

Strict new measures to protect vulnerable children in care

Putting children under the age of 16 in unregulated accommodation will become illegal, under new plans announced today by Education Secretary Gavin Williamson to drive up the quality of children's social care.

Minimum standards will also be introduced for unregulated accommodation, which provides accommodation but not care.

Proposals to stop children in care from being placed in inappropriate accommodation will be published as part of a consultation, tackling growing concerns about the number of under-16s being left at risk of exploitation.

Under the strict new proposals, the Government would also introduce national standards for unregulated accommodation to improve the quality and security of the placements. This will mean that where this is used appropriately for young people aged 16 and over, safety and quality is prioritised.

The consultation also proposes new legal powers for Ofsted to crack down on illegal unregistered providers – those providing care for children without being registered to do so – and new measures requiring councils and local police forces to work together before placements in unregulated settings are made out of area, putting the interests of young people at the heart of decisions.

This consultation has been launched to take action as a matter of urgency, ahead of the wider upcoming care review committed to as part of the Government's manifesto. The Education Secretary confirmed today that this review will be independently led, and look widely across children's social care with the aim of better supporting, protecting and improving the outcomes of vulnerable children and young people. We are moving forward with the review, making sure that it reflects the experiences of those who have needed a social worker or been in care, and will be setting out more details in due course.

Education Secretary Gavin Williamson said:

There are no circumstances where a child under 16 should be placed in accommodation that does not keep them safe. That is unacceptable and I am taking urgent action to end this practice and drive up the quality of care provided to all vulnerable children.

Social workers and council chiefs have to make difficult decisions about the children in their care, so it's important that we agree an ambitious approach to these important reforms to bring about lasting change in children's social care.

While unregulated accommodation can be the right option for some older children, acting as a stepping-stone for young people towards living as an independent adult, the Education Secretary is taking action due to concerns that some of this provision is not good enough, and is particularly concerned about the number of younger children being placed in this provision.

The introduction of new national standards will set a benchmark for unregulated provision, rooting out poor quality. The consultation will run for eight weeks, allowing the sector to have a say in the way measures are brought forward, including:

- banning the use of independent and semi-independent placements for children and young people under the age of 16;
- driving up the quality of support offered in independent and semi-independent provision, through the introduction of national standards;
- ensuring young people's interests are appropriately represented by their Independent Reviewing Officer (IRO);
- introducing new measures so that local authorities and local police forces liaise before a placement in this provision is made; and
- giving Ofsted new legal powers to crack down on illegal providers.

More than 6,000 looked-after children and young people in England are living in unregulated accommodation, with up to 100 under 16s living in unregulated provision at any one time.

Under the plans, legislation will be amended so that Ofsted can take legal action before prosecution and issue enforcement notices, which will result in illegal providers either being forced to close, register or face a penalty.

The consultation follows a letter sent to all local authorities by the Education Secretary in November, setting out his concerns about under 16s being placed in this provision and asking them to make sure that all children in their area are in safe and suitable accommodation.

Last autumn the Government announced an extra £1 billion for child and adult social services, and the Conservative party manifesto committed to continuing this funding for every year of this parliament to make sure vulnerable young people get the support they need.

Yvette Stanley, Ofsted's National Director for Social Care, said:

We welcome this consultation and await the outcome with interest. Ofsted has long-held concerns about the rise of unregistered children's homes. Some of our most vulnerable children are living in places where we don't know if the people caring for them are suitable or skilled enough to meet their needs – this isn't acceptable. We've also called for better assurance about the quality of unregulated provision for older children. We need a system where children are getting high quality care and support, with the right level of oversight. Ofsted stands ready to play its full part in achieving this.

Mark Russell, Chief Executive at The Children's Society, said

The numbers of children being placed in unregulated accommodation is on the rise, making this consultation both timely and essential. We are pleased the government is looking carefully at this issue and recognising the wider issues at play, such as the shortage of places where they're most needed.

Children are often placed in these settings in an emergency and out of their home area, where they may not get the support they need and can be at particular risk of going missing and being criminally or sexually exploited. All accommodation for children in care has to be suitable for their needs and no child should be placed in accommodation where they are not safe. It's vital that quality standards are introduced across the board. This consultation should lead to tangible changes which address these issues and ensure all children get the help they deserve.