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Children living in Residential Care

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Background and Problem Statement

Residential care is a form of care for children who, for a multitude of reasons, are unable to live with their birth family. Instead, they are cared for by paid professionals in a residential setting, such as a children's home, usually under a voluntary care agreement or care order. Residential care is the third most commonly used placement type for children who are looked after (after foster and kinship care). A partial explanation of this is the cost implications of such a resource-intensive provision, but also general attitudes towards residential care. These attitudes arise from a governmental and legislative preference for family-based care and thus a reluctance to separate children from family members.¹ Another source of negative attitudes towards residential care arise from concerns around abuse and attachment issues. A report developed by the Centre for Abuse and Trauma Studies in collaboration with Lifespan Research Group described insecure attachment styles in young people in residential care as endemic, with as many as 6 out of 10 classified as having a disorganised attachment style.² These attitudes and concerns have led to a general emphasis on residential care as a 'last resort' option, where more common arrangements have been unsuccessful³⁴ - a view often shared by social work professionals and senior managers.⁵ However, the potential for residential care to deliver stability can be significantly underestimated. For some young people, residential care may be the best option and many express a preference for living in a home rather than being fostered⁶. What is important is to ensure that it offers high quality care for children who often enter under very challenging circumstances.

Existing research suggests that children living in residential care have worse outcomes than their peers in care in other placement types, such as foster and kinship care, for example, in terms of emotional or behavioural difficulties⁷, educational attainment⁸, and psychiatric disorders.⁹ However, much of the evidence comes from qualitative work or government reviews which fail to provide a national picture of residential care. Furthermore, much of the evidence has not accounted for the wider context and circumstances under which a child may enter residential care, such as previous

¹ Section 22c(7) of the Children Act sets out that in determining which is the most appropriate placement for a child, the local authority must "give preference" to a placement with a relative, friend or other connected person.

² Jacobs, C., Ilan-Clarke, Y., & Bifulco, A. (2012). *Caring about attachment in young people in residential care: the use of the attachment style interview. Report of a voluntary sector and university partnership*. [Online]. Community Care Inform. Available at: https://lifespantraining.org.uk/wp-content/uploads/Attachment_style_in_res_care.pdf

³ Thoburn, J. (2016). Residential care as a permanence option for young people needing longer-term care. *Children and Youth Services Review*, 69, 19-28.

⁴ Holmes, L., Connolly, C., Mortimer, E. & Hevesi, R. (2018). Residential Group Care as a Last Resort: Challenging the Rhetoric. *Residential Treatment for Children and Youth*, 35(3), pp. 209 - 224.

⁵ Narey, M. (2016). Residential Care in England: Report of Sir Martin Narey's independent review of children's residential care, Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/534560/Residential-Care-in-England-Sir-Martin-Narey-July-2016.pdf

⁶ ibid

⁷ Department for Education. (2014). *Children's homes data pack*. [online] Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/388701/Childrens_Homes_data_pack_Dec_2014.pdf

⁸ Sebba, J., Berridge, D., Luke, N., Fletcher, J., Bell, K., Strand, S., Thomas, S., Sinclair, I. & O'Higgins, A. (2015). *The Educational Progress of Looked After Children in England: Linking Care and Educational Data*. [online]. Rees Centre. Available at: <https://www.nuffieldfoundation.org/wp-content/uploads/2019/11/EducationalProgressLookedAfterChildrenOverviewReportNov2015.pdf>

⁹ Ford, T., Vostanis, P., Meltzer, H. & Goodman, R. (2007). Psychiatric disorder among British children looked after by local authorities: comparison with children living in private households. *British Journal of Psychiatry*. 190, pp. 219 - 325.



care experience and special educational needs.¹⁰ The availability of administrative data means that large scale analysis of children's experiences and outcomes can be carried out and important questions can be answered. Therefore, the aim of this analysis is to provide a quantitative national overview of the factors associated with entry into residential care placements, the characteristics of these types of placements, and the outcomes for children who experience them. This will be obtained through descriptive statistics, regression analysis and subgroup analysis. The research has been commissioned by the Independent Review of Children's Social Care.

Aims and Objectives

This study aims to improve the current understanding of residential care by providing more quantitative evidence regarding the characteristics and experiences of children living in residential care, their journeys into and out of residential care placements and their outcomes compared to children in other types of care.

Research questions

More specifically, this analysis will answer the following research questions:

- What are the journeys of children that go into residential care placements?
- What factors predict entry into residential care?
- Do the characteristics of children in residential care placements vary by the type of residential care placement?

Scope

This analysis will focus on children that live in children's homes as the population of interest. Children living in residential care as a short-break placement are excluded from analyses. Other children which reside in secure children's homes, unregulated children's homes or residential special schools registered as children's homes are included in, but are not the focus of, the analyses.

Method and Analysis

This section will provide more detail on each individual research question. Due to the structure and availability of the data, the methods and analyses vary by research question and are explained in more detail below. Please note that the analysis will be limited to providing descriptive statistics and regression analysis, so will be able to establish longitudinal correlations but not any causal link between residential care placements and certain outcomes of interest.

Data sources

We will use individual-level data requested from the ONS' Secure Research Service (SRS) for the analysis. The data requested includes national administrative data on looked after children provided by local authorities to the Department for Education (known as the SSDA903 collection). Annual SSDA903 returns for the years 1998/1999 - 2019/20 are used for analysis in order to compare the experiences of children for multiple cohorts over time. This data provides detail and dates of a child's placements, including when the placement ended. Data from the children in need census helps to

¹⁰ Hart, D., La Valle, I., & Holmes, L. (2015) *The place of residential care in the English child welfare system*, Department for Education: London.



provide comprehensive information of a child's journey into care. Annual schools' census provides further information of a child's characteristics, attendance, exclusions and educational outcomes.

Journeys of children through residential care placements

To explore the journeys of children into and out of residential care placements, this analysis strand will focus on two main questions:

- What are the pathways of different groups of children through residential care?
- What factors predict entry into residential care?

The analytical approach to each question is described in more detail below.

Pathways through residential care by group

Children living in residential care placements often have the most complex needs of the looked after population¹¹ and are placed into residential care for a variety of reasons. As children's experiences of and journeys through residential care may differ strongly, we will explore pathways through residential care separately for a number of different groups of children in order to improve our understanding of how or why residential care is used. We will consider children with the following demographics separately:

- Unaccompanied asylum-seeking children (UASC)
- Children whose main need for services arises because of their disability, illness or intrinsic condition
- Early entrants into residential care (age 10 and younger)
- Adolescent entrants to care (aged 11-15) and later entrants (age 16 and above) to be considered separately

Existing evidence shows that approximately 68% of all children starting to be looked after in children's homes are aged 13-16 when they enter a residential care placement¹², with small sample studies suggesting adolescent entry is associated with relationship problems with parents/guardians and also behaviour harmful to themselves or others.¹³ Close subgroup analysis will further the understanding of young people's journeys to learn how residential care is chosen as their placement option. The need code at the time the child becomes looked after identifies a child's disability for 16% of the residential care population¹⁴ (which neither necessarily represents the only reason they are in care, nor captures the entire population of children with a disability). It is important to understand the experiences of children with disabilities who have been identified as especially vulnerable to negative outcomes¹⁵ to gain insight to their experiences living in residential care compared to non-residential care.

¹¹ Narey, M. (2016). *Residential Care in England: Report of Sir Martin Narey's independent review of children's residential care*, Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/534560/Residential-Care-in-England-Sir-Martin-Narey-July-2016.pdf

¹² Department for Education (2014). *Children's homes data pack*, Department for Education: London.

¹³ Thoburn, J. (2016) 'Residential care as a permanence option for young people needing longer-term care', *Children and Youth Services Review*, 69: 19 - 28.

¹⁴ Department for Education. (2016) *Ad-hoc notice: Looked after children in residential care - analysis*, London: Department for Education.

¹⁵ Trout, A. L., Casey, K., Chmelka, M. B., DeSalvo, C., Reid, R. (2009) 'Overlooked: children with disabilities in residential care', *Child Welfare*, 88 (2): 111 - 136.



Further, 81% of all children living in residential care have identified special educational needs¹⁶ (disproportionate to the 54% of all looked after children¹⁷ and 15.5% of all pupils in England¹⁸) whose needs may differ from other children living in residential care. The number of UASC in care has been increasing since 2004.¹⁹ More recent figures show that these numbers have risen 130% since 2013 to 4,480 in 2019.²⁰ Although research has explored the experiences of this group in care, much of the work has been qualitative and not specific to residential care. Furthermore, UASC children are widely considered to be a particularly vulnerable group facing multiple challenges; many have experienced war, trauma, persecution and abuse, and then face the subsequent difficulties of entering a new country without the support or care of a parent or other family member.²¹²² Therefore, UASC's journeys into residential care may vastly differ from other children's, and we will look at this group separately to reflect this complexity.

If further analysis reveals that looking at additional groups will be of merit, we will include these groups in the analysis and explain our motivation for including them in the analysis in the final report.

Outcome measures

To describe children's journeys through residential care, we will analyse the following outcome measures separately by group:

- Number, length and types of placements before first residential care placement
- Number, length and types of placements after first residential care placement, including the last placement the child has ever been in care
- Overall time spent in care
- Average age at entry into care and at entry into residential care
- Reason child became looked after (based on category of need)
- Number and length of previous children in need (CIN) and child protection (CP) plans, if consistently available²³
- Primary need code and category of abuse during last episode of need²⁴
- School attendance (unauthorised absences as a proportion of total possible sessions) before entering residential care
- School exclusions (ever permanently excluded and number of days missed on fixed term exclusions) before entering residential care

¹⁶ Department for Education. (2016) *Ad-hoc notice: Looked after children in residential care - analysis*, London: Department for Education. Available from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/534263/Looked_after_children_in_residential_care_analysis.pdf

¹⁷ *ibid*

¹⁸ Department for Education. (2021). *Special educational needs and disability*. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/985162/Special_educational_needs_Publication_May21_final.pdf

¹⁹ Department for Education (2020) 'Children looked after in England including adoptions - Reporting Year 2020', GOV.UK, available online at <https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2020>

²⁰ Ott, E., & O'Higgins, A. (2019). Conceptualising educational provision for unaccompanied asylum-seeking children in England. *Oxford Review of Education*, 45(4), 225-572. <https://doi.org/10.1080/03054985.2019.1607274>

²¹ Stein, M. (2004) *What Works For Young People Leaving Care?* Ilford: Barnardo's.

²² Barrie, L., & Mendes, P. (2021). The experiences of unaccompanied asylum-seeking children in and leaving the out-of-home care system in the UK and Australia: A critical review of the literature. *International Social Work*, 54(4), 485-503. <https://doi.org/10.1177%2F0020872810389318>

²³ Data on CIN plans is consistently available since 2009/10, while data on child protection plans is only consistently available since 2012/13. Hence, we are limited to looking at the number and length of CIN and CP plans that were in place for children of our cohort of interest since age 8 and age 11, respectively.

²⁴ As above, primary need codes are only available for any child in need episodes since our cohort of interest turned 8, while the latest category of abuse is available since 2012/13 thus since age 11.



We will also provide descriptive statistics on wider outcomes of children and young people who have ever been in residential care where appropriate, namely:

- School attendance (unauthorised absences as a proportion of total possible sessions) during key stage 4
- School exclusions (ever permanently excluded and number of days missed on fixed term exclusions) before entering residential care and during key stage 4
- Attainment at key stage 4 (as measured through KS4 Attainment 8 and Progress 8 scores)
- SDQ score at age 16 (if available)
- Whether the young person was in education, employment or training on or around their 17th and 18th birthday
- Type and suitability of accommodation on the young person's 17th birthday
- Whether the young person was ever convicted
- Whether the young person was ever identified as having a substance misuse problem
- Whether the young person is a mother
- Number of missing episodes overall and during residential care placements

Analytical strategy

For each of these outcome measures and each group of children living in residential care, we will provide descriptive statistics consisting of counts and averages. We will also provide descriptive statistics of the demographics of each group, including average age, gender, ethnicity and special education need, where appropriate.

Where the analysis identifies typical journeys through residential care for each group of children, we will provide a visualisation of journeys into and out of residential care to illustrate the findings.

Table 1: Descriptive statistics for RQ1a

Population	All children that turned 18 between April 2019-March 2020 who have ever lived in residential care
Outcome Measures	Number and types of placements before and after first residential care placement, average age at entry into care and at entry into residential care, category of need
Analytical strategy	Descriptive statistics by group, visualisation

What factors predict entry into residential care placements

This strand of analysis will look at the association between children's characteristics and their likelihood of experiencing a residential care placement.

Outcome measures

The outcome of interest to answer this research question will be whether a child has had a residential care placement.

Analytical strategy

We will run two regressions to establish correlations between children's characteristics and their likelihood of being placed in residential care.



The first regression will analyse whether information available at the point where a child enters care is associated with a later residential care placement. The regression will be run at the child level considering any child whose first period of care²⁵ ended in the year 2019/20. We will estimate the strength of the correlations between the characteristics and the likelihood of residential care placement through the following regression framework:

$$Y_i = \beta_0 + \sum_{m=1}^M \beta_m X_i + \gamma LA_s + \epsilon_i$$

Where:

- Y_i is a binary indicator of whether child i had a residential care placement during their first period of care
- β_0 is a regression constant
- X_i is a vector of M child-level characteristics and previous experiences of children's services known at entry into care (see "individual-level variables" below)
- LA_s are local authority level fixed effects for the local authority s child i is in
- ϵ_i is an error term, denoting robust standard errors

The individual-level variables included in the regression will be:

- Gender
- Ethnicity
- Special educational needs and disabilities (SEND) categories
- Ever eligible for free school meals prior to entering care
- IDACI score
- Age at entry into care
- Child's category of need at start of care period
- Is child an Unaccompanied Asylum Seeking Child (UASC)
- Indicator for children whose main need for services arises because of their disability, illness or intrinsic condition
- Number of previous child protection (CP) plans²⁶
- Number of previous child in need (CIN) plans
- Length of last child protection plan prior to coming into care
- School attendance at key stage 2 (KS2) (unauthorised absences as a proportion of total possible sessions) in the last term before entering care
- School exclusions at KS2 (ever permanently excluded and number of days missed on a fixed term exclusion) in the last term before entering care

In a secondary analysis, we will include interaction terms for gender and ethnicity and gender and age at entry into care, to explore potential intersectional differences in entry to residential care rates.

²⁵ Please note that throughout the protocol, we refer to a period of care as "a period during which a child is continuously looked-after by a local authority" in accordance with the DfE's guide to submitting data. A period of care consists of one or more episodes of care, and can involve one or more placements and one or more legal statuses. More information can be found under: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974676/Children_looked-after_by_local_authorities_in_England_2020_to_2021.pdf

²⁶ Data on CIN plans is consistently available since 2009/10, while data on child protection plans is only consistently available since 2012/13. Hence, we are limited to looking at the number and length of CIN and CP plans that were in place for children of our cohort of interest since age 8 and age 11, respectively.



Table 2: Regression analysis for RQ1b

Population	All children that turned 18 between April 2019-March 2020 who have ever been in care
Outcome Measures	Binary indicator of whether a child was in a residential care placement at any time during their first period of care (0-1)
Analytical strategy	Regression analysis

In a second step, we will analyse whether information on the first placement can predict entry into residential care at a later point for children whose first placement was not in residential care. To increase comparability we will match children who had a residential care placement during their first period of care with children who did not go into residential care during their first period of care. We will use coarsened exact matching²⁷ (CEM) based on characteristics shown to significantly correlate with entry to residential care from the first regression. Once the matching is complete, we will run the following regression:

$$Y_i = \beta_0 + \sum_{l=1}^L \beta_L Z_i + \gamma LA_s + \epsilon_i$$

Where:

- Y_i is a binary indicator of whether child i had a residential care placement during their first period of care
- Z_i is a vector of L child-level variables containing information about the first episode of care (see “first episode of care characteristics” below)
- LA_s are local authority level fixed effects for the local authority s child i is in
- ϵ_i is an error term, denoting robust standard errors

We will include the following child-level variables pertaining to a child’s first episode of care under Z_i :

- Length of first placement episode²⁸ (in days)
- Type of first placement (e.g. in a residential care home, foster placement)
- Legal status of first placement
- Whether the first placement was in or outside of the local authority (0=inside LA boundary, 1=outside LA boundary)
- Distance from home during first placement
- Reason for placement change
- Reason episode ceased

²⁷ CEM balances treatment and control groups by grouping observations with similar characteristics (where the level of similarity is pre-determined by the researcher) into strata, to identify a treatment effect by comparing outcomes of treated and control groups within strata. More information can be found here:

<https://cran.r-project.org/web/packages/cem/vignettes/cem.pdf>

²⁸ An episode of care forms part of a period of care that consists of one or more episodes of care. A new episode of care is started when a child becomes looked-after, when there is a change of legal status, when there is a change of placement, or when the placement provider changes, although we will not count changes in legal status as a change of placement. More information can be found under:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/974676/Children_looked-after_by_local_authorities_in_England_2020_to_2021.pdf



- Number of missing episodes during first placement

Table 3: Regression analysis for RQ1c

Population	All children who turned 18 between April 2019-March 2020 who have ever been in care and who had at least two episodes of care, excluding children whose first episode of care was in residential care.
Outcome Measures	Binary indicator of whether a child was in a residential care placement at any time during their first period of care (0-1)
Analytical strategy	Matched regression analysis Coarsened exact matching (CEM) of children in care based on pre-care characteristics

Do the characteristics of children in residential care placements vary by the type of residential care placement?

The children's homes that children living in residential care are placed in can differ across many characteristics, including public, private or voluntary provision or the size of the home. To compare residential care placements, we will merge the individual-level data on children looked after with publicly available data from Ofsted on the providers of children's social care.²⁹

We will analyse whether different types of residential care placements are correlated with children's demographics to see whether certain groups of children are disproportionately placed into specific types of residential care homes.

Outcome measures

Our outcome measures will be publicly available information on the characteristics of residential care placements. This will include:

- Overall Ofsted rating of the home
- Size of the home(number of places available)
- Type of home (public, private and voluntary provision)
- Child placed inside/outside the local authority boundary
- Distance placed from home (in miles)

Analytical strategy

To analyse whether types of residential care placements correlate with children's characteristics, we will look at all children who started a residential care placement in 2019/20, running the following analysis:

$$Y_i = \beta_0 + \sum_{m=1}^M \beta_m X_i + \gamma LA_s + \epsilon_i$$

²⁹ <https://www.gov.uk/government/statistics/childrens-social-care-data-in-england-2021>



Where:

- Y_i is the outcome measure discussed above
- β_0 is a regression constant
- X_i is a vector of M child-level characteristics known at entry into care (see “individual-level variables” below)
- LA_s are local authority level fixed effects for the local authority s child i is in
- ϵ_i is an error term, denoting robust standard errors

The following individual-level variables will be included under X_i :

- gender
- ethnicity
- Special educational needs and disabilities (SEND) categories
- Free school meal eligibility
- IDACI score
- Age at entry into care
- Child’s category of need at start of care period
- Indicator for each of the groups analysed under research question 1
- Number of previous placements
- Number of previous residential care placements
- Length of time in care at entry into residential care
- SDQ scores before entering residential care
- Child convicted prior to entering residential care
- Child identified as having a substance misuse problem
- Indicator if looked after girl is a mother prior to the residential care placement in question

Table 4: Regression analysis for RQ2

Population	Any child who started a residential care placement in 2019/20. Only the first placement in that year is considered for each child.
Outcome Measures	Ofsted rating of the home, Size of the home (number of places available), In/out of LA placement (binary indicator 0-1), Distance placed from home (in km)
Analytical strategy	Regression analysis

Exploratory analysis

Another area of potential interest for the analysis is the correlation between home characteristics and children’s placement outcomes. In the exploratory analysis, we will investigate whether certain characteristics of the residential care home children are placed in correlate with children’s care outcomes during the residential care placement, identified as a knowledge gap in Hart, La Valle &



Holmes (2015).³⁰ This analysis will look at children's placement outcomes and to what extent they correlate with characteristics of the residential care placement when controlling for individual-level characteristics. This analysis will not provide any causal estimates of the relationship between home characteristics and placement outcomes, as potential uncontrolled characteristics mean that we cannot fully distinguish between the effect of being in a home and the reason for entering the particular home.

Outcome measures

We will analyse whether characteristics of the home in which a child lives are correlated with the child's corresponding placement outcomes, using outcome variables that are measured directly in relation to the residential care placement:

- Length of time (in months) spent in the placement
- Number of episodes that a child went missing during the placement relative to the time (in months) spent in the placement
- Reason placement ends (two binary indicators indicating whether a child left residential care to return home, or whether a child left residential care to be permanently cared for under an SGO, CAO or adoption order)

The characteristics of the residential care home that will be included in the regression as independent variables are limited by data availability and were selected as they may play important roles in affecting placement outcomes. They will include:

- Overall Ofsted rating of the home
- Size of the home (number of places available)
- Type of home (public, private and voluntary provision)
- Child placed inside/outside the local authority boundary
- Distance placed from home (in miles)

Analytical strategy

For the sample of all children who left a residential care placement in 2019/20, we will run the following analysis:

$$Y_{ih} = \beta_{0h} + \sum_{m=1}^5 \beta_m HC_h + \sum_{p=1}^P \lambda_{ph} X_{ih} + \epsilon_{ij}$$

Where:

- Y_{ih} is one of the outcome measures, an element of C_{ih} , discussed above.
- HC_h is a vector of 5 residential home characteristics in which the child was living during their placement.
- X_{ij} is a vector of M child-level characteristics known at entry into care (see "individual-level variables" above), including the number of previous placements, number of previous residential care placements, number of missing episodes prior to the placement and length of time in care at entry. This mitigates bias in placement outcomes which are caused by the child's care history or permanent characteristics.
- ϵ_{ih} is an error term, denoting robust standard errors

³⁰ Hart, D., La Valle, I., & Holmes, L. (2015) The place of residential care in the English child welfare system, Department for Education: London.



Children who are unaccompanied asylum seekers will be excluded from this analysis, as the arrival of unaccompanied asylum seeking children and the local support varies strongly by local authorities³¹, which will likely lead to differences in outcomes compared to other groups of children living in residential care.

Table 5: Regression analysis for the exploratory analysis

Population	Any child who has left a residential care placement in 2019/20, excluding unaccompanied asylum seeking children. ³²
Outcome Measures	Duration of placement (in days), number of missing episodes during the placement, the reason a placement ends.
Analytical strategy	Multilevel analysis using random intercepts and coefficients. Regression analysis.

Ethics & Participation

We believe the research will have important public benefits by providing a national overview of the predictors, characteristics, and outcomes associated with residential care placements, which is informative for policy decision-making. We believe the risk of harm from this project is very low. The data used is administrative data which is collected / created in the course of day to day children's social work, and no further collection of data is required. The analysis does not involve innovative technology, denial of service, large-scale profiling, biometric data, genetic data, data matching, invisible processing, tracking or targeting of individuals for marketing purposes. The outputs will be presented as summary statistics and will be checked for statistical disclosure.

The low risk of harm mostly comes from the possibility of harm if the individual were identified (very unlikely) following a data breach (also very unlikely). We mitigate the risk of a data breach by using the ONS' secure research service (SRS). Data will be stored on the ONS' systems. Access to the data will be limited to the project team at WWCS; all researchers have undergone rigorous data protection training. It is very unlikely that the data requested will enable re-identification because we only ask for the data necessary to undertake the analysis and this contains no "instant identifiers" (e.g. name, address etc) or "meaningful identifiers" (which would allow matching to other datasets with more information).

This project has received approval from the What Works for Children's Social Care Research Ethics Committee.

³¹ The Association of Directors of Children's Services Ltd (2016) ADCS Safeguarding Pressures Phase 5: Special Thematic Report on UASC. [Research Report]. Accessed from: http://adcs.org.uk/assets/documentation/ADCS_UASC_Report_Final_FOR_PUBLICATION.pdf

³² If the child has had multiple residential care placements in 2019/20 only the first one will be considered.



Registration

The study will be pre-registered on OSF (Open Science Framework, <https://osf.io/>) run by the Centre for Open Science (<https://cos.io/>).

Data protection

1. Purpose for processing

The purpose for processing personal data is to improve the current understanding of residential care by providing more quantitative evidence regarding the characteristics, journeys and outcomes associated with residential care placements for children who experience them ("Purpose 1").

Another purpose ("Purpose 2") will be to share the findings with the relevant stakeholders so that the results can contribute towards the Independent Review of Children's Social Care and inform future policy decisions in this sector.

Through the processing of data the research is designed to be part of an evidence base to be used for the improvement of children's lives and for the ability to make informed decisions on how children living in residential care should be treated in the future.

Data captured and subsequent findings, within legislative boundaries, will be archived in a manner which will aid secondary analysis of the data to inform further research conducted for the benefit of society and, in particular, societal practices in the children's social care sector ("Purpose 3").

2. Relationships of parties

The Independent Review of Children's Social Care in England based in the UK Department for Education ("DfE") is funding the research outlined in this Trial Protocol. WWCS is working with the DfE on the design and delivery of the research project on behalf of the DfE.

For the alleviation of doubt:

The DfE shall be the data controller for the duration of the evaluation. WWCS is acting as a Data Processor on behalf of DfE who are acting as the Data Controller for data processed directly or indirectly for the research activities outlined in this Trial Protocol.

3. Categories of Data Subject(s) and Personal Data

Category of Data subject	Number per Category
<input checked="" type="checkbox"/> Children (aged under 13)	= Approx. 25,000 data subjects
<input checked="" type="checkbox"/> Children (aged 13 and over)	= Approx. 25,000 data subjects

Data Categories

☒ Date of birth

GDPR Special Categories

☒ Medical or health information



- ☒ Emotional Difficulties
- ☒ Behavioral Difficulties
- ☒ Substance misuse issues
- ☒ English Additional Language
- ☒ CIN, CPP or CLA Status
- ☒ Borough Council
- ☒ Pseudonymised Data

Sensitive Category Data

- ☒ Criminal record or offence information
- ☐ Proceedings for any offence committed or alleged
- ☐ Bank, payment card or tax information

School Information

- ☐ Name of School
- ☒ Attendance
- ☐ Punctuality
- ☒ Eligibility for Free School Meal
- ☒ Academic Achievement
- ☒ Other - Please specify/add:
 - ☒ exclusions,
 - ☒ Not in Employment, Education or Training (NEET) status

- ☒ Racial or ethnic origin
- ☐ Sexual orientation
- ☐ Sex life
- ☐ Biometric Data (e.g., fingerprints, facial recognition)
- ☐ Genetic Data
- ☐ Religion / Beliefs
- ☐ Political opinion
- ☐ Trade Union Membership

Equality Act - Protected Characteristics

- ☒ Sex
- ☒ Age
- ☒ Disability
- ☒ Special Educational Needs
- ☐ Instances of harm
- ☐ Sex life
- ☐ Gender reassignment
- ☒ Pregnancy and maternity

4. Method of collection and transfer

The underlying data used to conduct this analysis consists of data held by DfE. The DfE will not share any data to be analysed directly with WWCS.

The data required for the analysis will be added to the Office for National Statistics Secure Research Service (ONS SRS) database. The SRS is managed by the ONS following their 'Five Safes' methodology (<https://blog.ons.gov.uk/2017/01/27/the-five-safes-data-privacy-at-ons/>).

The 'five safes' methodology maintains the anonymity of the data subjects within the cohort being analysed. Only ONS accredited researchers are allowed to access the data and access is restricted to specific locations and parameters guarding against removal of data from the SRS.

5. Type(s) of dataset

Administrative Data

- ☐ Baseline
- ☐ Interim
- ☒ Longitudinal (anonymised data uploaded to the SRS by the DfE)
- ☐ Endline

6. Data Sharing requirements

The DfE and WWCS are the data controllers. WWCS decided to process the data and



decided the purpose of the processing, what data should be collected and which individuals to collect data about. The data is collected by the DfE.

7. List of processing activities

The following is a list of all processing activities involving personal data for the research to be conducted:

- Personal Data to be uploaded in an anonymised format to the SRS.
- To develop an understanding of the experiences of young people living in residential homes.
- To predict values which are missing for other observations.
- To create profiles of children living in residential care for cluster analysis which explores differences in residential care placements by cluster.
- To analyse outcomes at different stages of the data subjects' lives to establish if there is a link.
- To establish if there is a link between an individual's outcomes based and characteristics of residential care homes including Ofsted rating, size of care home, locale of care home and distance from child's home.
- To augment the research through the use of special category personal data, namely ethnicity and health (disability status) within the research conducted.
- To identify administrative data to be shared with WWCS for the purposes of the evaluation.
- To archive data collected within a central national database held by the Office for National Statistics.

8. Data Protection Lawful basis for processing

GDPR Article 6.1

- ☐ (a) Consent
- ☐ (b) Contract
- ☐ (c) Legal obligation
- ☐ (d) Vital interests
- ☒ (e) Public task
- ☐ (f) Legitimate interests

GDPR Article 9.2

- ☐ (a) Explicit Consent
- ☐ (b) Employment, social security and social protection (if authorised by law)
- ☐ (c) Vital interests
- ☐ (d) Not-for-profit bodies
- ☐ (e) Made public by the data subject
- ☐ (f) Legal claims or judicial acts
- ☐ (g) Reasons of substantial public interest (with a basis in law)
- ☐ (h) Health or social care (with a basis in law)
- ☐ (i) Public health (with a basis in law)
- ☒ (j) Archiving, research and statistics (with a basis in law)

Explanation of Lawful Basis

What Works for Children's Social Care (WWCS) is acting upon the instructions from the DfE in accordance with Annex K of the Grant Offer Letter to WWCS, where it is stated that WWCS acting as a Processor on behalf of the DfE as Data Controller, and the subject matter of the processing "is needed in order that the Processor [WWCS] can effectively deliver the grant to provide a service to the Children's Social Care sector".



WWCSC is therefore acting under the authority vested upon it by the DfE as its funder which appropriately corresponds to WWCSC conducting its research under Article 6.1(e) of the UK GDPR:

“Processing is necessary for the performance of a task carried out in the public interest.”

The point at which analysis for the purposes of research has begun the lawful basis for processing shall be in accordance with GDPR Article 6.1(e), and GDPR Article 9.2(j) and DPA18 Schedule 1 Part 1.4(a),(b)&(c) for special category data including data considered to be a protected characteristic under the UK Equality Act 2010.

Upon completion of the evaluation and associated research the lawful basis WWCSC, as sole independent controller, shall rely on, for the purpose of archiving and any subsequent secondary analysis of the data, GDPR Article 6.1(e), and GDPR Article 9.2(j) and DPA18 Schedule 1 Part 1.4(a),(b)&(c) for special category data including data considered to be a protected characteristic under the UK Equality Act 2010.

Data archived within the WWCSC instance of the Office for National Statistics Secure Research Service (“ONS SRS”) for the purposes of secondary research on the data within this evaluation shall be non-identifiable data and governed under the UK Digital Economy Act 2017 and the UK Statistics and Registration Service Act 2007.

9. Handling of Data Subject Rights

- If a Data Subject makes a request to exercise rights under the Data Protection Laws (“**Rights Request**”) to either WWCSC or the DfE, the organisation that receives that Rights Request (“**Receiving Party**”) shall notify the other within 5 Business Days of receiving the Rights Request.
- Each organisation agrees to carry out any searches and investigations in relation to those systems and records under its control, which may be required in order to enable the organisations to comply with the Rights Request.
- The other organisation provides the Receiving Party with a copy of all personal data arising from the searches undertaken at least 10 Business Days prior to the deadline for responding to the data subject.
- The Receiving Party reviews the information arising from its own searches and the information provided to it by the other organisation(s) and determines how to comply with the Rights Request and shall draft a response to the requesting data subject (“**Draft Response**”).
- The Receiving Party notifies the other organisation(s) of any steps or actions it needs to take in order to comply with the Rights Request and sends a Draft Response to the other organisations prior to the deadline for responding to the data subject.
- The other organisation(s) provide comments on the Draft Response and confirm agreement to the Draft Response prior to the deadline for responding to the data subject.
- The Receiving Party shall send the Draft Response to the requesting Data Subject on or in advance of the deadline for responding to the Data Subject.

10. Data protection contact(s) for data subjects

Organisation: WWCSC

Job title: Data Protection Officer

Name: James Robson

Email Address: dpo@whatworks-csc.org.uk



Organisational Contact

Organisation: WWCS

Job title: Senior Researcher

Name: Eva Schoenwald

Email Address: eva.schoenwald@whatworks-csc.org.uk

11. Accuracy

The Department for Education shall be responsible for ensuring that the Personal Data collected is accurate and appropriately kept up to date.

12. Security Provisions

WWCS and the Department for Education implement appropriate technical and organisational measures to ensure a level of security appropriate to the risk, taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of processing as well as the risk and varying likelihood and severity for the rights and freedoms of natural persons.

WWCS and the Department for Education, where possible, reduce or eliminate the identifiability of Personal Data including but not limited to the deletion, pseudonymisation and anonymisation of such data throughout the research.

WWCS has conducted a Data Protection Impact Assessment (DPI) for the research being conducted. The outcome of this is the risk to the rights and freedoms of data subjects due to the processing of their data for the research is low.

13. Handling of data incidents and data breaches

- If WWCS and the Department for Education become aware of a Personal Data Breach they notify each other within 24 hours of becoming aware of the Personal Data Breach and share relevant information with each other to mitigate the breach.
- The organisation that suffered the Personal Data Breach, whether itself or via a processor that it engaged, immediately uses its best endeavours to end the Personal Data Breach and to mitigate the impact of the Personal Data Breach on data subjects.
- WWCS and the Department for Education will then work together to establish the level of risk to data subjects which also determines if the Personal data Breach must be reported to the UK Information Commissioner's Office, and if the level of risk is high, report the Personal Data Breach to the affected data subjects.
- Any data incident or Personal data Breach is logged in a breach register which will be held by all organisations as required by the GDPR.

14. Supervisory authority for project

The supervisory authority/Data Protection Authority for the processing of personal data as part of this research is the Information Commissioner's Office (ICO) in the UK.

15. Who has access to the data



Only WWCS researches working on this evaluation will have access to the data. All WWCS must be ONS accredited researchers to access the data in the SRS.

During the collection of personal data and subsequent research, access to the anonymous Personal Data is managed by the ONS.

Upon completion of the research WWCS will request the DfE securely transfer the anonymous Personal Data to WWCS's Data Archive location also in the SRS. This is separate to the SRS location for the research to be conducted.

The ONS accredited researcher who are also WWCS employees who will have access to the data once it has been uploaded to the SRS research location will be:

- Aoife O'Higgins
- Eva Schoenwald
- Chris Mitchell
- Jessica Gwyther
- Eve Smyth
- Emily Walker
- Amar Alam

16. Provision of data privacy notice(s)

The organisation that collects Personal Data and any Personal Data that will be shared with any other organisation for the purposes of the research project is known as the "Collecting Party". An organisation is a Collecting Party when they are collecting personal data directly from a data subject or data subjects, or from a third party who is supplying the personal data to that organisation specifically for the research project.

The Collecting Party is responsible for making sure data subjects are provided a Data Protection Notice (DPN) setting out all of the information required under Article 13 or 14 of the GDPR. Article 13 requires a DPN to be provided to data subjects when the data is collected directly from a data subject(s) and Article 14 requires that a DPN is provided to data subjects when the data is not collected directly from data subjects.

A copy of the Data Privacy Notice is available upon request.

Explanation of provision of a Data Privacy Notice:

For Purpose 1, 2 & 3 WWCS shall be the Collecting Party. WWCS has no direct relationship with the Data Subjects and so the Privacy Notice shall be accessible on the WWCS website next to the link to the project Trial Protocol document.

17. Retention Period

All data will be processed for the duration of the research project and each organisation minimises Personal Data where it is no longer required. Each organisation only holds Personal Data for a defined retention period outlined in an agreement with them and is responsible for their own secure destruction of the Personal Data they hold. Each organisation requires the other(s) give at least 30 days' prior written notice if they intend to delete any Personal Data before a defined retention period.



Each organisation has agreed to notify WWCS in writing of the confirmation of destruction/deletion of Personal Data processed for the project and has agreed to evidence destruction/deletion to other Parties upon request at the end of the defined retention period.

Defined Retention Period and Destruction

The current license grants WWCS access to the data until July 2022. The delivery of the final report is scheduled for January 2022. Data, including personal data will be archived by the Department for Education for one year after the delivery of the final report. Therefore the instance of the location within the SRS WWCS uses for the project will be deleted by January 2023.

The DfE will move this data (from that point anonymised to WWCS without another application process) to the WWCS Data Archive on our behalf which is governed under the rules of the Digital Economy Act 2017 and it will be held in this location indefinitely.

WWCS/All organisations recognise there is a possibility for the scheduled date of final report delivery to change. Should this happen this will be reflected in a Grant Variation Letter between WWCS and the relevant organisation(s). The new agreed date of delivery of the final report will be the point at which the timeframe for when deletion begins.

Upon delivery of the final report, the DfE will anonymise the data and request the data be moved into the WWCS Data Archive. The WWCS Data Archive is within the Office for National Statistics Secure Research Service (ONS SRS) and is an instance in the SRS separate to the instance used to conduct the research. WWCS is the sole controller of the data held in its Data Archive. The data held in the WWCS Data Archive is non-identifiable and held indefinitely.

If you would like further information or explanation about this please contact us at dpo@whatworks-csc.org.uk.

18. Data Processors

Where an organisation engages a third-party to process any personal data for the project, that third party is known as a “Data Processor” and each organisation has agreed to enter into a Data Processing Agreement (DPA) with each third-party. The DPA incorporates all the provisions required under [Article 28](#) of the GDPR. Each organisation remains fully liable for the acts and omissions of the third-party processor(s). Each organisation is also responsible for being able to provide copies of DPAs upon request to any other organisation involved in the project.

19. Data Location

Data Location

- ☒ United Kingdom (UK)
- ☐ European Economic Area (EEA)
- ☐ Outside UK/EEA

Data Access Location

- ☒ United Kingdom (UK)
- ☐ European Economic Area (EEA)
- ☐ Outside UK/EEA

20. Data Protection ID (internal reference)

#2117

21. Archiving



WWCSC seeks better outcomes for children, young people and families by bringing the best available evidence to practitioners and other decision makers across the children's social care sector. It achieves this objective by supporting and/or funding social care intervention programmes in order to conduct real-world evidence-based research on the effectiveness of the intervention programmes it supports.

The data archive continues WWCSC's service to the Social Care sector as is its remit from the funding it receives from the UK Department for Education. Creating an accessible data archive means the data collected from our evaluations can be used to conduct re-analysis, additional new analysis, including meta-analysis and the ability to merge and use the data for new research to be conducted within the aim of having a positive social impact to society as a whole.

Research data from a large proportion of the evaluations WWCSC either conducts or commissions, is stored in perpetuity, to be accessed (on formal request and subsequent WWCSC approval) by researchers. Researchers may or may not be employed or commissioned by WWCSC.

WWCSC has conducted Data Protection Impact Assessment (DPIA) on its Data Archive and sought outside consultation from the Information Commissioner's Office, the Department for Education and the Office for National Statistics who also house the data. The outcome of the DPIA is that the capture and use of data within the Data Archive and for future research is of low risk to data subjects.

Should the data for this project be appropriate for the Data Archive it will have been indicated earlier in this document. The nature of the processing is for transfer to a secure Data Archive, the indefinite storage within a secure Data Archive location and the subsequent re-use of data for research purposes based on ethical and ONS and separate WWCSC approval for the access and re-use of the data.

The WWCSC Data Archive is stored in the Office for National Statistics' (ONS) Secure Research Service (SRS). The ONS acts as a processor for WWCSC when storing the WWCSC Data Archive in the SRS. WWCSC has entered into a legally binding Data Processor Agreement with the ONS, which will comply with the requirements of Article 28 of the UK GDPR.

The SRS data location is in the UK and the source of the data for the archive will be a combination of WWCSC and external evaluation partners funded and commissioned by WWCSC which are also located in the UK. The retention of the data in the Data Archive is indefinite. There is no sharing of data outside the SRS due to the security protections and methodology for accredited subsequent access which is highly regulated by the ONS through their "5 safes" framework.

The data in the SRS is of a highly sensitive nature as it will relate to children in the social care environment, parents, teachers, social workers and related third party representatives, and, depending on the context of the research the data relates to, could contain special categories of data including but not limited to ethnicity, health, religion, sexual orientation and/or parental background and abuses that may have been suffered.

No data in the SRS will be directly identifiable to any data subject to which it relates through a process of decoupling, reducing where possible, de-identifying, pseudonymisation and/or anonymising data where possible. The nature of the de-identification process will have similarities for each dataset, although may also have differences so that each dataset remains usable but the data in the SRS remaining not directly identifiable.



22. Definitions:

Data Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.

Joint Controller means where two or more controllers jointly determine the purposes and means of processing. They shall in a transparent manner determine their respective responsibilities for compliance with the obligations of the GDPR.

Independent Controller means each controller shall determine the purposes and means of processing of the personal data being processed independent of each other and each have their own data controller responsibilities for the processing of that data.

Data Processor means the natural or a legal person, public authority, agency or other body which processes personal data on behalf of a Data Controller.

Personal Data means any information relating to an identified or identifiable natural person ('data subject').

Shared Personal Data means any Personal Data captured that shall be shared with other parties named in this agreement. Shared Personal Data may not, in all circumstances, mean all Personal Data collected for the Agreed Purpose.

Data Subject means a natural person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

Processing means any operation or set of operations which is performed on personal data or on sets of personal data.

Recipient means a natural or legal person, public authority, agency or another body, to which the personal data are disclosed, whether a third party or not.

Data Protection Laws means all applicable data protection and privacy legislation, regulations and guidance including the UK General Data Protection Regulation ("GDPR") and the Data Protection Act 2018 and the Privacy and Electronic Communications (EC Directive) Regulations 2003; and any guidance or codes of practice issued by the ICO from time to time (all as amended, updated or re-enacted).

Joint Controller Arrangement ("JCA"): means an arrangement between two or more controllers who jointly determine the purposes and means of processing. The JCA shall in a transparent manner determine each controller's respective responsibilities for compliance with the obligations of the GDPR.

Personal Data Breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, Personal Data transmitted, stored or otherwise processed.



Receiving Party or Parties means the party or parties who receive data shared for a specific purpose by another Party, the Sharing Party. The Receiving Party or Parties become the Controller or joint Controllers of the data.

Sharing Party means the Party sharing data they are the Controller of with one or more parties, the Receiving Party or Parties.

Data Archive: means the storage location used by WWCSC to retain de-identified, pseudonymised and/or anonymised evaluation data for use in subsequent research projects by WWCSC and/or external researchers. The WWCSC Data Archive location is the Office for National Statistics (ONS) Secure Research Service (SRS) based in the UK accredited under the Digital Economy Act 2017 (further information can be found on our website).

Trial Protocol means a document that describes the objectives, design, methodology, statistical considerations and aspects related to the evaluation.

Personnel

Aoife O'Higgins (Director of Research, WWCSC) is the principal researcher on this project. The analysis will be led by Eve Smyth and Jessica Gwyther (Researchers, WWCSC) and overseen by Eva Schoenwald (Senior Researcher, WWCSC).