

Corporate Parenting Board

22 March 2018

Report title	Children and Social Work Act 2017	
Cabinet member with lead responsibility	Councillor Val Gibson Cabinet Member for Children and Young People	
Wards affected	All	
Accountable director	Emma Bennett, Children and Young People	
Originating service	Looked After Children	
Accountable employee(s)	Alison Hinds Tel Email	Head of Looked After Children 01902 553035 alison.hinds@wolverhampton.gov.uk
Report to be/has been considered by	People Leadership Team SEB 13 February 2018 Exec Board 26 February 2018	

Recommendation for action:

Corporate Parenting Board is recommended to receive information regarding the implications to service delivery of the Children and Social Work Act 2017 and support the implementation plans being put in place.

1.0 Background

- 1.1 Following on from the 'Children's Social Care Reform – A vision for change' document published in January 2016, the government produced the Children and Social Work Bill which received Royal Assent on 27 April 2017.

Overall the Children and Social Work 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.

As such the Children and Social Work Act 2017 requires changes to the following areas of practice.

1.2 Looked After Children and Care Leavers:

- The Act introduces seven corporate parenting principles to which local authorities must have regard. These are:
 - to act in the best interests and promote the physical and mental health and wellbeing of relevant children and young people;
 - to encourage those children and young people to express their views, wishes and feelings;
 - to take into account the views, wishes and feelings of those children and young people;
 - to help those children and young people gain access to and make best use of services provided by the local authority and its relevant partners;
 - to promote high aspirations and seek to secure the best outcomes for those children and young people;
 - to have regard to the need for those children and young people to be safe and have stability in their home lives, relationships and education or work;
 - to prepare those children and young people for adulthood and independent living.
- 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:
- An 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. This includes children subject to Adoption and Special Guardianship Orders.

- Additional considerations have been introduced in relation to the permanence provisions which a court, when deciding whether to make a care order, is required to consider. These are: 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.
- The Children and Social Work Act provides amendments to the Adoption and Children Act 2002, in that the court is now required to have regard to the views of any prospective adopters with whom the child is placed.
- 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.

1.3 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 are: 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.

1.4 Relationships education for children:

The act introduces compulsory relationships education for primary school pupils in England, as well as sex and relationships education for secondary school children.

1.5 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 take over from the Health and Care Professions Council 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.

2.0 Progress

- 2.1 A steering group has been established to oversee the implementation of the above changes that relate to children looked after and Care Leavers.
- 2.2 The corporate parenting principles will be incorporated into the refresh of the Corporate Parenting Strategy to be approved in April 2018.
- 2.3 The Care Leaver Offer is being developed with partners and once approved will be launched in Care Leaver's Week in October 2018.
- 2.4 The Principal Social worker for Children and Adults will be responsible for leading on the implementation of accreditation of social workers, in line with national requirements. Initial briefings have already been delivered to all children's social workers and managers at a recent social work conference. This is currently being piloted in Leeds and surrounding local authorities and will inform further roll out.
- 2.5 Any development of any new or amended arrangements for safeguarding included in the act will be implemented by the Wolverhampton Safeguarding Children's Board. Partners have all engaged in a response to the proposed changes in Working Together which will set out the statutory guidance. Locally, there are no plans to hugely change existing arrangements which work well.

- 2.6 The only aspects of the legislation which have been implemented are those relating to permanence and adoption orders. These aspects came into force on 31 October 2017.
- 2.7 Statutory guidance on the implementation of this act is still in draft form but is expected to be published by the end of March 2018.

Financial implications

- 3.1 The total approved budget for the Children and Young People's Service is £49.4 million.
- 3.2 In order to accommodate the changes to the Children and Social Work Act 2017 specifically around the extension of local authority support to Care Leavers to age 25, it is initially proposed to increase the grade 6 Young Person's Advisors by two fulltime equivalents at an additional cost of £89,000, following some predictive analysis informed by consultation with current Care Leavers
- 3.3 Existing funding of £22,000 has been identified from within the Transitions Service to contribute towards the overall additional cost of £89,000 as referred to in the paragraph above. It is proposed that the additional cost is £67,000 will be funded from within the overall existing budget for Children and Young Peoples Service.
- 3.4 The local authority will receive 'Burden' money from the DfE. Once the national funding is agreed, each local authority will receive a share based on its share of the Care Leaver cohort aged 21 to 24. For example, if Wolverhampton has 1% of all Care Leavers aged 21 to 24 in England, it will receive 1% of the national funding. Actual allocations are still awaited from DfE. Once allocations have been released any funding received will be used to offset the additional costs of delivering the changes to the Act.
[NM/30012018/C]

4.0 Legal implications

- 4.1 The legal implications are set out in the body of the report.
[TC/08022018/N]

5.0 Equalities implications

- 5.1 An Equality Analysis has been completed. The Children and Social Work Act 2017 expands and strengthens the responsibility to offer services to Looked After Children and Care Leavers. No equality implications have been identified as part of the analysis completed

6.0 Environmental implications

- 6.1 There are no direct environmental implications arising from this report.

7.0 Human resources implications

- 7.1 An increase in staff will be required to effectively offer additional support to Care Leavers up until the age of 25. Two additional Young Person's Advisor posts are to be established within the Transitions Team in the Looked after Children's Service.
- 7.2 The new arrangements for accreditations of children's social workers will require the support of Human Resources and Workforce Development colleagues.

8.0 Corporate landlord implications

- 8.1 There are no direct corporate landlord implications arising from this report.

9.0 Schedule of background papers

- 9.1 There are no background papers related to this report.