

## The position from World War II onwards

Legislation sets the framework for the way in which public bodies work with children and, in many respects, mirrors society's attitudes to children and their care. There are very many examples below where the legislation of the time, and public attitudes at that time, does not accord with current legislation and public attitudes.

### Changing provision

The nature of residential care has changed from large institutions intended to provide containment and sometimes punishment and education, through to community homes, and to the current provision of smaller homes for those children unable to live in a family environment. Many homes were originally provided by charities and voluntary organisations, often run by married couples who lived on the premises. Approved Schools were staffed by teachers and education support staff. There were no requirements for 'care' staff to be qualified until the 1990s, with the requirement that each home should have a Registered Manager. Ofsted, who took over the responsibility for the inspection and registration of children's homes in 2010, have to approve the appointment of each manager. Quality standards for all children's homes have been further strengthened in 2015, with improved levels of staff training being a particular feature, with mandatory training for all staff on child sexual exploitation, and a requirement that NVQ Level 3 training is needed for all staff, with Level 5 for managers.

The last 60 years has also seen a shift in thinking from removing children from parents who either did not have the resources or ability to provide 'control', towards the view that children should remain in their families unless it is unsafe for them to do so. At the same time, there was a shift in provision from large institutions to alternative family care or small group homes for those children unable to live in a family environment. The openness and scrutiny of homes has also changed significantly. Again, these changes are not a panacea, but they all contribute to a better and more family-like environment in which children can grow up safely. The change to much smaller institutions has increased the complexity of oversight, but reduced the possibilities for some of the large-scale abuse of the past.

Up to the 1970s, the Home Office maintained a team of inspectors who visited Approved Schools and Remand Homes, with little in the way of formal requirements until 1991, when Regulation 22 required that a local authority-maintained community home be visited once a month to "*ensure that the day to day conduct of the home is seen by someone not involved in its operation*". Then known as 'Regulation 22 inspections', this requirement has continued through the changes in regulations though the numbering has changed – they are now Regulation 44 inspections. Reports of Regulation 44 visits, which take place at least monthly, must be forwarded to Ofsted and also reported to local Councillors (see corporate parenting, below). It should be noted that small private children's homes were not included in the 1991 Regulations and maintained residential schools were not required to be visited. In addition to these regulatory visits Ofsted now inspects all homes. There has been a regulatory visiting requirement on local authorities since the Home Office lost responsibility