

Committee(s):	Date(s):
Community and Children's Services	
Subject: Children and Social Work Bill	Public
Report of: Remembrancer	For Information
Report Author: Philip Saunders	
<p>Summary</p> <p>This Report provides a summary of the main features of the Children and Social Work Bill. The Bill focuses on three areas</p> <ul style="list-style-type: none"> • Looked-after Children and Care Leavers • Adoption • Regulation of Social Workers <p>Recommendation</p> <p>It is recommended that your Committee note the contents of this Report.</p>	

Main Report

Background

1. The Bill reflects Conservative manifesto promises to encourage children's and social work across local authority boundaries, and builds on the Government's previous indication that high-performing authorities would be eligible to take over poorly performing children's services. The policy theme in this area is similar to that in respect of schools.
2. The Bill has completed its passage through the Lords and has moved on to the Commons.

Looked-after Children and Care Leavers

3. The Bill proposes a framework of corporate parenting principles that would overlay the existing care principles. The framework contains seven principles which would require an authority to have regard to the need:-
 - i. to act in the best interests of, and to promote the health and well-being of, relevant children and young people
 - ii. to encourage relevant children and young people to express their views, wishes and feelings

- iii. to take account of a relevant child or young person's views, wishes and feelings
- iv. to help relevant children and young persons to gain access to and get the best use of the services provided by the local authority, and its relevant partners, as defined by section 10(4) of the Children Act 2004
- v. to promote high aspirations amongst relevant children and young people, and to have regard to the need to secure the best outcomes
- vi. for relevant children and young people to be safe and for stability in their home lives, relationships and education or work
- vii. to prepare relevant children and young people for adulthood and independent living

Relevant children are those towards whom an authority has statutory duties.

- 4. The Bill would create a statutory duty on local authorities to publish the services and standards of treatment to which care leavers are entitled. The document should set out the range of services offered by the authority. Authorities would be required to consult interested parties prior to publication. The City has taken early action to ensure its 'local offer for care leavers' will be in place before the Bill passes into law.
- 5. The Bill would extend the duties of local authorities and schools to promote the educational attainment of children so that these duties would also cover children who have been adopted or placed in other long term arrangements. In particular, authorities would be required to make advice and information available to parents, designated teachers in maintained schools and academies, and any other person the authority considers appropriate, for the purpose of promoting the educational achievement of relevant children.
- 6. Courts would be required to take account of any relationship with a prospective adopter.
- 7. The right to a 'personal adviser' would be extended so that the service would be provided up to the age of 25.
- 8. The Bill proposes that authorities should be allowed to test different ways of working by giving the Secretary of State a power to make regulations which exempt a local authority from existing requirements imposed by children's social care legislation. The Bill is not prescriptive in this respect. The Secretary of State may only make regulations upon an application or request from a local authority. The exemption period may last for up to 3 years.

9. Currently authorities participate in Local Safeguarding Children Boards (in the City's case jointly with Hackney) which are independently chaired and carry out a monitoring and investigatory function in relation to children's social care. The City's Board was the first in the country - and remains the only one to be rated outstanding by Ofsted.
10. The Bill proposes the creation of a new layer in relation to safeguarding. A national Safeguarding Panel would identify serious child protection cases which raise issues that are complex or of national importance. Where cases raise issues of national importance the Panel, where it considers appropriate, would have the power to arrange for such cases to be reviewed under their supervision.
11. Local Boards would be required to notify the national Panel of cases in the following circumstances: the death of or serious harm to a child who is known or suspected to have been abused or neglected, and the death of a child who was looked after by the local authority.

Adoption

12. The Bill contains three main proposals relating to adoption. First, a duty on local authorities and schools to promote educational achievement for adopted children and those in the long-term care of family members and, second, in relation to decision-making about a child's future, to give greater significance to the importance of a child's need for stability up to the age of 18. The final measure would place a requirement on courts and adoption agencies to consider, when deciding where to place an adoptive child, the relationship with prospective adopters.

Social Work

13. The Bill responds to reviews of social work education by Sir Martin Narey and Professor David Croisdale-Appleby that support the establishment of a new specialist social work regulator. The Bill sets out a broad framework that would permit the regulator to, among many other things, determine who can be registered and stay registered; obligations to provide information to the regulator; when a registrant may be suspended or removed from the register; appeals against decisions; and the nature of investigations. The regulator will be able to create and enforce new professional standards.

Consultation

14. The Director of Community and Children's Services has been consulted in the preparation of this Report and notes that officers are confident that the City's practice already meets the principles set out under paragraph 3, above.

Conclusion

15. That the Bill's measures were trailed well in advance did little to reduce the frowdure with which it was greeted by the House of Lords. The Bill suffered several defeats, for example their Lordships removed the clauses that would permit the Secretary of State to suspend social care legislation so as to allow services to be provided in alternative ways.
16. In July 2016 Ofsted graded the City's Children Social Care service as "good" overall, with services for children in need of help and protection, care leavers and looked-after children all deemed "good", and the service's leadership, management and governance graded "outstanding". The City's Children's Social Care service is currently supporting 15 care leavers, 11 looked-after children, and 14 children in need of help and protection.
17. The highly rated quality of the City's Children's Social Care service means that many of the Bill's measures will have little practical effect on the service offered by the City. Officers are close to finalising arrangements in those areas that require the City to implement entirely new requirements, such as regarding changes to corporate parenting principles.
18. This Report reflects the Bill as it passed through the House of Lords. A further Report will be prepared as appropriate as the Bill passes through its second House, the House of Commons.

Philip Saunders
Parliamentary Affairs Counsel
philip.saunders@cityoflondon.gov.uk
x1201