

# Children's Wellbeing and Schools Bill

## Second Reading

8 January 2025

### Summary

#### Barnardo's welcomes measures that will:

- **Help more children stay living safely with their immediate or extended families.** The Bill makes it mandatory for local authorities to offer 'family group decision making' (Section 1), so that families can explore options to address concerns about a child's welfare before care proceedings are commenced. It also introduces a 'local offer' for kinship carers, which could make it easier for children to live with extended family or friends rather than enter care.
- **Enable the introduction of a consistent identifier for children (Section 4).** This should help to facilitate the sharing of vital information between professionals and services responsible for keeping children safe, so that risks are identified and addressed earlier.
- **Help more care leavers find safe and stable accommodation.** The Bill should help reduce homelessness amongst care leavers by including a new duty on local authorities to publish a 'local offer' outlining the support available (Section 8). It will also enable all care leavers leaving residential care to be assessed for an enhanced offer of "Staying Close" following the successful pilot of these schemes in a number of Local Authorities (Section 7).
- **Help to mitigate the impact of poverty for some children and families.** The Bill will introduce free breakfast clubs in all primary schools (Section 21). It is crucial that these breakfasts are nutritious. The Bill will also protect families against high school uniform costs (Section 23).
- **Create compulsory registers of children not in school, and require local authority consent to home educate if a child registered at a school has a child protection plan** or is subject to a safeguarding investigation (Section 24). We would welcome further strengthening.

#### Barnardo's recommends the following changes to strengthen the Bill further:

- **Making schools a statutory safeguarding partner,** to ensure that the adults who know children best are involved in decisions about their safeguarding arrangements.
- **Improving the consistency of support, particularly financial support, available to kinship carers** to ensure that lack of money does not act as a barrier to extended family members caring for children.
- **Enhancing support for children in care and care leavers, including extending corporate parenting responsibilities.** This should include free bus travel, free prescriptions and a requirement for all local authorities to have rent deposit and guarantor schemes to help care leavers seeking to rent in the private rented sector. This should also extend to having a legal duty to complete asylum decisions by the time unaccompanied asylum-seeking children leave care.
- **Reviewing proposals for regional care cooperatives.** It is important to ensure there is evidence that these arrangements will improve children's outcomes before they are mandated.
- **Introducing a specific duty to provide community-based support for families – supported by central government funding.** This will help more children and parents to access support before they reach crisis point.
- **Introducing new measures to mandate a 'whole school' approach to mental health and wellbeing support in schools.**
- **Introducing an amendment to remove the 'reasonable chastisement' defence for physically assaulting a child, thereby banning smacking.**

## Reform of children’s social care requires significant investment in the Spending Review

- Children’s social care in England is under increasing pressure – the number of children in care has **increased by 28% since 2010/11 to almost 84,000 in 2024.**
- Recent analysis by Pro-Bono Economics<sup>1</sup> on behalf of Barnardo’s and the other leading children’s charities shows that **spending on late intervention, such as care placements and child protection, increased by £560 million in the last year alone**, and England now spends over 11 times more on late intervention than investing in preventative services like family centres and youth work.
- The same analysis showed that there has been limited new investment in early family help services which seek to prevent children entering care. Overall, despite a slight year-on-year increase money spent on these services since 2010-11, **overall spending on early intervention has fallen by almost £1.8 billion, a decline of 44%.** While we welcome the government’s doubling of family help services for next year, this falls far short of what is needed overall.
- Investment in family support services, delivered through a network of family centres could also offer the opportunity to provide significant savings in the longer term. Analysis in the Barnardo’s report ‘It Takes a Village’<sup>2</sup>, specifically looked at the outcomes from our intensive family support service offered through our Isle of Wight family centre. **This estimated that for every £1 invested in the service, the saving in costs to the state is approximately £2.60.** Based on the number of families the service supported in a single year, the service has saved approximately £1 million per annum to the state.
- The Independent Review of Children’s Social Care published in May 2022<sup>3</sup> recommended **that the government invest £2.6bn to refocus the system on providing early support for families.**

**Reforms in this Bill will only be effective if they are matched by funding to enable all local authorities to invest in early help services such as family centres, delivered through a variety of partnership models including charities and not for profit groups.** This would mean more families can access support before they reach crisis point, through both universal and targeted support in their community. As a result, more children could be supported to stay safely living with their birth families, leading to better outcomes for children and a reduction in costs. It would also reduce the pressure on children’s social care, so services can focus on improving support for those who do still need to live in foster care or residential care.

**The government must commit to investment of at least £2.6bn over four years as recommended by the Independent Review in the forthcoming Spending Review<sup>4</sup>. Without such a commitment, it is unlikely that the reforms in this Bill will be adequate to transform outcomes for children and young people most in need of support.**

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<sup>1</sup> Larkham J (2024) [Childrens services spending 2010-2023 Final report.pdf](#)

<sup>2</sup> Barnardo’s (2021) <https://www.barnardos.org.uk/sites/default/files/2021-09/It-Takes-a-Village-the-case-for-family-support-in-every-community.pdf>

<sup>3</sup> MacAlister J (2022) [\[ARCHIVED CONTENT\] Final Report - The Independent Review of Children's Social Care](#). Costs were estimated (in 2022) as £46m year one, £987m in year 2, £1257bn in year 3 and £233m in year 4, plus an additional £50m on other interventions over the investment period.

<sup>4</sup> Note that this figure was a calculated in 2022 as part of the analysis done for the original review – given limited action in the intervening period the exact investment now required will be greater than this. See the following report prepared by Alma economics on the potential impact that the delay in investment since the care review has had - [Cost of Delay Briefing Final.pdf](#)

# The Bill should be strengthened to keep children and young people safe and well

## What needs strengthening?

### a) The role of education in safeguarding arrangements (Part 1, section 2) should be strengthened by making education settings a full statutory safeguarding partner.

- The Children and Social Work Act 2017 introduced new safeguarding arrangements in each local authority. This legislation mandated that three safeguarding partners (local authorities, chief officers of police, and integrated care boards) would have collective responsibility to protect the welfare of children in the area. **Education (including schools, early years and further education) was not included as a statutory partner.**
- Education staff spend more time with children than other professionals, meaning that they are often in a unique position to identify and respond to concerns early. Although in many areas schools do participate in discussions with other statutory partners, research suggests that in some areas, schools are ‘kept out’ of safeguarding partnership conversations<sup>5</sup>. In order to tackle this issue, the Independent Review of Children’s Social care recommended that the Department for Education make education the **fourth statutory safeguarding partner**, highlighting that the Department should “*work with social care and school leaders to identify the best way to achieve this, ensuring that arrangements provide clarity.*”
- However, the new Bill falls short of this recommendation, mandating only that education providers should always be considered ‘relevant partners’. This should improve the recognition of the importance of education providers in safeguarding arrangements, but we believe that this does not go far enough to protect children at risk.
- We recognise that the diverse nature of the education sector could pose a practical challenge in identifying a relevant senior colleague to represent education as a statutory partner. Education settings have a wealth of experience in working with children to keep them safe and we believe it is vital that options are explored to ensure they are able to fully participate in both the planning and delivery of local safeguarding arrangements.

**Recommendation:** Given the central role of education in keeping children safe, the Bill should be amended so that education is the fourth statutory safeguarding partner, and education is formally represented in safeguarding arrangements in every local area.

### b) Improved support for kinship carers (Part 1, section 5) are welcome but should go further.

- The government has committed to supporting more children to live safely with extended family members through ‘kinship care’ arrangements, rather than in fostering or residential care. Barnardo’s strongly supports this aim. **There are currently an estimated 141,000 children living in kinship care in England and Wales** - nearly 60% of these children are living with at least one grandparent.<sup>6</sup>
- **Enabling more children to stay living in their family networks would not only reduce pressures on the system but should also help improve outcomes for children.** Evidence shows that those growing up in kinship care experience fewer behavioural and mental health problems, have better wellbeing and are less likely to experience placement disruption compared to children in foster care<sup>7</sup>. The importance of doing more to support kinship care as a viable alternative to children entering the care system was a central recommendation of the Independent Review of Children’s Social Care<sup>8</sup>.

<sup>5</sup> Wood, A. (2021). [Wood Review of multi-agency safeguarding arrangements - GOV.UK](#)

<sup>6</sup> Office of National Statistics (2021) [Kinship care in England and Wales - Office for National Statistics \(ons.gov.uk\)](#)

<sup>7</sup> Systematic Review of Kinship Care Effects on Safety, Permanency, and Well-Being Outcomes - Marc A. Winokur, Amy Holtan, Keri E. Batchelder, 2018 (sagepub.com)

<sup>8</sup> [The-independent-review-of-childrens-social-care-Final-report.pdf](#)

- **Currently support for kinship carers varies significantly depending on local authority but also on the legal status of the kinship care arrangement.** Kinship carers who care for their children under a Special Guardianship or Child Placement Order often receive different levels of support than those doing so informally because of an agreement between family members. Overall levels of support are considered low – a survey by the charity Kinship in 2022 showed that of those kinship carers who had received local authority support, 25% rated the quality of the support received as ‘very poor’.<sup>9</sup>
- Insufficient financial support for kinship carers is a particular concern, as it may prevent some families from taking on caring responsibilities, despite being willing and safe to do so . Research by the charity in Kinship in 2022 found that there is significant discrepancy on whether kinship carers receive any financial support to help them care for children – for example, 85% of informal kinship carers received no financial support.<sup>10</sup>
- In recognition of the need to better support kinship carers the previous government introduced a Kinship Care Strategy which will provide a four-year trial of financial allowances piloted in up to eight local authorities<sup>11</sup> - this was further extended in the first budget of the new government when the announced a **£40 million package** in 25-26 to extend the trial a to up to 10 local authorities.
- The Bill includes a new provision requiring local authorities to publish a local “offer” of support for kinship carers; however, it does not introduce any new national entitlement to support for these carers and does not seek to enable the provision of a standard kinship care allowance – building on the findings of the pilot.

**Recommendation:** Alongside the local offer for kinship carers, the Bill should be amended to ensure more consistency of support for kinship carers including ensuring that all kinship carers can access financial support to enable them to adequately support the children in their care.

**c) Measures to further enhance the rights of care leavers beyond the new rights to accommodation support already included in the Bill (Part 1, section 8), including extending corporate parenting.**

- Young people who have spent time in foster care or residential care have, on average, significantly poorer outcomes than their peers:
  - 39% of care leavers aged 19- 21 are not in education, employment, or training (NEET), compared to around 13% of all young people<sup>12</sup>;
  - some one in three care leavers become homeless in the first two years after they leave care<sup>13</sup>; and
  - 50% of young people who grew up in care are estimated to have a mental health disorder<sup>14</sup>.
- While the Bill contains some welcome measures that would help young people to find suitable accommodation, these do not go far enough to close the gaps referenced above. **Improving support for care leavers requires a range of public bodies to provide better support that other young people would receive from their families.**
- The Independent Review recommended extending corporate parenting principles to a greater range of public bodies and the government committed to do this in it recently published policy paper on children’s social care – Keeping Children Safe, Helping Families thrive<sup>15</sup>. However these provisions are currently not contained in this Bill.

**Recommendation:** The Bill should be amended to extend the corporate parenting principles contained in the 2017 Children and Social Work Act 2017 to a greater range of public bodies including the Home Office, health, housing and the police.

It should also be amended to introduce a range of new statutory entitlements for young people when they first leave care, aimed at improving access to health, transport and other services in order for care leavers to establish themselves as independent and successful young adults. These provisions should include the following specific new entitlements for young care leavers aged 18-25:

<sup>9</sup> [Breaking-Point-summary-PDF.pdf \(kinship.org.uk\)](#)

<sup>10</sup> Kinship (2020)

<sup>11</sup> [Championing kinship care: national kinship care strategy - GOV.UK](#)

<sup>12</sup> Statistics from the Department for Education (Nov 2024) [Children looked after in England including adoptions, Reporting year 2024 - Explore education statistics - GOV.UK](#)

<sup>13</sup> All- Party Parliamentary Group for Ending Homelessness (2017) [appg\\_for\\_ending\\_homelessness\\_report\\_2017\\_pdf.pdf \(crisis.org.uk\)](#)

<sup>14</sup> [neglected-minds.pdf](#)

<sup>15</sup> Department for Education (2024) Keeping children safe, helping families thrive

- For those eligible for Universal Credit, the rate paid to those over 25
- Help with rent deposit or access to a corporate guarantor through local authorities (this would improve care leavers access to properties in the private rented sector)
- Free bus travel
- Free NHS prescriptions
- Better support for care leavers who arrive in the UK as unaccompanied asylum-seeking children including a commitment to settle their asylum claim as soon as possible and preferably before they leave care.

## What needs changing?

### d) The proposal to introduce regional care cooperatives should be reviewed (Part 1, section 9)

- The Bill enables the introduction of regional care cooperatives. These are dedicated bodies, made up of networks of local authorities, that consolidate a number of functions related to creating and commissioning fostering, residential and secure care. They aim to improve the provision of care placements by bringing local authorities together to facilitate the sharing of expertise on commissioning and strengthen negotiating power.
- However, Barnardo's is concerned that regional commissioning could result in further **fragmentation of the children's social care system** since it would split decisions around the commissioning of placements from other children's services (such as family support). This could hamper joined-up planning, particularly in cases where the ultimate aim is to reunify the child with their birth family.
- Regional Cooperation Agreements also **risk smaller providers of fostering and care, as well as charities and not for profits, exiting the market**, since the requirement to work with regional commissioning favours larger providers able to deliver over a wider geographical footprint. This could hamper the effective delivery of residential care. Currently children's homes are not distributed evenly across the country - the North West has significantly more children's homes (866) than London (which only has 220)<sup>16</sup>. This distribution is resulting in children being placed further away from their home area – in 2023 children in care in England were living on average 18.5 miles from home, up from 18.2 in 2022<sup>17</sup>. Ensuring that smaller local providers can play their role in providing homes for children is key in ensuring this trend does not continue.
- It is essential that commissioning on a regional basis enables the effective involvement of voluntary and other providers in the delivery of care – including foster care. Currently, independent fostering providers provide 47% of fostering places in England<sup>18</sup> and evidence shows that children placed in these settings are significantly more likely to have complex needs than children in in-house foster placements<sup>19</sup>. **Regionalisation must be implemented in a way that enables a wide range of voluntary and private providers to continue to offer their expertise when providing care for children.**
- Regionalisation has already been tried in relation to adoption, with limited evidence of success. Regional Adoption Agencies were first introduced in 2015 and 29 have been set up across England. Today, children in England are **waiting longer to be adopted** - it now takes on average 2 years and 5 months for a child to be adopted which has increased from 1 year and 11 months in 2018<sup>20</sup>.

**Recommendation:** The Bill should be amended to delay the implementation of Regional Cooperation Agreements until the two pilots currently in process can be evaluated based on measures such as: a) reduction in the number of children in out of area placements; b) increase in the number of children in placements that match the recommendations in their care plan; c) reduction in the average number of placement moves per child; and d) reduction the number of children going missing from their placements.

<sup>16</sup> Ofsted (2024) [Main findings: children's social care in England 2024 - GOV.UK](#)

<sup>17</sup> BECOME (2023) [Still-Too-Far-report-FINAL-v1.pdf](#)

<sup>18</sup> Ofsted (2023)

<sup>19</sup> National Association of Fostering Providers (2024) [240514\\_NAFP-BERRI\\_outcomes\\_from\\_fostering\\_.pdf](#)

<sup>20</sup> [Children looked after in England including adoptions, Reporting year 2024 - Explore education statistics - GOV.UK](#)<https://explore-education-statistics.service.gov.uk/find-statistics/children-looked-after-in-england-including-adoptions/2021>



## What's missing and needs to be added?

### e) The Bill should introduce a specific duty to provide community-based support for families – backed by specific funding from central government.

- As discussed above, funding for children's social care is increasingly focused on late intervention – helping children **only after they have reached crisis**.
- Given the reality of increasing demand and many years of underfunding, specific recourse is needed to reverse this vicious cycle and reinstate support for children and families when and where they need it.
- This will result in fewer children needed costly crisis support, representing a cost saving for the Treasury and improved outcomes for children.

**Recommendation:** The Bill should be amended to include a specific duty on local agencies to provide preventative, both universal and targeted, family centre-type support for children and families in every community (from pre-birth to 25), accompanied by specific, targeted funding from central government, so they does not 'compete' with meeting immediate demand for care and child protection services.

### f) The Bill should introduce a statutory requirement on schools to provide access to mental health and wellbeing support for all, as well as a 'whole school approach' to wellbeing

- Approximately one in five children in England between the ages of 6 and 16 have a diagnosable mental health condition, equating to around **1.3 million**, rising to one in four young people aged between 17 and 19.
- Meanwhile, mental health support for children and young people is in crisis, with the Darzi Independent Investigation of the National Health Service in England<sup>21</sup> finding that **109,000 children and young people under the age of 18 are waiting currently for more than a year** for their first contact with mental health services; nearly a third of the total mental health waiting list.
- However, despite the Bill's title, it makes **no provision for improving access to mental health and wellbeing support at school**. Improving children's mental health and wellbeing requires a commitment to a 'whole-school approach', as well as targeted help for those who need it, and a clear process for referring children to other community-based and specialist services where appropriate.
- There is a lack of consistent mental health support in schools and colleges, leading to variation in available training for teachers, access to programmes that support wellbeing, and interventions including counselling and cognitive behavioural therapy.
- Mental Health Support Teams (MHSTs) work with teachers and mental health leads to provide a whole school approach to supporting children and young people's mental health and provide support for children and young people with mild to moderate mental health conditions. **Whilst MHSTs are a cost-effective investment in improving children's mental health and wellbeing, with evidence from Barnardo's showing a return of £1/90 for every £1 invested, currently only 50% of schools in England have a team in place.**

**Recommendation:** The Bill should be amended to mandate the full national rollout of mental health and wellbeing support to all schools and colleges in England. This should be based on the MHST model, providing whole school support and early intervention, alongside ensuring that all children have access to a school counsellor.

### g) The Bill should equalise legal protection for adults and children against physical protection (a 'smacking ban')

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<sup>21</sup> Lord Darzi (2024) Independent Investigation of the National Health Service in England. <https://assets.publishing.service.gov.uk/media/66f42ae630536cb92748271f/Lord-Darzi-Independent-Investigation-of-the-National-Health-Service-in-England-Updated-25-September.pdf>

- Following the tragic murder of Sara Shariff, there can no longer be any doubt that the ‘reasonable chastisement’ of a child must not be a legal defence available to those who abuse children. There is a swathe of robust research, including the landmark Gershoff and Grogan-Kaylor’s study<sup>22</sup> which demonstrates an association between “spanking” and a wide variety of harmful outcomes for children.
- Removing the ‘reasonable chastisement’ defence for physically harming a child would also increase the confidence of children and adults – including professionals - in reporting physical abuse, and would bring England into step with Scotland and Wales.
- Barnardo’s family support staff say that **eliminating the use of physical punishment brings significant benefits to families**: enhancing warm, nurturing supportive parenting with strengthened attachment and improved long term relationships.

**Recommendation:** The Bill should be amended to remove the ‘reasonable chastisement’ defence for physically assaulting a child.



## Action you can take

- Please attend the Second Reading debate to speak out on behalf of children and care leavers, and in support of the objectives of the Bill.
- Suggested questions:
  - Will the Minister recognise the fundamental role that schools have to play in safeguarding by naming them as a statutory safeguarding partner?
  - Will the Minister commit to using this Bill to extend the principles of corporate parenting to a wider range of public bodies to ensure that care leavers have every opportunity to flourish as independent young adults?
  - Will the Minister commit to using the forthcoming Spending Review to dedicate specific additional funding for the development of community based family support - making it easier to keep more families together, safely?
  - Will the government act to equalise protections for adults and children, and ban smacking?
- Please contact us to arrange an oral briefing via Sunny Kaur Bhogal, Policy and Public Affairs Lead (England), Barnardo’s at [Sundeep.bhogal@barnardos.org.uk](mailto:Sundeep.bhogal@barnardos.org.uk).

## About Barnardo’s

At Barnardo's, our purpose is clear - changing childhoods and changing lives, so that children, young people, and families are safe, happy, healthy, and hopeful. Last year, we provided essential support to over 356,200 children, young people, parents and carers through 760 services and partnerships across the UK. For over 150 years, we’ve been here for the children and young people who need us most – bringing love, care and hope into their lives and giving them a place where they feel they belong.

[www.barnardos.org.uk](http://www.barnardos.org.uk)

For more information contact [public.affairs@barnardos.org.uk](mailto:public.affairs@barnardos.org.uk)

<sup>22</sup> Gershoff and Grogan-Kaylor (2016) Spanking and child outcomes: old controversies and new meta-analyses. J Family Psychology, 30(4); 453-69