

# Final stage impact assessment

Title: Provider oversight for children’s social care placement provision

Type of measure: Primary legislation - Children’s Wellbeing and Schools Bill

Department or agency: Department for Education

IA number: DfE-CWSB-03

RPC reference number: RPC-DfE-24016-IA (1)

Contact for enquiries: [Legislation.division@education.gov.uk](mailto:Legislation.division@education.gov.uk)

Date: 30 January 2025

## Contents

Final stage impact assessment .....	1
1. Summary of proposal .....	2
2. Strategic case for proposed regulation.....	3
3. SMART objectives for intervention .....	4
4. Description of proposed intervention options and explanation of the logical change process whereby this achieves SMART objectives .....	5
5. Description of shortlisted policy options carried forward .....	6
6. Regulatory scorecard for preferred option.....	9
Part A: Overall and stakeholder impacts .....	9
Part B: Impacts on wider government priorities .....	13
7. Monitoring and evaluation of preferred option .....	13
8. Minimising administrative and compliance costs for preferred option .....	14
Declaration .....	15
Summary: Analysis and evidence .....	16
Price base year:.....	16
PV base year: .....	16

# 1. Summary of proposal

1. Across children's social care (CSC), Ofsted's current registration and enforcement powers are limited to persons who run and manage individual children's homes and other establishments and agencies. The majority of settings in the market are now owned by provider groups (organisations with various layers of subsidiaries and parent undertakings). Where Ofsted has reasonable grounds to believe that regulations are not being met in more than one establishment and/or agency (settings) owned by the same private or voluntary provider group, they cannot act at scale with the provider group to improve the quality of provision and keep children safe at pace, but must inspect/take action at each individual setting. Given the prevalence of provider groups, it is increasingly important for Ofsted to be able to intervene rapidly and at scale where concerns are identified across settings owned and controlled by a group to keep children safe.
2. Provider oversight will apply to provider groups (parent undertakings) that own a registered provider (subsidiary) that runs and manages more than one establishment (children's homes, residential family centres) and/or agency (independent fostering agencies, voluntary adoption agencies).
3. The Children's Wellbeing and Schools Bill will:
  - a. Give Ofsted the powers to require an improvement action plan from the provider group (parent undertaking in legislation), where Ofsted reasonably suspect there are grounds to cancel the registration of two or more establishments/agencies owned by that provider group. The group will need to detail the specific actions they intend to take to resolve the concerns, name a specific person of significant seniority to ensure the plan is implemented, and give a time frame for implementation. Ofsted will need to be assured of the plan before they accept it. Once accepted, the group will be required to implement the plan.
  - b. Give Ofsted the power to fine the provider group where the provider group does not comply with requirements.
  - c. Give the Secretary of State regulation making power so that where a provider group has not complied with requirements, any persons seeking to register an establishment or agency owned by the group could be considered not fit and proper (i.e. Ofsted could restrict any growth by the group until improvement has been implemented).
  - d. Ensure that regulation changes (3) will mean that failure to comply with provider oversight requirements could be grounds for cancellation of their establishments/agencies registration(s).
4. Associated regulations include:
  - a. The Care Standards Act 2000 already ensures powers to amend elements of registration regulations. We will develop and lay a statutory instrument so that there is a

requirement on registered providers, where they are part of a provider group, to provide details of the group (structure, associated settings) and a significant person in the group as part of their registration, that Ofsted can direct enquires to when required.

- b. These legislative changes meet the policy aims of ensuring Ofsted are an agile inspectorate that can act at scale when required given the shape of the current market and ultimately keep children safe quickly. The powers will be for specific circumstances when Ofsted believe they would be better solved at group level. This measure will supplement the already robust CSC regulatory regime. Inspection will remain at setting level, where children's homes are inspected at a minimum once per year. The vast majority of issues will be/are resolved at setting level.

## **2. Strategic case for proposed regulation**

5. Provider groups influence the settings they own yet Ofsted is not able to hold them to account. The need for change is clearly highlighted by the Child Safeguarding Practice Review Panel reports<sup>1</sup> on "Safeguarding children with disabilities and complex health needs in residential settings" following the abuse suffered by children living in three dual registered children's homes and special schools run by the Hesley Group. Environments and cultures allowed abuse to happen in independently managed settings owned by the group. The Panel published its Phase 1 report in October 2022 and the Phase 2 report in April 2023. The Phase 2 report identified that poor leadership and management of a poorly trained and supported workforce, together with failures in regulation and statutory oversight of the settings all played a part in the abuse of children being sustained over an extended period. Further, The Panel concluded that, 'too often the most vulnerable children in our society are failed because systemic weaknesses lead to organisational cultures which create the conditions where those who seek or have the potential to harm and abuse children are enabled to do so'. Ofsted advised that if they had been able to engage with the group level owners, they could have been able to take action faster. The main aim of provider oversight is to allow Ofsted to act at scale and pace to help safeguard and protect vulnerable children, reduce risks and improve their experience.
6. Further, the CSC market has changed significantly since the introduction of the Care Standards Act 2000 when the majority of children's homes and settings were owned and run by local authorities. Research and data<sup>2</sup> tell us that 83% of children's homes are owned by organisations who own multiple homes and influence decisions regarding children's care accommodated in those homes. Some groups own over 100 children's homes. Ofsted cannot hold provider groups to account if there are quality issues across multiple individual settings that they own and control, so it is imperative we introduce greater accountability at provider group level. We are also aware of complex ownership structures in relation to independent fostering agencies (IFAs) in respect of whom Ofsted is also the registration authority. There are some provider groups that own multiple IFAs as well as multiple children's homes. These measures will therefore apply

---

<sup>1</sup> [Safeguarding children with disabilities in residential settings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114242/safeguarding-children-with-disabilities-in-residential-settings-panel-report-phase-1.pdf)

<sup>2</sup> [Largest national providers of private and voluntary social care \(March 2024\) - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/114242/largest-national-providers-of-private-and-voluntary-social-care-march-2024.pdf)

to all provider group owners of settings as per those that need to register with Ofsted according to the Care Standards Act (and associated regulations).

7. Ofsted has also undertaken research on provider groups<sup>3</sup> - the sector is ever evolving with the largest provider groups growing and consolidating. Provider groups have a level of control and influence over the day to day running of their settings including deciding the models of care and policies that their settings follow. Giving Ofsted additional powers to take action at group level would help them respond to multiple concerns across the provider group's settings.
8. Further to the Panel's reports and Ofsted research, the Department for Education (hereafter "the department") committed to bringing forward provider oversight legislation in [Keeping Children Safe, Helping Families Thrive](#).

### **3. SMART objectives for intervention**

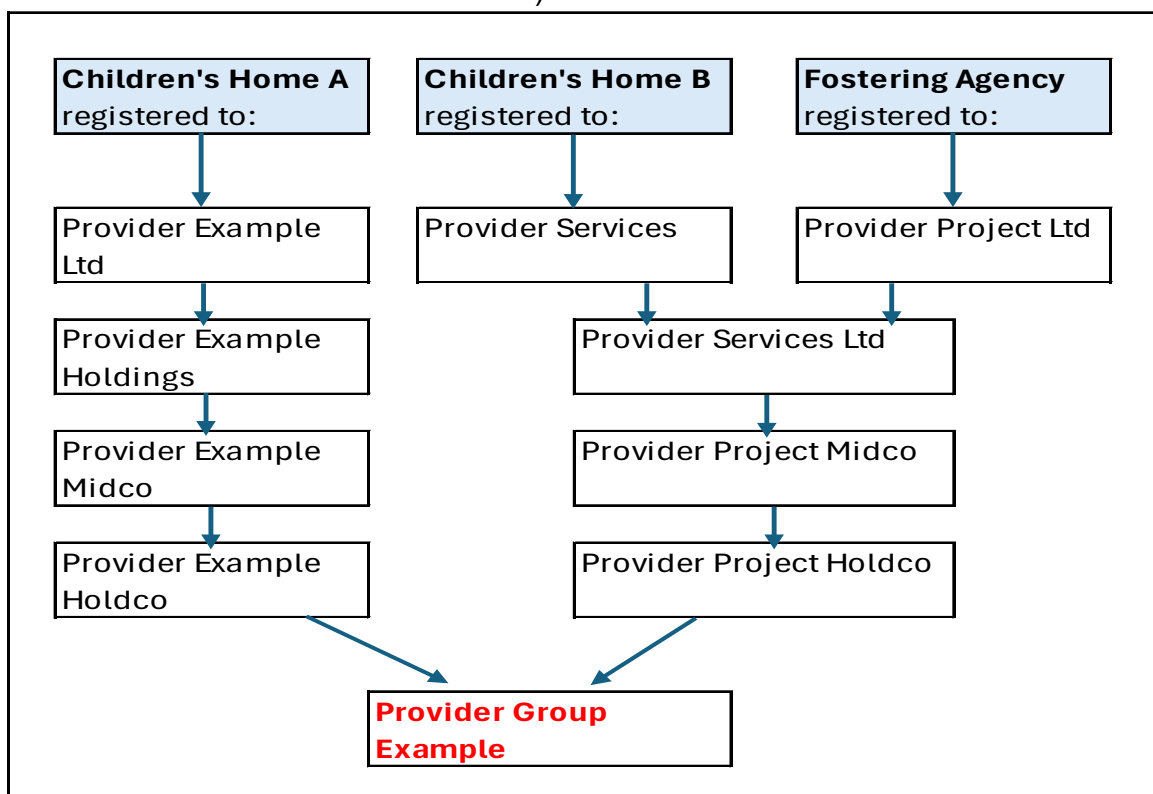
9. The overall aim of the policy is to ensure that, where Ofsted has a reasonable suspicion that there are grounds to cancel registration in at least two settings under the ownership of the same parent undertaking, they can take action to secure change in the practice in those settings without needing to rely on individual inspections of settings.
10. The intended outcomes of provider oversight are to enable Ofsted to take action faster to resolve quality issues across multiple individual settings. Provider oversight will help prevent conditions where those who seek or have the potential to harm and abuse children are enabled to do so. It will ultimately help to give children better care and keep them safe.
11. Provider oversight will commence via regulations. Ofsted will be able to use these powers (at the earliest) in April 2026 (subject to passage of the Children's Wellbeing [and Schools] Bill and associated regulations being laid in parliament).
12. Indicators of success will include provider groups implementing improvement more quickly than if these powers were not passed and more settings improving in quality without the need for Ofsted specific action in each individual setting, which would be positive as it would demonstrate Ofsted and providers are resolving quality issues more quickly and efficiently.
13. Provider oversight is part of a suite of measures which aim to improve the quality of placements for children (so that they are closer to home, and high quality, with improved stability) and improve the CSC market (making it easier for local authorities and non-profit organisations to open homes, reduce profiteering and ensure more settings are registered).

---

<sup>3</sup> [Largest national providers of private and voluntary social care \(March 2024\) - GOV.UK \(www.gov.uk\)](#); [How groups of children's homes work - GOV.UK \(www.gov.uk\)](#)

## 4. Description of proposed intervention options and explanation of the logical change process whereby this achieves SMART objectives

14. The overall objective of the policy is to ensure that Ofsted can take action to secure change in multiple settings at the same time where they are owned by the same provider group, i.e. Ofsted have concerns about two or more settings owned by the same provider group. The basis for this approach is because the group are responsible for the overall culture and strategic operations across all the settings owned and controlled by it. The purpose of enabling Ofsted to take action in this way is to ensure that it can be taken quickly and at scale where necessary.
15. The typical ownership model for many settings involves different layers of ownership. A diagram example of the different layers is set out below. In this example Ofsted could only take action if required against Provider Example Ltd, Provider Services and Provider Project Ltd who are the registered providers of the three settings/agency respectively. Provider oversight would allow Ofsted, if they reasonably suspected requirements weren't being met in the settings/agency, to issue an improvement plan notice to Provider Group Example as the only level in the organisation that can ensure change in *all* settings. This would allow improvements to be made more quickly (existing legislation means Ofsted would need to take action in the three settings and deal with three individual persons, three managers and three responsible individuals - and all resource/notices etc that would entail).



## 5. Description of shortlisted policy options carried forward

16. Automatic trigger for engagement: While the option would likely meet the policy aims, we considered this to be too arbitrary – i.e. any trigger would not necessarily mean that group-level action would be required to solve or improve establishment judgements. Further, Ofsted get intelligence from many more sources (e.g., from parents, safeguarding agencies and whistleblowers) than via inspection of establishments/agencies. This intelligence could lead to Ofsted considering that group-level intervention would best resolve their concerns – particularly if those concerns were in multiple establishments. We also had to consider whilst developing this option, that Ofsted are going to change their inspection rating system, so any trigger based on a specific judgement would need to be amended via regulations in the future. It is for these reasons that we did not choose this as a preferred option.
17. It is very unlikely this option would deliver value for money – given it would take up more of Ofsted's, and providers groups' capacity and resource than would likely be required. We do not think a trigger leading to automatic engagement/action from the group would be warranted in most scenarios, and the inspections leading to judgements would have identified issues that need resolving at that level – it would be very onerous for Ofsted to then go and have to take group level action (if that is not what is required).
18. Whilst this option may have been achievable with increases in resource this would not be value for money (given the arbitrary nature of a trigger which would not actually mean group level intervention is required), and even more so when considering the departmental resource required to amend regulations if there were any changes to single headline judgements (and therefore the legal trigger). Moreover, this option would come at a greater cost (than our preferred option) to provider groups who would need to engage on a frequent (likely multiple times per year) basis – when that is likely not what would be required in the interests of proportionality.
19. Preferred way forward – improvement plan/enforcement: This essentially is Ofsted discretion to take action with the provider group when specific issues have been identified, and that Ofsted think would be best solved by the group making improvements (as opposed to leaving it to individual establishments/agencies, which would mean Ofsted dealing with individual registered providers and registered managers, and all that entails, including notice of intention, notices to local authorities and potential appeals in every establishment).
20. We developed this option to include specific criteria when Ofsted could require the provider group to develop an improvement plan. The criteria selected was 'reasonably suspect there are grounds for cancellation of registration in more than one establishment and/or agency'. Existing powers of cancellation are broad in scope and would therefore leave Ofsted with discretion to decide when to require the provider group intervention as opposed to an automatic trigger. This would meet the aims of

Ofsted being able to work at pace and scale in the interests of children when that is the best option. It would also mean value for money for both the public (by Ofsted resource being used proportionately as and when needed) and the sector (i.e. provider groups only being required to intervene when there are significant issues across their portfolio). Our preferred option is beneficial to provider groups and Ofsted as it ensures greater engagement between the two parties and streamlined communication to effectively resolve identified issues.

21. This option is more efficient than a the 'trigger option' as it is better tailored to where there is actually a systemic issue (i.e. requirements not being met in multiple establishments/agencies owned and controlled by the provider group).
22. Given we felt this approach best met the policy aims and we considered it delivered value for money, was deliverable and proportionate on the sector and Ofsted, we developed enforcement options to act as a deterrent for provider groups to comply with requirements and to ensure action is forthcoming when improvements need to be made. The enforcement options are Ofsted being able to issue an unlimited fine, and restriction of growth (i.e. rejecting further registration applications during any non-compliance). Non-compliance would also be grounds for cancellation of registration.
23. It is envisaged that new powers would only be required on an occasional basis when provider group level intervention is deemed the most appropriate option to resolve issues at scale and avoid issues exacerbating across a provider group's registered providers. Inspection will remain at setting level, where children's homes are inspected at least once per year.
24. The need for change was highlighted by the Child Safeguarding Practice Review Panel reports<sup>4</sup> on "Safeguarding children with disabilities and complex health needs in residential settings" following the abuse suffered by children living in three dual registered children's homes and special schools run by the Hesley Group. The Panel concluded that too often the most vulnerable children in our society are failed because systemic weaknesses lead to organisational cultures which create the conditions where those who seek or have the potential to harm and abuse children are enabled to do so. Given the need for action to be taken, we were able to discount options one and two.
25. The overall objective of the policy therefore is to ensure that Ofsted is able to take action to secure change in establishments/agencies where they are owned by the same group and to allow Ofsted to act at scale and pace in a proportionate and effective manner in the interests of children. Our preferred option is likely the best fit to meet the policy aims, be affordable, deliverable and achieve value for money.
26. Impact on providers that are part of group structure organisations: There will be a negligible impact on the person making a setting registration, if they are part of a provider group as they already need to supply information to Ofsted. Our preferred

---

<sup>4</sup> [Safeguarding children with disabilities in residential settings - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/614447/Safeguarding_children_with_disabilities_in_residential_settings_-_GOV.UK_(www.gov.uk).pdf)

option will mean a small amount of extra information is required, subject to regulations but likely to include, the provider group name and group/ownership structure.

27. Impact on provider groups to comply with provider oversight requirements: We expect provider oversight will affect only a small number of provider groups. There will be no impact on provider groups unless Ofsted reasonably suspect there are grounds for cancellation of two or more of their establishments or agencies and decides to issue an improvement plan notice on the provider group.
28. In that scenario there will be a significant impact on the provider group. The group would need to develop and implement an improvement plan to address the issues that Ofsted have identified.
29. Provider groups who do not comply with these requirements will be negatively affected, given that Ofsted will be able to issue a monetary penalty and would refuse any new establishment/agency registrations whilst non-compliance is on-going. This would also be grounds for cancellation of those registrations where concerns have been identified.
30. **Small and micro and medium businesses impacts:** The preferred way forward is focused on increasing the transparency of governance arrangements of independent provider groups that own multiple children's homes and other children's social care provision, and by giving Ofsted stronger powers to hold these providers to account.
31. While 83% of children's homes are now privately owned – many of which are owned by larger provider groups who run multiple homes and influence decisions relating to the care of many children – and therefore it is likely businesses of all sizes (small, micro and medium) are in scope of these proposals, the impacts will be proportionate to the size of groups. Some groups own over 100 children's homes, and the impact will be much more significant the bigger the group, and targeted at such groups given greater children in their care and size of impacts if/where issues arise. As Ofsted will be able to request an improvement action plan in which provider groups will be required to detail the actions that they will take to resolve any identified issues, the bigger the provider group, the more detail would be expected to be covered in the action plan due to their greater exposure to risk. Through ongoing engagement with Ofsted, we will monitor the impact of this on different size children's social care providers.
32. There is a case that the onus will be placed on large, parent groups as a result of these changes, therefore reducing burden on small, micro or medium standalone children's social care businesses. This is because Ofsted's current registration and enforcement powers are limited to individual registered providers, such as the provider of an individual children's home. Ofsted's current inspection framework, the Social Care Common Inspection Framework (SCCIF), applies to inspections of individual homes and focuses on the care and experience of the child. The reach of current inspections is limited when quality issues are identified that exist across multiple settings owned by the same provider group. Where there is weakness in organisational structures, under the current framework Ofsted must inspect each individual setting and it cannot act at scale

to improve the quality of provision and keep children safe. Therefore, under these changes, Ofsted will be able to hold these provider groups to account for any weaknesses across their organisation.

33. Ultimately, where quality issues for children in care are found, it is essential for the legislation to enable Ofsted to act quickly and decisively to prevent bad outcomes and harm. Irrespective of impacts on different size businesses, the evidence of problems is such that we want to make changes to the framework to empower Ofsted to be able to drive improvements to the quality of care for children more quickly. However, as outlined above, in our ongoing work with Ofsted, we will monitor the impact on small, micro and medium size businesses, in particular because we want to support businesses that are delivering good outcomes in children’s social care and avoid unintentional consequences from disproportionate burdens on such providers.

## 6. Regulatory scorecard for preferred option

### Part A: Overall and stakeholder impacts

(1) Overall impacts on total welfare		Directional rating
<b>(i) Description of overall expected impact</b>	Provider oversight will have a positive impact on children in residential settings. The legislative reforms proposed will not be directed at children specifically but to hold provider groups and organisations to account that are ultimately responsible for those establishments and settings (i.e. children’s homes) that care for children who the local authority have assessed need to be looked after. Beyond holding provider groups to account, these proposals should mean an overall increase in the quality of care placements (by holding groups to account when there is poor quality practice across their establishments), which is an indirect positive consequence for children in care.	<b>Positive</b> Based on all impacts (incl. non-monetised)
<b>(ii) Monetised impacts</b>	<b>Total £ NPSV: -£1.1m</b> Most provider groups will not be subject to requirements (e.g., development and implementation of an improvement plan) therefore the impact is neutral.	<b>Neutral</b> Based on likely £NPSV
<b>(iii) Non-monetised impacts</b>	Beyond holding provider groups to account, these proposals should mean an overall increase in the quality-of-care placements (by holding groups to account when there is poor quality practice across their establishments), which is an indirect positive consequence for children in care.	<b>Positive</b>

<b>(1) Overall impacts on total welfare</b>		<b>Directional rating</b>
<b>(iv) Any significant or adverse distributional impacts?</b>	None identified.	<b>Neutral</b>

<b>(2) Expected impacts on businesses</b>		
<b>(i) Description of overall business impact</b>	<p>At point of registration persons seeking to register the setting (if it is part of a provider group) will be required to set out the ownership structure. The impact of providing these details will be minimal on time and resource as they should be easily obtainable.</p> <p>As per Regulatory Impact Assessment guidance, we have not provided a monetary impact assessment of enforcement action given this is a compliance measure – if registered providers are of good quality and meet requirements (80% are currently rated good/outstanding which indicates requirements are being met) then the provider group will not be impacted. We have provided a description of the potential impact of non-compliance for completeness:</p> <ul style="list-style-type: none"> <li>• Depending on the nature of the concerns and the enforcement measure, the impact on the provider group could be significant.</li> <li>• Enforcement could include declining further registrations until existing issues are resolved, issuing of a monetary penalty and suspending/cancelling existing registration(s).</li> <li>• If the provider group receives a significant monetary penalty this would have an impact on the provider group’s finances.</li> <li>• If Ofsted decide to suspend or cancel registration this would have an impact on staff in the relevant setting/s who may be made redundant, and on the provider group who would no longer receive an income from this setting.</li> </ul> <p>Refusal of future applications would restrict growth of the provider group, having a negative impact on those seeking to expand and affecting revenue and profit.</p>	<b>Neutral</b>

## (2) Expected impacts on businesses

### (ii) Monetised impacts

**Business NPV (net present value): -£1.1m**

**EANDCB (estimate of the average annual net direct costs to business):** £0.07m. This impact is expected after secondary legislation. No impacts are expected immediately after the Bill is laid (and before secondary).

**Please indicate if pass through to households has been deducted from these figures:** N/A

**Please indicate any pass through costs from households to business (if available):** N/A

-£1.1m Business Net Present Value is calculated as follows:

As of March 2024<sup>5</sup>, there were 2,748 privately owned children's homes. We have removed the figure of 434 (children's homes owned by a single provider) and added 323 (Independent Fostering Agencies). This leaves approximately 2,637 providers who are privately owned by groups.

We estimate it will take half a day for a middle manager earning £40,000<sup>6</sup> p.a to familiarise themselves with the policy and cascade the information to relevant colleagues. This equates to £75 per half day. 2,637 providers undertaking this action is a cost of £197,775.

We estimate it will take one day for a middle manager earning £40,000 p.a to provide group information at point of registration. This equates to £150 per day. 2,637 providers undertaking this action is a cost of £395,550.

£0.6m

Public sector financial costs £0.5m

**Total cost £1.1m**

Benefits have not been monetised.

We will develop the impact estimates further as our measure proceeds through secondary legislation.

**Negative**

**Based on likely business £NPV**

<sup>5</sup> [Largest national providers of private and voluntary social care \(March 2024\) - GOV.UK](#)

<sup>6</sup> Assumption of middle manager and their salary is based on information from Ofsted.

<b>(2) Expected impacts on businesses</b>		
<b>(iii) Non-monetised impacts</b>	<p>Our analysis assumes the impact will be neutral on those providers who adhere to regulations.</p> <p>Provider groups who have not complied with requirements will be negatively affected. Enforcement will be used proportionately and depending on the circumstances (i.e. number of settings involved, scale of the issues, previous breaches etc), will include a fine, refusal of future settings registrations and grounds for amendments to and suspension/cancellation of existing settings registrations.</p> <p>However, we do not classify these as direct costs or include these in the EANDCB calculation.</p>	<b>Neutral</b>
<b>(iv) Any significant or adverse distributional impacts?</b>	None identified.	<b>Neutral</b>

<b>(3) Expected impacts on households</b>		
<b>(i) Description of overall household impact</b>	N/A	<b>Neutral</b>
<b>(ii) Monetised impacts</b>	N/A	<b>Neutral</b> Based on likely household £NPV
<b>(iii) Non-monetised impacts</b>	N/A	<b>Neutral</b>
<b>(iv) Any significant or adverse distributional impacts?</b>	N/A	<b>Neutral</b>

## Part B: Impacts on wider government priorities

Category	Description of impact	Directional rating
<b>Business environment:</b> <b>Does the measure impact on the ease of doing business in the UK?</b>	<p>None identified. Provider oversight will not affect the ease of doing business in the UK. Providers who are adhering to regulations will not be impacted.</p> <p>Those where issues are identified may be required to develop and implement an action plan. This will not affect the ease of providers to continue with their business.</p>	<b>Neutral</b>
<b>International Considerations:</b> <b>Does the measure support international trade and investment?</b>	No known impact on international trade and investment.	<b>Neutral</b>
<b>Natural capital and Decarbonisation:</b> <b>Does the measure support commitments to improve the environment and decarbonise?</b>	No known impact on natural capital and decarbonisation.	<b>Neutral</b>

## 7. Monitoring and evaluation of preferred option

34. We expect provider oversight to be implemented by Ofsted from April 2026 subject to primary and secondary legislation going through parliament.

35. The main factors which will impact on the success of provider oversight is how effectively Ofsted respond and the compliance of providers to adhere to regulations (provide group level information on registration and development/implementation of an improvement plan).

36. We will assess whether objectives have been met and any unintended consequences for businesses (providers) through collection of data by Ofsted. This will track the volume of enforcement activity at provider level, demonstrating how many services this action has the potential to influence. Where Ofsted has taken action at provider group level, they will monitor compliance at setting level over a period of 12 months.

37. No known issues in collecting data. Ofsted will be updating its case management system which will make collection easier and faster.

38. The department will write a benefits management strategy which will be updated as new data and information becomes available. Success will largely be measured by improving quality of providers.

39. Any incidents similar to the Hesley case (where systemic abuse occurred across several settings owned by the same group owner) may require the policy to be reviewed sooner

## **8. Minimising administrative and compliance costs for preferred option**

40. We anticipate this power being used infrequently - where Ofsted has reasonable grounds to believe that requirements are not being met in two or more establishments and/or agencies (settings) owned by the same private or voluntary provider group. The requirement at registration to provide group information should take minimal time to collate.

# Declaration

Department:

Department for Education

Contact details for enquiries:

[Legislation.division@education.gov.uk](mailto:Legislation.division@education.gov.uk)

Minister responsible:

Minister Daby

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

A handwritten signature in black ink that reads "Janet Daby". The signature is written in a cursive style with a large initial 'J' and a long tail on the 'y'.

Signed:

Date: 28/01/25

## Summary: Analysis and evidence

Price base year:

2024/25

PV base year:

2024/25

**NB we have not provided costs/analysis of those options RAG rated red, as following policy analysis/consideration they were deemed not to meet the aims of provider oversight.**

	<b>BAU</b>	<b>Improvement plan/enforcement (preferred)</b>	<b>Trigger for engagement/action</b>
<b>Net present social value</b>	<p>£0m</p> <p>Provider groups are not accountable under current legislation so there are no costs that are currently applicable to them. There are no additional costs for registered providers, as they are not required to provide additional (provider group) data.</p>	<p>-£1.1m</p> <p>This NPV includes solely estimates on the cost of all registered providers (settings) that are part of provider groups, becoming familiar with the legislation requirements and providing data as part of their registration to ensure Ofsted can link the setting to a group. This data requirement will be via regulations. We will develop the impact estimates further as our measure proceeds through secondary legislation.</p> <p>Given it will be Ofsted's discretion to require a provider group to develop and implement an improvement plan, it is difficult to quantify the costs to both Ofsted and the provider group</p>	<p>-£1.4m</p> <p>-£0.6m</p> <p>Costs for all registered providers (settings) that are part of provider groups, becoming familiar with the legislation requirements and providing data as part of their registration to ensure Ofsted can link the setting to a group. This data requirement will be via regulations. We will develop the impact estimates further as our measure proceeds through secondary legislation.</p> <p>-£0.3m</p> <p>This is the absolute minimum cost to the provider group when the trigger has been met. The costs are made up of the following (assumptions):</p>

	BAU	Improvement plan/enforcement (preferred)	Trigger for engagement/action
		<p>(beyond those costs that all provider group settings will incur, i.e. £0.6m). However, we can assume the total costs to all provider group will be less than those described for option three given that those are based on an automatic trigger (we assume about 20% of provider groups with multiple settings) and not when Ofsted believe provider group engagement to be the right option. Our preferred option will involve the development and implementation of an improvement plan so we can assume that when Ofsted makes this requirement, the costs incurred (i.e. directors engagement, improvement plan development, working with settings) will be similar to option three, but on a small scale (i.e. will likely apply to fewer provider groups in total over a year).</p> <p>Most areas of concern will continue to be dealt with at setting level, and only where issues will be better solved across multiple settings will Ofsted require action from the provider group. It is feasible that in a particular year, Ofsted only require action with</p>	<ul style="list-style-type: none"> <li>• There are 669 provider groups that own more than one children’s home and/or fostering agency<sup>7</sup>. We assume 20% will meet the trigger for Ofsted engagement/action, based on current rates of RI/inadequate judgements</li> <li>• A provider group director (legislation states a person of significant seniority must be named in the improvement plan to ensure implementation. Given the make-up of provider groups, we assume director level) salary of £109,000 (this is based on an average civil service salary at director level. It is likely a private sector director salary is higher).</li> <li>• Based on a 40 hour week, a director hourly rate of £52.40</li> <li>• Once the trigger for engagement/action has been met, two directors spend half a day with Ofsted, 1 day developing an improvement plan, and 1 day working with the settings to implement the plan and half a day further engagement with Ofsted through the process.</li> </ul> <p>Total costs to provider groups and their settings <b>£0.9m</b></p>

<sup>7</sup> [Largest national providers of private and voluntary social care \(March 2023\) - GOV.UK](#)

	<b>BAU</b>	<b>Improvement plan/enforcement (preferred)</b>	<b>Trigger for engagement/action</b>
		a handful of provider groups, and in another year more.	
<b>Public sector financial costs</b>	£0m Ofsted is currently already funded for BAU. They would not be working with provider groups under BAU so there is no requirement for additional funding.	£0.5m	£0.5m Ofsted costs to work with 20% of provider groups that own multiple settings. Costs are for staff including admin, a senior reporting officer and lawyer.
<b>Significant un-quantified benefits and costs</b>	N/A	Improvement in settings will be quicker and at scale which would be to the benefit of children living in those settings. It will enable Ofsted to work more efficiently which will therefore be a better use of taxpayers' money.	Improvement in settings will be quicker and at scale which would be to the benefit of children living in those settings.
<b>Key risks</b>	N/A	N/A	N/A
<b>Results of sensitivity analysis/approach to risk and uncertainty</b>	N/A	N/A	N/A