

Evidence to Public Bill Committee
(Updated)
'Power to test different ways of working'

Summary

New clauses 2-9 pose a severe and unprecedented threat to the protections granted (by right) to vulnerable children and young people living in England (including looked after children placed from Wales and Scotland). The concept of testing different ways of working through deregulation in particular localities has not been subject to any Green or White Paper consultation. It is widely and strongly rejected by the social work profession, care leavers, academics, children's rights advocates and charities working with children and young people.

More than 107,500 members of the public have signed a 38 Degrees petition against individual councils being excused from their statutory duties.¹

The Localism Act 2011 already gives wide scope for innovation by local authorities. The Explanatory Notes to the Act explain that Section 1 "gives these authorities the same power to act that an individual generally has and provides that the power may be used in innovative ways, that is, in doing things that are unlike anything that a local authority - or any other public body - has done before, or may currently do".²

On 16 December 2016, the 25th anniversary of the UK ratifying the Convention on the Rights of the Child, the Public Accounts Committee stated, "The Department should set out for the Committee, by March 2017, how it will ensure minimum standards so that local authorities clearly understand best practice in services and all children have equal access to high-quality services".³ Minimum standards and equal access will be impossible to achieve if Members of Parliament allow councils and the Secretary of State to form an alliance to remove vital statutory requirements.

The Committee will be aware that the Law Commission recently held a consultation on its next programme of law reform. A review of children's social care was among the potential projects suggested by the Commission.⁴ This would be an appropriate vehicle for assessing whether the Children Act 1989 and other legislation is in need of revision and updating, since the process would be legally robust, independent from government, transparent and inclusive.

We fear deregulation by geography – to 'test' whether wholesale deregulation can take place – is part of a wider agenda of moving children's social care services from council control. In 2014 the Government commissioned advice to this effect from LaingBuisson.⁵

¹ <https://you.38degrees.org.uk/petitions/protect-the-rights-of-vulnerable-children-and-care-leavers>

² <http://www.legislation.gov.uk/ukpga/2011/20/notes/division/5/1/1/1>

³ House of Commons Committee of Public Accounts (16 December 2016) Child protection. Thirty-first Report of Session 2016–17, page 5.

⁴ <http://www.lawcom.gov.uk/project/13th-programme-of-law-reform-call-for-ideas/>

⁵ Professor Julian Le Grand, Alan Wood and Isabelle Trowler recommended the DfE seek advice on developing a market for children's social care. They were the only three members of the DfE Advisory Panel, whose remit was "to provide insight, guidance and advice around the findings and options for consideration as they developed". The Panel met four times in the four months LaingBuisson conducted its research.

We ask the Public Bill Committee to preserve the universal basis of children’s social care law.

1. Article 39 is one of 47 organisations in the Together for Children network, established to oppose clauses in the Children and Social Work Bill that seek to test deregulation in designated areas.⁶ According to the Department for Education’s (DfE) July 2016 policy document, the aim of deregulation in one or more local authorities is to help Ministers decide whether “to make substantial changes to existing legislation that would apply across the board”.⁷
2. Ministers have located these clauses in Professor Eileen Munro’s review of child protection. While Professor Munro did investigate the effect of bureaucracy and regulation on social work services to children and families, none of her recommendations called for the removal of statutory requirements laid out in Acts of Parliament or subordinate legislation.⁸
3. Professor Munro’s 2012 progress report referred to the “considerable work done” on reducing statutory guidance though, again, she gave no advice on removing statutory requirements arising from the Children Act 1989 or any other legislation.⁹
4. The one Munro recommendation that did concern primary legislation – the creation of an early help duty – was not seen to be necessary by Ministers. The annual survey of local authorities undertaken by the Association of Directors of Children’s Services was published recently. This states that the “Non-statutory nature of early help makes it most vulnerable to cuts” and reports that, “Authorities are concerned about the future funding of early help, as one London respondent states, ‘the continued absence of a duty to resource early help across statutory partners’ is a serious challenge”.¹⁰ We include this research finding in our evidence to the Committee because we believe it epitomises the importance of statutory requirements – with duties, come funding (however constrained). The Committee will be aware of the grave funding crisis in children’s social care.
5. At Second Reading, Children’s Minister Edward Timpson MP said “I have a pragmatic streak running through me; I am not some ideologue who will sit here and create a wall of noise”.¹¹

⁶ The list can be viewed here: <https://togetherforchildren.wordpress.com/>

⁷ Department for Education (July 2016) Putting children first, para’ 72. The Department for Education’s memorandum to the Delegated Powers and Regulatory Reform Committee, in May 2016, was more circumspect, stating that “the trialling and evaluation of deregulatory measures ... could then lead to future changes in legislation”.

⁸ Professor Munro’s recommendations concerned: the revision of statutory safeguarding guidance; improving inspection; requiring Local Safeguarding Children Boards to submit their annual report to the leader of the local council and the chief executive, and local Police and Crime Commissioner and the Chair of the health and wellbeing board; protecting the roles of Directors of Children’s Services and Lead Members for Children’s Services; researching the impact of health reorganisation on children’s services; improving serious case reviews; the creation of a new “duty on local authorities and statutory partners to secure the sufficient provision of local early help services for children, young people and families (with very detailed requirements on how agencies must account for their work in this area); work on a capabilities framework for child and family social workers; local authorities reviewing and redesigning their child and family social work services; local authorities having a Principal Social Worker; and the creation of Chief Social Worker post.

⁹ Munro, E. (May 2012) The Munro review of child protection. Progress report: Moving towards a child centred system. Department for Education, page 16.

¹⁰ Association of Directors of Children’s Services (5 December 2016) Research Report. Safeguarding pressures phase 5. Pages 83 and 18.

¹¹ House of Commons Hansard 5 December 2016

Given the House of Lords defeat, and the breadth and depth of concern outside Parliament, we believe the reasonable response would have been to pause and consult widely on this part of the Bill. Instead, the Government has tabled revised exemption clauses, which continue the radical agenda of breaking up children's law.

6. Apart from "illustrative" accounts of the changes which a handful of local authorities, the Catch22 not-for-profit company and Achieving for Children social enterprise wish to test,¹² the Government has offered no evidence to show that legislation hinders effective children's social care. Moreover, even if such evidence existed, Ministers would have to demonstrate why changes to legislation should not be made for all children across the country. In the House of Lords, prior to Peers voting to remove the exemption clauses, Lord Nash said:

*"We believe that changes to legislation should be built on evidence of what works in practice, but at present we do not have the ability to trial some of the new ideas local authorities tell us about; we can change the law for all or for none."*¹³

7. Removing legal protection from some children, on the basis of geography, has the potential to breach rights under the Human Rights Act 1998 and the Convention on the Rights of the Child, both of which require the enjoyment of rights without any form of discrimination. There is also the potential to breach the common law principle of equal treatment. Local authorities would be likely to retain their common law duty of care towards children (where such a duty currently exists), so these clauses would be creating a legal minefield for local authorities and making the law fragile, unpredictable and unstable for children and young people. We must not perpetuate in our legislation the instability, uncertainty and inequity that children and young people have already suffered in their lives.
8. We have been unable to identify any European country that permits child welfare legislation to be exempted in a particular locality. Legal opt-outs are not allowed in Northern Ireland, Scotland or Wales. It would appear the DfE does not possess any such information either. David Lammy MP asked the Secretary of State in a parliamentary question, "what recent research her Department has undertaken into the use in other countries with similar legal systems to the UK of legislative exemptions in children's social care". The response was:

*"Children's social care systems around the world are underpinned by very different legal frameworks and there isn't a direct comparator. However, information about international innovation and system reform in children's social care is available from academic sources and is used to inform policy."*¹⁴

9. Ministers have implicitly accepted the risk to children by seeking to protect four provisions of the Children Act 1989 and two provisions of the Children Act 2004. New clause 2(4) prohibits the application of exemptions to six "core legal duties".¹⁵ This leaves innumerable other requirements, which we highlight in the boxed examples below and the indicative list in paragraphs 10 and 11:

¹² See 'Power to test different ways of working – fact sheet', issued by the DfE on 7 December 2016; and 'Power to test different ways of working –policy statement', issued by the Chief Social Worker for Children and Families on 11 October 2016.

¹³ House of Lords report Stage, 8 November 2016.

¹⁴ The question (dated 22 November 2016) was answered on 6 December 2016:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-11-22/54288/>

¹⁵ Power to test different ways of working – fact sheet, issued by Children's Minister Edward Timpson MP on 7 December 2016.

Long-term family-based care – complex and changeable

A serious case review into the death of a 17 year-old boy who had been the subject of a care order since he was three underlines the complexities that can arise when a child is placed with family and friends carers. The review, published in April 2016, explains that the boy had lived with his aunt and her partner since the age of three, had presented as a “model pupil” at school though his behaviour deteriorated as he approached adolescence. He was placed in respite foster care at the age of 17, two months before his death by hanging (the coroner returned an open verdict). Many of the areas of learning directly concern statutory duties which the DfE has signalled it wishes to test deregulating – including in relation to children placed with family members, children in long-term settled placements and care planning and the role of independent reviewing officers. Brighton and Hove Safeguarding Children Board suggest that “specific guidance” may help to deal with the “extra complexity and stresses” of such arrangements. The Board’s response, and the report generally, is clear that greater vigilance and care is required for vulnerable children in these circumstances, together with the recognition that “the turbulence of adolescence brings greater challenges for carers and young persons alike”.¹⁶

Ensuring “law is operating as Parliament intended”

In January 2015, the then Home Secretary Theresa May and the then Education Secretary Nicky Morgan wrote jointly to every local authority to inform them of their “absolute duty” under the Children Act 1989 to accommodate a child or young person when requested by the police to do so. This duty is not one of the six in new clause 2(4), so it remains under threat of exemption. The joint Ministerial letter explained the importance of all parts of the country upholding the law: “So that the law is operating as Parliament intended the Government will therefore be working with chief constables, police and crime commissioners and local authorities to ensure that the best interests of children and young people are served. What this means is ensuring compliance with the law across all police and local authority areas in England”. The BBC elicited data showing that 22,792 children in England, including an eight-year-old, were held overnight in police custody in 2014/15. Her Majesty’s Inspectorate of Constabulary told the BBC some forces had stopped contacting local authorities because they had repeatedly failed to implement their Children Act statutory duty.¹⁷

Care leaver’s right to make a complaint and fair treatment with others

Through his independent advocate, a care leaver sought to make a formal complaint about his local authority’s failure to provide allowances which other young people in similar circumstances had received. This included allowances for his 17th and 18th birthdays. The local authority would not accept the complaint, because it said this was a policy question sitting outside of its statutory duty on complaints. As a result, the advocate made a complaint to the Local Government Ombudsman, who concluded: “In my view Mr X’s complaint is about the application of eligibility in respect of a service provided under Part 3 of the Children Act 1989. I therefore consider Mr X was entitled to have his complaints considered under the statutory social services complaints procedure”. The council was also found to be at fault for not providing the birthday allowances, and for not having a written policy which could ensure fair treatment. The young man was accordingly provided the missing allowances. Both the duty to operate a complaints procedure

¹⁶ Sally Trench and Leighe Rogers, Serious case review: Child E, published April 2016. Overview report available here: <http://library.nspcc.org.uk/HeritageScripts/Hapi.dll/search2?searchTerm0=C6118>

¹⁷

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/401178/Joint_letter_from_the_Home_Secretary_the_Education_Secretary.pdf

BBC, 30 January 2016, ‘Child, eight, held overnight in custody’: <http://www.bbc.co.uk/news/uk-england-34884313>

(with an independent element) and the duty to provide advocates are contained in the Children Act 1989, and could be subject to exemptions should the new clauses be accepted.¹⁸

10. Children's law which appears to be outside the DfE's definition of core legal duties, and therefore could be exempted for up to six years as a test for national deregulation, **includes** (this is not an exhaustive list) local authorities' duties to:
- a. Prepare a care plan for every child who is the subject of care proceedings¹⁹
 - b. Provide accommodation to children they are looking after²⁰
 - c. Provide welfare reports to the family courts²¹
 - d. Maintain children whom they are looking after (besides providing them with accommodation)²²
 - e. Fulfil requirements pertaining to the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption²³
 - f. Fulfil requirements as an adoption agency²⁴
 - g. Follow minimum weekly allowances set by the Government for foster carers²⁵
 - h. Attend youth courts in respect of children they are looking after who have been charged with an offence²⁶
 - i. Make direct payments to the parents of disabled children, and to 16 and 17-year-old disabled young people²⁷
 - j. Provide support to disabled children²⁸
 - k. Assess the support needs of disabled children as they approach adulthood²⁹
 - l. Assess the needs of young carers, and the needs of parents of disabled children³⁰ (in order to provide services to which these families are entitled under s17 of the Children Act 1989, which has been saved from exemption)
 - m. Co-operate with housing authorities and bodies to support homeless families and homeless teenagers³¹
 - n. Allow children in their care to have reasonable contact with their parents³²
 - o. Consider placing looked after children with their parents or family and friends carers who are approved foster carers (the assessment of such carers could also be relaxed)³³
 - p. Place looked after siblings together, so far as is reasonably practicable³⁴
 - q. Make placements for looked after children which do not disrupt their education or training, so far as is reasonably practicable³⁵

¹⁸ LGO case upheld, March 2016: <http://www.lgo.org.uk/decisions/children-s-care-services/looked-after-children/15-013-520#point1>

¹⁹ s31A Children Act 1989

²⁰ s22A Children Act 1989

²¹ s7(5) Children Act 1989

²² s22B Children Act 1989

²³ ss1 and 2(4) Adoption (Intercountry Aspects) Act 1999

²⁴ Adoption and Children Act 2002 (as amended by the Children and Families Act 2014)

²⁵ s49 Children Act 2004

²⁶ s34A Children and Young Persons Act 1933

²⁷ s17A Children Act 1989

²⁸ s2 Chronically Sick and Disabled Persons Act 1970

²⁹ s58 Care Act 2014

³⁰ s17ZA to s17ZI Children Act 1989

³¹ s213(1)(b) Housing Act 1996

³² s34 Children Act 1989

³³ ss22C Children Act 1989

³⁴ s22C(8)(c) Children Act 1989

³⁵ s22C(8)(b) Children Act 1989

- r. Ensure, as far as is reasonably practicable, that the accommodation a disabled child is placed in meets his or her needs³⁶
- s. Provide accommodation for children in police protection³⁷
- t. Arrange for the children they care for to have a medical assessment, and to ensure looked after children receive medical and dental care and treatment³⁸
- u. Visit children they look after³⁹
- v. Check the welfare of children accommodated in boarding schools, residential schools and colleges, private and state-run hospitals and care homes in their area⁴⁰
- w. Appoint independent visitors to looked after children⁴¹
- x. Offer advice, assistance and support to care leavers⁴²
- y. Have a 'Staying Put' arrangement, whereby young people in foster care can remain with their carers until the age of 21⁴³
- z. Appoint an independent reviewing officer (IRO) to each child they look after to: monitor the performance by the local authority of their functions in relation to the child's case; participate in any review of the child's case; and ensure that any ascertained wishes and feelings of the child are given due consideration by the local authority⁴⁴
- aa. Review the care and progress of looked after children, seeking the views of the child and their parents (among others) and considering a number of matters including the child's contact with their family, their education, health and identity needs⁴⁵
- bb. Review a looked after child's case before they move them to a different placement (unless the move is urgently required to safeguard the child's welfare)⁴⁶
- cc. Have a complaints procedure with an independent element⁴⁷
- dd. Appoint independent advocates so children can be heard and their rights protected⁴⁸
- ee. Appoint at least one independent person to review the case of a looked after child held in secure accommodation⁴⁹
- ff. Follow a wide range of requirements, including arrangements for the protection of children, when they are running fostering services⁵⁰
- gg. Appoint a Director of Children's Services and a lead elected member for children's services.⁵¹

11. Local authorities could be excused from having to provide information to the Children's Commissioner for England, and having to respond in writing to her recommendations.⁵²

³⁶ s22C(8)(d) Children Act 1989

³⁷ s21 Children Act 1989

³⁸ Regulation 7, The Care Planning, Placement and Case Review (England) Regulations 2010.

³⁹ s23ZA Children Act 1989

⁴⁰ s62 and ss85-87 Children Act 1989

⁴¹ s23ZB Children Act 1989

⁴² s23C to 24D Children Act 1989

⁴³ s 23CZA Children Act 1989

⁴⁴ ss 25A and 25B Children Act 1989

⁴⁵ s26 Children Act 1989 and Schedule 7 The Care Planning, Placement and Case Review (England) Regulations 2010

⁴⁶ s22D Children Act 1989

⁴⁷ s26(3) and s26A Children Act 1989

⁴⁸ s26(3) and s26A Children Act 1989

⁴⁹ reg 15 The Children (Secure Accommodation) Regulations 1991

⁵⁰ The Fostering Services (England) Regulations 2011 (reg 12 deals with the arrangements for the protection of children)

⁵¹ ss18 and 19 Children Act 2004

⁵² s2F and s3(7) Children Act 2004

Several provisions in this Bill will also be vulnerable to exemption, including new statutory requirements in respect of care leavers.

12. We hope the Committee will agree that these indicative statutory requirements are not simply about how local authorities deliver services to children, as the Children's Minister claims.⁵³ These are vital protections. They were all crafted with the interests of children at heart. Parliamentarians are being asked by Ministers to agree a 'job lot' approach to children's law, whereby virtually every requirement made for all vulnerable children and young people can be axed for some at a future date.
13. Ministers have committed to consultation, but only after the Bill becomes law (in relation to statutory guidance to local authorities). The Secretary of State's power to make legal exemptions has been described as a "grassroots power", yet social workers overwhelmingly reject it and children, young people and families have not been asked their views. In November, UNISON published the results of its survey of 2,858 social workers. They were asked "Should councils be able to exempt themselves from children's social care legislation in order to try and achieve better outcomes for service users?" More than two-thirds (69%) of social workers said no, councils should not be able to exempt themselves; just 10% said yes; and 22% didn't know. 69% of social workers said they believed exemptions would lead to more children being placed at risk (only 8% said exemptions would not lead to more risk).⁵⁴ The British Association of Social Workers' survey of over 1,000 social workers found 76% oppose exemptions from statutory duties and a separate survey found 55% of Principal Social Workers for Children and Families oppose them.⁵⁵
14. Ministers have changed the purpose of legal opt-outs. In the original Bill, the purpose was to test different ways of working to achieve better outcomes under children's social care legislation or the same outcomes more efficiently. Now the Secretary of State will be able to cancel duties in Acts of Parliament, and subordinate legislation, in a particular area simply because a local authority wants to test different ways of working with a view to achieving an amended version of the new corporate parenting principles. We cannot see how any of the above statutory requirements would inhibit a local authority from working differently – unless the difference being sought is fundamentally about the freedom to work outside the law. At previous stages of the Bill, we have provided Peers with evidence showing the areas of law proposed for exemption have all been subject to consultations, research and policy development within the past five years – and none had proposed area-based deregulation. To add to this incoherence, we note the recent letter from Home Office Minister Baroness Williams about the Government's position on the appointment of guardians to unaccompanied children. The letter was a response to questions raised by Baroness Lister at Report Stage in the House of Lords. It sets out the Government's justification for not appointing guardians, which is that unaccompanied children who are looked after have a social worker and an IRO and that one of the IRO's functions is to help the child obtain legal advice.⁵⁶ The statutory duty to appoint IROs has been consistently highlighted by the Government as a candidate for exemption, from House of Lords Second Reading (14 June

⁵³ The Minister's letter on the Bill, dated 7 December 2016, can be viewed here:

⁵⁴ UNISON (November 2016) UNISON (November 2016) What about the children? A UNISON report on social work reform in England, pp 3-4.

⁵⁵ This survey was undertaken by the Children and Families Principal Social Work Network and the results published 2 December 2016:

<http://www.communitycare.co.uk/2016/12/02/childrens-principal-social-workers-feel-government-innovation-proposals/>

⁵⁶ http://data.parliament.uk/DepositedPapers/Files/DEP2016-0923/Letter_from_Williams_to_Baroness_Lister_2nd_day.pdf

2016) onwards.

15. Ministers have written into the Bill that local authorities must consider consulting children or young people who might be affected by legal opt-outs, but fall short of requiring this (and there is no mention of families). Our independent legal advice has confirmed that local authorities will be breaching domestic and international law obligations should they fail to consult prior to seeking exemptions.
16. The revised exemption clauses do not address the constitutional concerns consistently articulated in the House of Lords. They do not assuage fears that these exemption clauses are part of the “long game” independent providers told LaingBuisson they were happy to play, on the journey to “whole system” outsourcing.⁵⁷
17. In the absence of any consultation, the first public indication that local authorities could be granted legislative freedom came in an announcement from the then Prime Minister in December 2015. David Cameron said:

“Working with 6 of the country’s best local authorities, North Yorkshire, Hampshire, Tri-borough (Westminster, Hammersmith & Fulham, Kensington & Chelsea), Leeds, Durham and Richmond & Kingston to give academy style freedoms to high-performing authorities.”⁵⁸
18. The Government later confirmed the power to make exemptions was “modelled in large part” on education law.⁵⁹ However, it has not explained how it sees the organisation of schools as being comparable to local authorities’ legal obligations to protect, care for and support individual children and young people.
19. Our work around the care and protection of vulnerable children in secure training centres, run exclusively by the private sector until 2016, has demonstrated the considerable safeguarding risks in institutional settings when contractors are large, powerful companies and not subject to the same degree of public scrutiny and accountability as statutory agencies.
20. We appreciate Ministers have repeatedly indicated they have no plans to privatise child protection, and they have re-tabled an amendment that would not permit the use of exemptions to circumnavigate the ban on profit-making introduced in 2014. However, the legal position in respect of profit-making is not clear-cut, as the following table sets out.

Table 1: Contracting out statutory child protection and welfare services

Date and legislation	Legislative change
Children and Young Persons Act 2008	Part 1 allowed services to individual looked after children and young people and care leavers to be contracted out by local authorities in

⁵⁷ LaingBuisson (1 December 2016) The potential for developing the capacity and diversity of children’s social care services in England Independent research report December 2016. Department for Education.

⁵⁸ The speech was made on 14 December 2015: <https://www.gov.uk/government/news/pm-we-will-not-stand-by-failing-childrens-services-will-be-taken-over>

⁵⁹ Department for Education (19 May 2016) Memorandum concerning the Delegated Powers in the Bill for the Delegated Powers and Regulatory Reform Committee, page 9: *“The power is modelled in large part on existing powers under Part 1 of the Education Act 2002”*.

	<p>pilot areas (to be designated).</p> <p>The work had to be carried out by registered social workers. The social work services were required to register with Ofsted.</p>
The Children and Young Persons Act 2008 (Commencement No. 1) (England) Order 2009	From 16 February 2009, <u>six</u> local authorities were allowed to begin piloting contracting out their social work services to individual looked after children and care leavers. These were Liverpool City Council, Kent County Council, Sandwell Metropolitan Borough Council, Blackburn with Darwen Borough Council, Hillingdon London Borough Council and Staffordshire County Council.
The Children and Young Persons Act 2008 (Commencement No.3, Saving and Transitional Provisions) Order 2010	From 16 December 2010, <u>10 more</u> local authorities were allowed to pilot contracting out social work services for individual looked after children and care leavers. These were Bristol City Council, Coventry City Council, Lincolnshire County Council, Norfolk County Council, North Tyneside Council, Northumberland County Council, Peterborough City Council, South Tyneside Council, Wakefield Council and Warwickshire County Council.
The Children and Young Persons Act 2008 (Commencement No.4) (England) Order 2011	From 14 November 2011, <u>four more</u> local authorities were allowed to pilot social work services for individual looked after children and care leavers. These were Barnet London Borough Council, Redbridge London Borough Council, Shropshire Council and Sunderland City Council.
Children and Young Persons Act 2008 (Commencement No 5) (England) Order 2013 (2013 No 2606)	From 12 November 2013, <u>all</u> local authorities in England were allowed to contract out services for looked after children and care leavers.
The Children and Young Persons Act 2008 (Relevant Care Functions) (England) Regulations 2014	<p>From 10 September 2014, all local authorities in England were allowed to contract out <u>all social services functions</u>, in respect of children, including child protection.</p> <p>The regulations prohibit a “body corporate that is carried on for profit” from being party to an arrangement in respect of the additional social services functions. However, the Explanatory Notes explain that: “The regulations <u>will not prevent an otherwise profit-making company from setting up a separate non-profit making subsidiary</u> to enable them to undertake such functions.”⁶⁰</p> <p><u>No profit-making ban</u> is applied to contracting out services for individual looked after children and care leavers.</p>
Section 93, Deregulation Act 2015	Social work services to individual looked after children and care leavers, operating outside of local authorities, are no longer required to register with Ofsted.
Children and Social Work Bill 2016	Gives the Secretary of State the power to exempt a local authority from statutory requirements in Acts of Parliament and subordinate legislation from 1933 onwards – except for ss17, 20, 22 and 47 of the Children Act 1989 and ss10 and 11 of the Children Act 2004 and so long as the local authority has requested this opt-out. The exemptions can last for up to six years.

⁶⁰ http://www.legislation.gov.uk/uksi/2014/2407/pdfs/ukxiem_20142407_en.pdf

21. We would be very happy to provide further evidence to the Committee and ask that you consider taking oral evidence given the gravity of the changes proposed.

January 2017