection methodologies have been updated and we should therefore be able to learn more about the practice of external management across the sector.

### **Conclusion: Opportunities and Challenges**

From the start of the development of this guidance, it was clear that external managers are not a homogenous group. There are those who have worked up from residential staff to external management positions, and those who have assumed external management responsibilities for residential services as part of an organisational restructuring. There are

individuals who appear to be both the 'person in charge' and the external manager, board members who share the external management functions, and ever changing structures of local government where the 'person in charge' can find themselves managed and supported by a multiplicity of managers. The national guidance could not be prescriptive in this context, nor did the external managers involved in the scoping study want a tick box list of tasks.

National guidance may not be automatically revered or referenced and this was emphasised in discussions with some external managers who were mildly sceptical about the potential usefulness or relevance of this guidance. The existing regulations combined with more recent legislation is inconsistent. It was therefore of great importance for this guidance to offer quite specific direction without being over-prescriptive. The guidance is now almost two years old; we recognise the ever-changing landscape of residential child care and therefore want to focus on particular challenges we feel must be recognised, as well as a reminder of the opportunities incumbent on those in the external manager role.

At the launch of the national guidance, we asked attendees about the challenges of the external manager role. The most significant challenge appeared to be the constraints of time. This resonated with those involved in the scoping exercise:

I would like to see a cap on how many managers you can manage; it would keep workloads at a more manageable level. I don't feel that I am doing as good a job as I would like to do. The tensions between operational and strategic responsibilities are a real problem - crisis inevitably becomes lead priority (External Manager).

[External managers] need to spend a bit of time with hands in their pockets [not volunteering to do too much] otherwise they will be swamped and unable to support front line teams (External Manager).

Ironically there are some in external manager roles who spoke of the need to be a little more 'hands off' in their management of services - this was particularly apparent where establishments were part of a 'campus' and external managers were 'on site'.

Regardless, the message from the scoping exercise, existing research and recurring in inquiries is the need for external managers to effectively monitor the experience of children in residential child care. The Edinburgh Inquiry insisted that external managers needed to be given the time to do this (Marshall et al., 1999). At a workshop we delivered as part of the development of the national guidance one of the attendees left a post-it note with the comment 'guidance is optional'. The monitoring role is not optional and as we have already indicated in this article, there are more than enough examples where children are at significant risk in residential child care where this function of external management is inadequate.

The national guidance also emphasises the 'championing' role of the external manager and at our event there were a number of participants who noted that one of the challenges was 'survival' in the context of public sector cuts. Never more than in the current context are 'champions' needed for residential child care-staff at higher levels, standing up for services in the face of 'tough decision' rhetoric, whether this be

ideologically, financially or politically driven. External managers need to exemplify the ‘calmness’ and ‘robustness’ described by one of the scoping study contributors in standing up to this very significant challenge.

Another challenge to local authorities in particular is the closure of their own services and an increase in non-local authority placements. This has increased the responsibility of local authorities for ‘external’ placements. The development of the national guidance did not explore this issue in any great depth. However, this was an area of concern across the critical inquiries we have referred to and more recently in relation to child sexual exploitation scandals in England. Private providers will have their own external management arrangements but knowledge of these arrangements will be severely tested where a number of providers are used. While there is a clear role for the allocated social worker in monitoring the placement, the additional overview of external placements has been questioned in inquiries with a preference to this being allocated at a more senior strategic level. It is important that this responsibility is given to a member of the management team who has sufficient knowledge and experience of residential child care.

At the launch event for the national guidance we also asked participants to list the rewards associated with the external manager role. There was an overwhelming focus on the influence external managers can have on the development of a positive culture of practice and achieving positive outcomes for children and young people who come to live in residential child care establishments. In addition, they also highlighted the reward of seeing staff (as well as young people) ‘flourish and grow’.

[The external manager] doesn’t lose sight of the task. Supervision is regular and well-structured and always in the unit which ensures a visit. My own professional development discussed every month and training plan agreed in annual appraisal...He gives me the authority to manage my unit as I see fit, allowing me to get on without hindrance but regular interaction means he is really supportive - his role is to support me to manage my unit (Unit Manager).

In most contexts, the external manager has an enviable opportunity to have a considerable impact on the lives of children, and they do this by being a significant support to the manager of the care team, not to mention being a champion of the work the team does. Where it works well, unit managers attest to the importance of the support of the external manager in relation to their personal effectiveness and that of the team, but more importantly, for ensuring that children living in residential child care achieve their full potential. Our aspiration is that the national guidance demonstrates the importance of the external management role and provides support to fulfil this role effectively.

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