

# HEARD ABOUT THE CHILDREN AND SOCIAL WORK BILL?



There is a Bill in Parliament which affects children and young people who:

- Have a social worker
- Get help from social care services
- Are looked after
- Are care leavers.

Bills are draft laws. They are usually written by the Government. They must be debated in Parliament before they can become laws. Changes can be made by Members of Parliament (MPs) who work in the House of Commons. Peers also debate and make changes to Bills; they work in the House of Lords.

A child is looked after if:

- A family court has made a Care Order
- A local council has arranged for the child to be cared for in a foster home, a children's home, with a family member or somewhere else that's best for him or her (this is called being accommodated).

'Child' means a person aged 17 years or younger.

*House of Commons trivia: there are 650 MPs but only 427 seats. Cosy!*

The Children and Social Work Bill started its journey through Parliament in May 2016. It began in the House of Lords. Debates in Parliament could last until 2017. Sometimes parts of a Bill never become law. This happens when Parliament votes against the Government's plans or the Government changes its plans.

**Bills can make changes to laws already passed by Parliament. They can also introduce new law. This information sheet tells you about two parts of the Bill.**

## WHAT'S NEW?

The Children and Social Work Bill has **seven corporate parenting principles**. If Parliament supports this part of the Bill, local councils will be under a duty to have regard to the need to follow the seven principles.

There are many people in your local council who must work together to make sure you are looked after really well. This is **corporate parenting**.

Councils will have to treat the principles as very important rules, but they will not have to always follow them. Just to complicate things a bit, councils already have specific duties connected to most of these seven principles!

The seven principles are all about looked after children and young people and care leavers. The Bill says councils must consider the need to:

1. act in your best interests, and promote your health and well-being
2. encourage you to express your views, wishes and feelings
3. take into account your views, wishes and feelings
4. help you benefit from services
5. aim for the best for you
6. make sure you are safe, and have stability in your home life, relationships, education and work
7. prepare you for adulthood and for living apart from your carers in the future.

**Changes may be made to the seven principles or any other part of the Bill during its journey through Parliament. Children in Care Councils and others can make suggestions. Get in touch if you want some ideas about how to do this!**

## WHAT'S CHANGING?

The Children and Social Work Bill makes huge changes to other law. This is how.

The Bill says that individual councils can be excused from legal duties towards looked after children, young people and care leavers removed for up to six years. The official word for removal of legal duties is **exemptions**.

*A legal duty is something that must be followed. For example, councils must protect and promote the welfare of all of the children they look after. By law!*



The Children and Social Work Bill says exemptions will be used to see whether councils can achieve better results, or if they can achieve the same results but more efficiently. Running things more efficiently usually means spending less money. There is no limit to how many legal duties can be taken away. But Parliament will have the chance to stop legal duties being removed – see below.

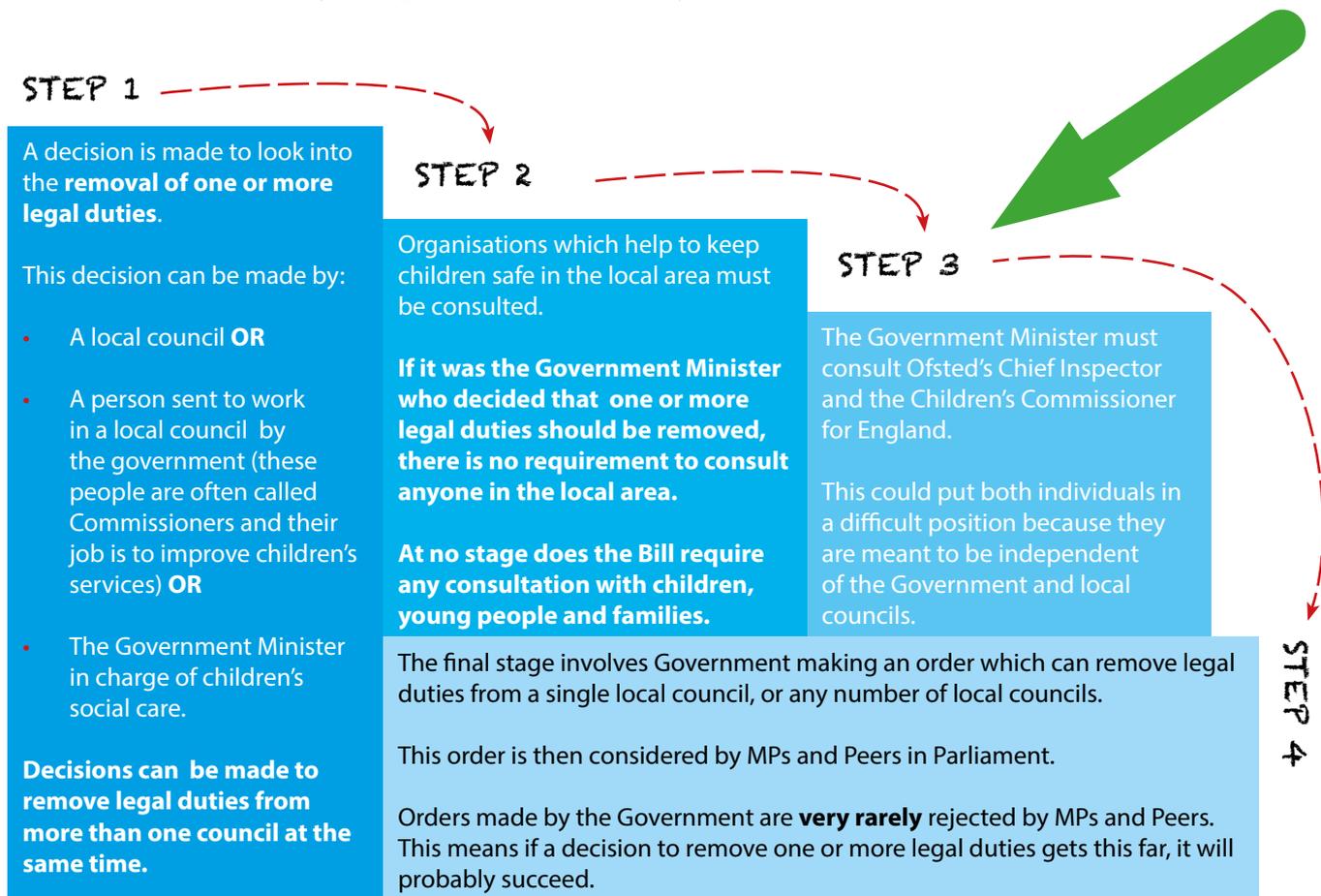
Legal duties in children’s social care are set out in laws from 1933 to 2014. That’s 81 years’ worth of legislation! If the Children and Social Work Bill becomes an Act of Parliament, it too could be affected. A local council could be excused from the corporate parenting principles, for example.

Lord Nash is the Government Minister in charge of the Bill in the House of Lords. He has given some examples of which duties might be removed, including:

- The duty to review a child’s care every six months
- Leaving care duties to children who were remanded in custody
- The duty to have a special panel that considers whether it’s right for a child to be adopted (this is before a family court judge looks at the child’s situation)
- The duty to have a special person who checks a child is being looked after properly, knows their rights and can get help to make a complaint (this is your IRO – independent reviewing officer)
- The duty to assess and treat family members as foster carers (and give them financial help) when the local council has placed a looked after child with them.

**IMPORTANT 1**

Legal duties cannot be taken away now. This Bill has to become law first. If the Bill does become law, without any changes to how it is presently written, this is how the exemption process will work.



**IMPORTANT 2**

Local councils, organisations who are consulted (like the police or health services), Ofsted’s Chief Inspector, the Children’s Commissioner and the Government will have to follow human rights and equality laws whenever they are thinking about the removal of legal duties.