

Children and Social Work Act 2017

Overview

The Children and Social Work Act received Royal Assent on 27th April 2017.

The Act aims to:

- Improve support for looked after children in England and Wales especially for those leaving care;
- Enable better learning about effective approaches to child protection and care in England;
- Establish a new regulatory regime for the social work profession in England.

The Bill was given Royal Assent sooner than expected due to the dissolution of parliament, so there is a shortage of supporting information on the timescales for introduction of the different elements of the Act and as yet no supporting guidance that supports these changes.

The controversial 'different ways of working' provisions were dropped by the government at the report stage.

The Act includes provision about:

Looked-after Children

- Introduces **corporate parenting principles** to which local authorities must have regard;
- Local authorities in England must publish a **Local offer for care leavers**, providing information about services which the local authority offers that may assist care leavers in, or in preparing for, adulthood and independent living. This includes services relating to health and well-being; relationships; education and training; employment; accommodation; participation in society;
- **Extension of local authority support to Care Leavers to age 25**, including provision of Personal Advisers, assessment of the needs of former relevant children and preparation of a Pathway Plan;
- **Educational achievement of previously looked after children** - local authorities in England must make advice and information available for the purpose of promoting the educational achievement of previously looked after children educated in their area, and must appoint at least one person for the purpose of discharging that duty; schools must designate a member of the staff as having responsibility for promoting the educational achievement of previously looked after children;

- Additional considerations in relation to the **permanence provisions** which a court, when deciding whether to make a care order, is required to consider: the impact on the child concerned of any harm that he or she suffered or was likely to suffer; the current and future needs of the child (including needs arising out of that impact); the way in which the long-term plan for the upbringing of the child would meet those current and future needs;
- Schedule 1 - Placing children in secure accommodation elsewhere in Great Britain - has come into force. This allows local authorities in England and Wales to place children in secure accommodation in Scotland under the Children Act 1989.

Safeguarding Children

- **Establishment of a Child Safeguarding Practice Review Panel** to identify serious child safeguarding cases in England which raise issues that are complex or of national importance, and, where they consider it appropriate, to arrange for those cases to be reviewed under their supervision to identify any improvements that should be made by safeguarding partners or others to safeguard and promote the welfare of children.

Events to be notified to the Panel:

1. Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Practice Review Panel if:
 - a) The child dies or is seriously harmed in the local authority's area, or
 - b) While normally resident in the local authority's area, the child dies or is seriously harmed outside England.
- **Abolition of Local Safeguarding Children Boards**, and introduction of **local arrangements for safeguarding and promoting the welfare of children**:
 - The safeguarding partners for a local authority area in England are the local authority; a clinical commissioning group for an area any part of which falls within the local authority area; the chief officer of police for a police area any part of which falls within the local authority area;
 - Local child safeguarding practice reviews - the safeguarding partners for a local authority area in England must make arrangements (a) to identify serious child safeguarding cases which raise issues of importance in relation to the area, and (b) for those cases to be reviewed under the supervision of the safeguarding partners, where they consider it appropriate to identify any improvements that should be made by persons in the area to safeguard and promote the welfare of children;
 - Provision is made for combining safeguarding partner areas and delegating functions.
 - Child death reviews - the child death review partners for a local authority area in England must make arrangements for the review of each death of a child normally resident in the area.

Relationships Education

- Compulsory relationships education for primary school pupils in England, as well as sex and relationships education for secondary school children.

New Regulatory Regime for the Social Work Profession in England

The Act enshrines in law a series of changes to the social work profession, including:

- The creation of a new organisation, Social Work England, to takeover from the HCPC as the profession's regulator;
- A requirement for the new regulator to obtain the Education Secretary's approval for professional standards;
- New powers for the Education Secretary to set 'improvement standards' for social workers, and introduce assessments for practitioners.

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