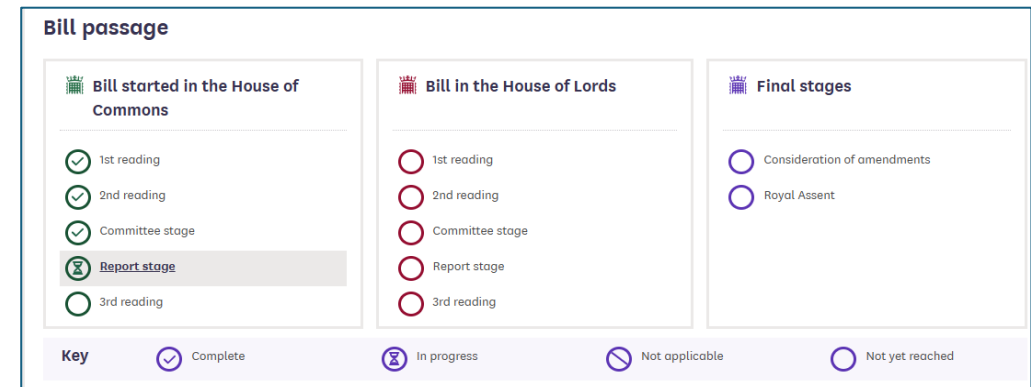


Children's Wellbeing & Schools Bill

A Bill to make provision about:

- the safeguarding and welfare of children;
- support for children in care or leaving care;
- the regulation of care workers;
- the regulation of establishments and agencies under Part 2 of the Care Standards Act 2000;
- the employment of children;
- breakfast club provision and school uniform;
- attendance of children at school;
- regulation of independent educational institutions;
- inspections of schools and colleges;
- teacher misconduct;
- Academies and teachers at Academies;
- repealing section 128 of the Education Act 2002;
- school places and admissions;
- establishing new schools;
- and for connected purposes.



<https://www.gov.uk/government/publications/childrens-wellbeing-and-schools-bill-2024-policy-summary>

Part 1 – Social Care

- **Family group decision making** - mandate local authorities to offer a ‘**family group decision-making**’ meeting at the point the local authority is seriously considering applying to the court for a care or supervision order, to give all families an opportunity to come together and make a plan in response to concerns regarding the child’s welfare.
- **Strengthen the role of education in safeguarding** - place duties on safeguarding partners (local authority, police, health) to secure the **participation of education and childcare settings as relevant agencies as well as ensure that their views are sufficiently included and represented at strategic and operational levels in multi-agency safeguarding arrangements**. The aim of this measure is to strengthen the role of education in multi-agency safeguarding arrangements to better protect children from abuse, neglect, and exploitation.
- **Establish multi-agency child protection teams** - create a duty for safeguarding partners (local authorities, police and health) to make arrangements to establish **multi-agency child protection teams (MACPTs) to support the local authority in the discharge of its child protection duties**; and require relevant agencies to enter memorandums to set out how they will facilitate the operation of the MACPT.
- **Information-sharing and consistent identifiers** - improve data sharing between agencies to better safeguard and support children and families.
 - An **information sharing duty that provides a clear legal basis to share information for the purposes of safeguarding and promotion of welfare**, and
 - Provision to enable the specification of a consistent identifier (also known as ‘Single Unique Identifier’).

- **Kinship local offer requirement** - create a **duty for local authorities to publish a kinship local offer**. This aims to provide clarity and ensure that kinship families are aware of and can access the support they need. This will add definition of children in kinship care and kinship carers into the statutory framework for the first time.
- **Virtual school head** - introduce a **statutory strategic duty to promote the educational achievement of children with a social worker and children in kinship care** (which in practice is likely to be discharged by an officer of the local authority known as a Virtual School Head).
- **Staying close** - requires each local authority to assess whether they **should provide 'staying close' to eligible care leavers**, which gives support to help find and keep suitable accommodation, and to access services relating to health and wellbeing, relationships, education, training and employment.
- **Local offer for care leavers** - requires each **local authority to publish the arrangements it has in place to support and assist care leavers in their transition to adulthood and independent living**.
- **Regional co-operation arrangements** - **regionalise the commissioning, analysis, and sufficiency practices** of local authorities, by giving the Secretary of State the power to direct them to join together to make regional co-operation arrangements, harnessing their collective buying power.
- **Use of accommodation for depriving liberty** - provide **a statutory framework to authorise a deprivation of liberty in accommodation other than a secure children's home**, which has the primary purpose of care and treatment and where restrictions that amount to deprivation of liberty, if required to keep children safe, can also be imposed.
- **Provider oversight regime** - **strengthen Ofsted's regulatory powers** to hold provider groups (organisations that own or control the majority of providers of children's homes and other provision in relation to the accommodation of children) to account **when there are quality issues in multiple children's social care settings they own**.

- **Ofsted powers to issue monetary penalties** - **expand Ofsted powers to issue monetary penalties for breaches of requirements imposed by or under the Care Standards Act 2000** – including noncompliance of the registration requirements (where the only current enforcement power is prosecution). The power will also apply to non-compliance with the new provider oversight legislation.
- **Financial oversight scheme** - increase financial and corporate transparency of 'difficult to replace' children's social care providers and parent undertakings within their wider corporate group, allow for an accurate, real-time assessment of financial risk, and **provide advance warning to local authorities if there is a real possibility that establishments or agencies will cease to be carried on** due to risks to their financial sustainability.
- **Future profit cap** - enables the Secretary of State **to cap the profits, using secondary legislation in the future, of non-local authority Ofsted-registered providers of certain children's social care placements**. This will include a power for the Secretary of State to issue civil sanctions on registered providers in the form of a fine where the profit cap is breached.
- **Children's Social Care agency workers** - A regulation making power to **govern the use of agency workers in English local authority's children's social care**.
- **Ill-treatment or wilful neglect** - will close the gap to make such **low-level abuse of 16- and 17-year-olds in children's social care settings and youth detention accommodation a prosecutable offence**. The current legislative framework covers children under 16 and adults in social care who are over 18.
- **Employment of Children** - To give more flexibility to children and employers in relation to when children can work, which **will give children more opportunities to take up suitable employment whilst ensuring their health, development and education are not adversely affected**. The measure will also replace a power for local authorities to make byelaws in relation to child employment with a power for the Secretary of State to make regulation in relation to the employment of children in England.

Part 2 – School/Education

- **Free breakfast club provision in primary schools** - require state-funded schools to ensure that **all children on roll in Reception class to Year 6 are provided with access to a free breakfast club** before the start of each school day which lasts for at least thirty minutes and includes food.
- **School uniforms: limit on branded items** - creates a limit of three on the number of branded items of school uniform and PE kit that primary schools can require pupils to have, and 4 for middle/secondary school.
- **Children not in school** – to help ensure children not in school are receiving a suitable education and are safe.
 - **Compulsory Children Not in School registers** in each local authority area in England.
 - A duty on local authorities to **provide support to the parents of children on their registers**.
 - **Changes to the School Attendance Order (SAO) process** to make it more efficient.
 - **Local Authority consent for withdrawal of certain children from school**. A requirement whereby parents of some children for whom there are existing safeguarding concerns or attend special schools will need local authority consent to home educate (and where children subject to some child protection processes are already being home educated, the local authority will be able to require them to attend school).
 - A requirement **for local authorities to consider the home and other learning environments** when determining whether or not children should be required to attend school.

- **Expanding the scope of regulation** - changes the definition of what constitutes an “independent educational institution” for regulatory purposes and as a result **will bring more settings into scope of the regulatory regime found in the 2008 Act**.
- **Independent education setting and safeguarding**: A range of measures which include **improvement of due diligence and standard setting**. Suspension of private school registration and boarding. Private school registration appeals. Ofsted powers of entry and investigations. Ofsted Information sharing.
- **Teacher misconduct** - **Broaden the teacher misconduct regime’s scope** to explicitly capture anyone who has ever been ‘employed or engaged’ in teaching work in a relevant setting.
- **School teachers’ qualifications and induction** - **reaffirm the professional status of teaching** and emphasise the importance of high-quality teaching in outcomes for children, by ensuring that **new teachers entering the classroom have, or are working towards, Qualified Teacher Status (QTS)**.
- **Academy schools: National curriculum** - **introduces a requirement for academies to teach the National Curriculum** in the same way as other state-funded schools. It will be commenced following the Curriculum and Assessment Review and the introduction of a revised National Curriculum.
- **Academy schools: education provision for improving behaviour** - to extend, to academies, legislation that allows maintained schools **to temporarily direct pupils to another location (usually another education setting) in order to improve their behaviour** (known as off-site direction).

- **Academies: Power to Secure Performance of Proprietor's Duties etc** - a power **to direct academy trusts that are not complying with their legal duties** or are acting or proposing to act unreasonably. This measure will support the proportionate enforcement of other key measures introduced in this Bill, such as those relating to the curriculum and admissions.
- **Repeal of Duty to make Academy Order in relation to School Causing Concern** - to convert the **Secretary of State's duty to issue an academy order to a school maintained** by a local authority identified by Ofsted as being in a statutory category causing concern, into a **discretionary power**.
- **Academy schools: Extension of statutory pay and conditions arrangements to Academy teachers** - to extend **the statutory school teacher pay and conditions framework to include teachers in academy schools** and alternative provision academies.
- **Cooperation on admissions and place planning** - to introduce **new duties for schools and local authorities to co-operate with each other regarding admissions** and for schools to co-operate with local authorities regarding **place planning**.
- **Local authority direction powers** - extends **local authorities' current powers to direct a maintained school to admit a child, to also enable them to direct academies in the same way**. It aims to streamline the direction process and provide a more robust safety net for vulnerable children, by giving local authorities the levers they need to secure school places for children more quickly and efficiently, when the usual admissions processes fall short.
- **Functions of adjudicator in relation to admissions numbers** - to enable the **Schools Adjudicator to set a school's published admission number (PAN)** where they uphold an objection to it, to enable local authorities to better influence the setting of PANs to support the needs of the local community.
- **Establishment of new schools - changes the legal framework for opening new state-funded schools** - changes the legal framework for opening new state-funded schools. It will **end the current legal presumption that new schools should be academies and allow proposals for other types of school to be put forward where a new school is needed**, including proposals from local authorities themselves.