

Research Briefing

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An overview of child protection legislation in England



Summary

- 1 Safeguarding and protecting children
- 2 Organisational responsibilities
- 3 Government reform proposals
- 4 Further information

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Summary

This briefing gives a very broad overview of the legislative framework for child protection and child safeguarding in England. It is intended as a short introduction to some of the key areas, rather than a comprehensive guide.

Children Act 1989

The child protection system in England is grounded in the [Children Act 1989](#), as amended. Statutory guidance published by the government, [Working Together to Safeguard Children](#), which was updated in December 2023 following a consultation, provides detailed information on the core legal requirements.

The Children Act 1989 establishes several key principles, including

- The concept of parental responsibility.
- That a child's welfare is the main consideration when the court is considering a question about a child's upbringing.
- That children are best looked after by their family unless intervention in family life is essential.

The Act places a general duty on local authorities to promote and safeguard the welfare of children in need in their area by providing a range of services appropriate to those children's needs (section 17). It additionally sets out what a local authority must do when it has reasonable cause to suspect that a child in its area is suffering, or is likely to suffer, significant harm (section 47).

Section 31 of the Act sets out the circumstances under which a court may make an order placing a child in local authority care (a care order). The Act also sets out the functions of local authorities in relation to looked after children, including a duty under section 22(3) to safeguard and promote their welfare.

Children Act 2004

Under the [Children Act 2004](#), a range of agencies, including local authorities, the police and health services, are under a duty to ensure they consider the need to safeguard and promote the welfare of children when carrying out

their functions (section 11). A similar duty is placed on other agencies (for example, schools) by other legislation.

Children and Social Work Act 2017

The [Children and Social Work Act 2017](#) amended the Children Act 2004 to establish new local arrangements for safeguarding and promoting the welfare of children.

A central feature of the revised arrangements is that three safeguarding partners – the local authority, NHS Integrated Care Boards (ICBs) and police forces – are responsible for determining how safeguarding arrangements should work in their area for them and relevant agencies.

Government reform proposals

In February 2023, the government published an implementation strategy and consultation on reforming children’s social care in England: [Stable Homes, Built on Love](#).

Over the next two years, the government plans to invest £200 million “addressing urgent issues facing children and families now, laying the foundations for whole system reform and setting national direction for change.”

Among other things, £45 million is being used for a ‘[Families First for Children Pathfinder’ programme in up to 12 local areas in England](#). The pathfinders will test several things, including:

- A new Family Help service that will remove the distinction between early help and children in need services
- Changes to front-line child protection practice, including some child protection functions, such as section 47 enquiries and oversight of child protection plans, being led by a group of multi-agency staff from local authorities, police and health working as a team on a day-to-day basis.

The first wave of pathfinders, in Dorset, Lincolnshire and Wolverhampton, launched in July 2023. A second wave in a further seven local authorities, were announced in April 2023.

Further information is provided in the Library briefing: [Reform of children’s social care in England](#).

1 Safeguarding and protecting children

A “myriad of laws and guidance” are relevant to safeguarding and promoting the welfare of children in England.¹ This briefing gives a broad overview of the legislative framework. It is intended as a short introduction to some of the key areas rather than a comprehensive guide.

1.1 Children Act 1989

The current child protection system in England is grounded in the [Children Act 1989](#), as amended.² The statutory guidance, [Working Together to Safeguard Children](#), provides detailed information on the core legal requirements.³

The Children Act 1989 establishes several key principles including:

- That when the court determines any question regarding the upbringing of a child, its “paramount consideration” is the child’s welfare.⁴
- The concept of parental responsibility. The [Library briefing on parental responsibility in England and Wales](#) provides more information.⁵
- That children are best looked after by their family unless intervention in family life is essential.⁶

Services for children in need

Under section 17 of the Children Act 1989, local authorities in England are under a duty “to safeguard and promote the welfare of children within their area who are in need...by providing a range and level of services appropriate to those children’s needs.” Authorities are also required to promote the upbringing of children by their families, so far as this is consistent with the duty to safeguard their welfare.⁷

¹ NSPCC inform, NSPCC factsheet: An introduction to child protection legislation in the UK, May 2012, p1.

² Including by the [Children \(Leaving Care\) Act 2000](#), the [Adoption and Children Act 2002](#) and the [Children and Young Persons Act 2008](#).

³ HM Government, [Working together to safeguard children](#), December 2023.

⁴ Children Act 1989, section 1.

⁵ Commons Library briefing CBP-8760, [Parental responsibility in England and Wales](#).

⁶ DfE, [The Children Act 1989 guidance and regulations Volume 2: care planning, placement and case review](#), July 2021, p9.

⁷ Children Act 1989, section 17(1).

Section 17 defines a child in need as a child who:

- (a) [is] unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision...of services by a local authority...;
- (b) [whose] development is likely to be significantly impaired, or further impaired, without the provision of such services; or
- (c) [is] disabled.

Local authorities are responsible for determining what services to provide for a child in need. When deciding what services to provide, authorities must give due consideration to the child's wishes and feelings (having regard to their age and understanding), so far as practicable and consistent with the child's welfare.⁸

Further information is available in the [Library briefing on local authority support for children in need](#) and on the website of the Family Rights Group at [Child in need](#).¹⁰

1 Early help

There is no statutory duty to provide [early help services](#) for children who do not meet the threshold for support under section 17 of the Children Act 1989. However, the government's statutory guidance, [Working Together to Safeguard Children](#), says local authorities should "work with organisations and agencies to develop joined-up early help services".

The guidance explains that early help is a system of support "for children of all ages that improves a family's resilience and outcomes or reduces the chance of a problem getting worse." It adds that early help services can typically include "family and parenting programmes, assistance with school attendance, assistance with health issues including mental health, enabling financial stability, supporting secure housing, responses to emerging concerns in extra-familial contexts, responding to a parent in custody, and help for emerging problems relating to domestic abuse, drug or alcohol misuse."⁹

⁸ Children Act 1989, section 17(4A); Children Act 1989, Schedule 2, part 1; HM Government, [Working Together to Safeguard Children Statutory framework: legislation relevant to safeguarding and promoting the welfare of children](#) (PDF), December 2023, pp3-5.

⁹ HM Government, [Working Together to Safeguard Children](#), December 2023, pp44-51.

¹⁰ Commons Library briefing CBP-7730, [Local authority support for children in need \(England\)](#); Family Rights Group, [Child in need](#).

Section 20 voluntary accommodation

Under section 20 of the Children Act 1989, local authorities have a duty to provide accommodation to children in need who require it because:

- there is no one who has parental responsibility for them; or
- they are lost or abandoned; or
- the person who has been caring for them is prevented from providing them with suitable accommodation or care; or
- they have reached 16 and their welfare is “likely to be seriously prejudiced” if they are not provided with accommodation.¹¹

Authorities may also provide accommodation to other children if they consider that doing so would safeguard or promote their welfare, but they are not required to do so.¹²

Before a local authority provides accommodation to a child it must give due consideration to the child’s wishes and feelings (having regard to their age and understanding), so far as is reasonably practicable and consistent with the child’s welfare.¹³

A local authority may not provide accommodation under section 20 if a person with parental responsibility who is willing and able to provide or arrange accommodation for the child objects.¹⁴ Such accommodation is, as a result, sometimes referred to as voluntary accommodation. There are some situations where this consent is not required, including where a child aged 16 or over agrees to being provided with the accommodation.¹⁵

A child provided with accommodation under section 20 for a continuous period of more than 24 hours is a looked after child.¹⁶ However, they are not described as being ‘in care’ and the local authority does not have parental responsibility for the child.¹⁷

Child protection enquiries

Under section 47 of the Children Act 1989 a local authority must make enquiries to decide whether it should act to safeguard or promote a child’s welfare where it:

¹¹ Children Act 1989, section 20(1) and 20(3).

¹² As above, section 20(4).

¹³ As above, section 20(6).

¹⁴ As above, section 20(7).

¹⁵ As above, sections 20(9) to 20(11).

¹⁶ As above, section 22.

¹⁷ Family Rights Group, [Children in care under a court order](#).

- has “reasonable cause to suspect that a child who lives, or is found, in its area is suffering, or is likely to suffer, significant harm”; or
- is informed that a child in its area is the subject of an emergency protection order or is in police protection (see section below on immediate protection).¹⁸

When deciding what action to take under section 47 local authorities must, as far as is reasonably practicable and consistent with the welfare of the child, give due consideration to the child’s wishes and feelings.¹⁹

Information on the responsibilities of individuals to report concerns about a child’s welfare is provided in the Library briefing: [Duties to report child abuse in England](#).²⁰

2 Duty to report child sexual abuse

On 20 October 2022, the [Independent Inquiry into Child Sexual Abuse](#) published its final report.²¹ The government published its [response to the report](#) on 22 May 2023.²²

One of the report’s central recommendations was for the introduction of a mandatory duty to report child sexual abuse. The government has committed to implementing this through amendments to the Criminal Justice Bill that is currently progressing through Parliament. Further information is available in the Library briefing: [Duties to report child abuse in England](#).²³

Process of managing child protection enquiries

Chapter three of the government’s statutory guidance, [Working Together to Safeguard Children](#), provides more detail on the process of managing section 47 enquiries.²⁴ This sets out:

- Within one working day of a referral a social worker should acknowledge receipt and make a decision about next steps. This should include, among other things, deciding whether enquiries must be made under section 47.²⁵

¹⁸ Children Act 1989, section 47.

¹⁹ As above, section 47(5A).

²⁰ Commons Library briefing CBP-6793, [Duties to report child abuse in England](#).

²¹ Independent Inquiry into Child Sexual Abuse, [The Report of the Independent Inquiry into Child Sexual Abuse](#), October 2022.

²² Home Office, [Response to the final report of the Independent Inquiry into Child Sexual Abuse](#), 22 May 2023.

²³ Commons Library briefing CBP-6793, [Duties to report child abuse in England](#).

²⁴ HM Government, [Working Together to Safeguard Children](#), December 2023.

²⁵ As above, p58.

- Wherever there is reasonable cause to suspect a child is suffering or is likely to suffer significant harm there should be a strategy discussion involving children's social care, the police, health and other bodies such as the referring agency.
- The strategy discussion should determine the child's welfare and plan future action, including whether enquiries under section 47 must be undertaken. More than one strategy discussion may be necessary and they can take place at any time during the assessment process.²⁶
- If section 47 enquiries are initiated, the assessment should be concluded within 45 working days from the point of referral to children's social care.²⁷
- If concerns of significant harm are substantiated, social workers should convene an initial child protection conference. This should take place within 15 working days of the strategy discussion at which section 47 enquiries were initiated. Child protection enquiries may still be ongoing at the date of the conference.²⁸
- The initial child protection conference brings together family members (and the child if appropriate) with the supporters, advocates and practitioners most involved with the child and family to plan how best to safeguard and promote the child's welfare.²⁹
- If the child protection conference decides the child is suffering or is likely to suffer significant harm it will agree an outline child protection plan. The lead social worker is then responsible for developing the outline plan into a full child protection plan, which will set out what action needs to be taken, and by whom, to keep the child safe and promote their welfare.³⁰

More detail on child protection processes is available on the website of the Family Rights Group charity at [Child protection](#) and on the website of the NSPCC at [Child protection measures](#).³¹

Immediate protection

Under section 44 of the Children Act 1989 a court may make an emergency protection order if there is reasonable cause to believe a child is likely to suffer significant harm if they:

- are not removed to different accommodation; or

²⁶ HM Government, [Working Together to Safeguard Children](#), December 2023, pp86-88.

²⁷ As above, p103.

²⁸ As above, p92; Family Rights Group, [Initial child protection conference](#).

²⁹ HM Government, [Working Together to Safeguard Children](#), December 2023, pp93-95.

³⁰ As above, p105; NSPCC, [Child protection system in England](#).

³¹ Family Rights Group, [Child protection](#); NSPCC, [Child protection measures](#).

- do not remain in the place where they are currently being accommodated.³²

An emergency protection order gives the applicant the power to remove the child to any accommodation provided by them or on their behalf. They can be made for a maximum of eight days, with possible extension of a further seven days (fifteen days in total).³³

The government's statutory guidance, *Working Together to Safeguard Children*, says local authorities, the police or the NSPCC should act immediately to secure the safety of the child where there "is a risk to the life of a child or a likelihood of serious immediate harm, whether from inside or outside the home." It adds that local authorities must, wherever possible, apply for an emergency protection order if it is necessary to remove a child from their home. Police powers to remove a child (see box below) should, it says, only be used in exceptional circumstances where there is "insufficient time to seek an EPO or for reasons relating to the immediate safety of the child."³⁴

A local authority may also apply for an emergency protection order if enquiries under section 47 of the Children Act 1989 are being frustrated by access to the child being unreasonably refused, and access is needed as a matter of urgency.³⁵

Police protection

Under section 46 of the Children Act 1989, the police have the power to remove a child for a maximum period of 72 hours where they have "reasonable cause to believe that a child would otherwise be likely to suffer significant harm."³⁶

Care orders and supervision orders

In some cases, it may be concluded that a child's parents or carers are not able to provide safe or appropriate care for them and the local authority will decide to take the child into its care.³⁷

Under section 31 of the Children Act 1989, on the application of any local authority or authorised person (currently only the NSPCC) the court may make a care order or supervision order if it is satisfied:

- that the child concerned is suffering, or is likely to suffer significant harm; and

³² Children Act 1989, section 44.

³³ As above, section 45.

³⁴ HM Government, [Working Together to Safeguard Children](#), December 2023, p85.

³⁵ Children Act 1989, section 44.

³⁶ As above, section 46.

³⁷ NSPCC, [Child protection system in England](#).

- that the harm, or likelihood of harm, is attributable to:
 - the care given to the child not being what it would be reasonable to expect a parent to give them; or
 - the child is beyond parental control.³⁸

When determining whether to make a care order or a supervision order the welfare of the child is the court’s “paramount consideration.” The court must also have regard to a range of factors – referred to as the “welfare checklist” – including (but not limited to):

- the wishes of the child, considered in the light of their age and understanding
- the child’s physical, emotional and educational needs
- the likely effect on the child of any change in their circumstances
- any harm the child has suffered or is at risk of suffering
- how capable each of the child’s parents and other relevant people are of looking after them.³⁹

The local authority is under a duty to keep the child in their care for as long as the care order remains in force. The authority has parental responsibility for the child and can determine the extent to which others may exercise their parental responsibility. However, it can only do this if necessary to safeguard and promote the child’s welfare.⁴⁰

A supervision order places the child under the supervision of a local authority and the authority must “advise, assist and befriend” the child. The order may also require the child to comply with any directions given by the local authority, including, for example, to live at a specified place and take part in specified activities.⁴¹

Further information on care orders and supervision orders, including the process a local authority should follow before initiating care proceedings, is provided in statutory guidance published by the Department for Education (DfE), [Court orders and pre-proceedings: For local authorities](#).⁴² The Family Rights Group charity also provides information on its website at: [Pre-proceedings](#).⁴³

³⁸ Children Act 1989, section 31.

³⁹ Children Act 1989, section 31.

⁴⁰ As above, section 33.

⁴¹ DfE, [Court orders and pre-proceedings: For local authorities](#), April 2014, p23-24.

⁴² DfE, [Court orders and pre-proceedings: For local authorities](#), April 2014.

⁴³ Family Rights Group, [Pre-proceedings](#).

Looked after children

A child is “looked after” if they are in the care of a local authority under a care order or if they are being provided with accommodation under section 20 of the Children Act 1989 for a continuous period of more than 24 hours (see section above on section 20 voluntary accommodation).⁴⁴

Under section 22 of the Children Act 1989, local authorities have a general duty to safeguard and promote the welfare of looked after children.⁴⁵ They are also under a duty to provide accommodation and maintain them in other respects.⁴⁶

Local authorities must arrange for a looked after child to live with their parents, another person with parental responsibility, or a person named in a child arrangements order relating to residence unless this would not be reasonably practicable or not consistent with the child’s welfare.⁴⁷

Where it is not possible for the child to live with one of the above people, the local authority must place the child in “the most appropriate placement available.”⁴⁸ “Placement” for these purposes is defined as living:

- With a “relative, friend or other person connected with [the child] and who is also a local authority foster parent.”
- With a local authority foster parent who is not connected to the child.
- In a children’s home.
- In “other arrangements” in accordance with regulations.⁴⁹ In most cases, this will be a placement in [supported accommodation](#).⁵⁰ Local authorities are prohibited from placing children aged under 16 in supported accommodation.⁵¹

When making any decision regarding a looked after child, the local authority must give due consideration to the wishes of the child, their parents, any other people with parental responsibility for the child, and any other people the authority considers relevant.⁵²

⁴⁴ Children Act 1989, section 22. DfE, [The Children Act 1989 guidance and regulations Volume 2: care planning, placement and case review](#), June 2015, p16.

⁴⁵ Children Act 1989, section 22.

⁴⁶ As above, sections 22A and 22B.

⁴⁷ Children Act 1989, section 22C(2)-(4).

⁴⁸ As above, section 22C(5).

⁴⁹ As above, section 22C(6).

⁵⁰ DfE, [Providing supported accommodation for children and young people](#), March 2023; [The Care Standards Act 2000 \(Extension of the Application of Part 2 to Supported Accommodation\) \(England\) Regulations 2022](#).

⁵¹ [The Care Planning, Placement and Case Review \(England\) \(Amendment\) Regulations 2021](#).

⁵² Children Act 1989, section 22.

In carrying out their functions in relation to looked after children, local authorities must have regard to a set of corporate parenting principles set out in section 1 of the Children and Social Work Act 2017.⁵³ Further information is available in guidance published by the DfE: [Applying corporate parenting principles to looked-after children and care leavers](#).⁵⁴

Further duties relating to care planning for looked after children are set out in [The Care Planning, Placement and Case Review \(England\) Regulations 2010](#). Further information is available in statutory guidance published by the DfE, [Children Act 1989: care planning, placement and case review](#), July 2021.

⁵³ Children and Social Work Act 2017, section 1.

⁵⁴ DfE, [Applying corporate parenting principles to looked-after children and care leavers](#), 26 February 2018.

2

Organisational responsibilities

Lord Laming's 2003 inquiry into the murder of Victoria Climbié identified a lack of priority given to safeguarding measures by local authorities and deficiencies in the structures to detect and respond to cases of child abuse.⁵⁵

Although the report concluded that the child protection framework under the Children Act 1989 was fundamentally sound, it found gaps in its implementation. The report made 108 recommendations, including for fundamental changes to the national and local structures for children's and family services to ensure they were properly co-ordinated, accountable and managed effectively.

In response to the recommendations in Lord Laming's report, several key changes were implemented under the Children Act 2004.

2.1

Children Act 2004

Section 10 of the [Children Act 2004](#) places a duty on local authorities in England to promote cooperation with key partners and local agencies, with a view to improving the well-being of children in the authority's area.⁵⁶

Section 11 of the Act places a duty on a range of agencies, including local authorities, the police and health services, to ensure they consider the need to safeguard and promote the welfare of children when carrying out their functions. The government's [Working to Safeguard Children statutory guidance](#) says organisations subject to this duty should have in place arrangements including (but not limited to):

- A culture of listening to children and taking into account their wishes and feelings.
- Clear whistleblowing procedures.
- Clear escalation policies for staff to follow when their child safeguarding concerns are not being addressed.⁵⁷

Similar safeguarding duties are placed on other organisations through different legislation. For example, section 175 of the Education Act 2002 places the governing bodies of maintained schools and further education

⁵⁵ Lord Laming, The Victoria Climbié Inquiry, January 2003.

⁵⁶ Children Act 2004, section 10.

⁵⁷ HM Government, [Working Together to Safeguard Children](#), December 2023, pp106-107.

institutions under a duty to carry out their functions with a view to safeguarding and promoting the welfare of children.⁵⁸ The duty is placed on the proprietors of independent schools (which includes academies and free schools) by the Independent School Standards Regulations.⁵⁹ Further information is available in the Library briefing on [Safeguarding in English schools](#).⁶⁰

3 Local Safeguarding Children Boards

As originally passed, the Children Act 2004 required local authorities to establish an independent Local Safeguarding Children Board (LSCB) for their area.

LSCBs had a range of functions, including agreeing how the relevant organisations in each local area cooperated to safeguard and promote the welfare of children.

They had an independent chair and comprised at least one representative from the local authority and a range of other partners, including, for example, the youth offending team, NHS trusts and Cafcass. Local authorities were additionally required to take reasonable steps to ensure that LSCBs included two lay members and representatives from all types of school in their area.

LSCBs have now been replaced by new multiagency safeguarding arrangements (see section below).

Children and Social Work Act 2017

The [Children and Social Work Act 2017](#) amended the Children Act 2004 to replace Local Safeguarding Children Boards with new local arrangements for safeguarding and promoting the welfare of children.

Safeguarding partners

A central feature of the revised arrangements is that three safeguarding partners – the local authority, NHS Integrated Care Boards (ICBs) and police forces – are responsible for determining how safeguarding arrangements should work in their area for them and relevant agencies.⁶¹ “Relevant agencies” is a term used for all bodies and groups within an area which play a crucial role in coordinating the safeguarding and welfare of children. Regulations specify the relevant agencies that safeguarding partners may choose to work with.⁶²

⁵⁸ Education Act 2002, section 175.

⁵⁹ [The Education \(Independent School Standards\) Regulations 2014](#), SI 2014/3283.

⁶⁰ Commons Library briefing CBP-8023, [Safeguarding in English schools](#).

⁶¹ Children Act 2004, section 16E.

⁶² [The Child Practice Review and Relevant Agency \(England\) Regulations 2018](#), SI 2018/789

Sections 16E-K of the Children Act 2004, as inserted by the Children and Social Work Act 2017, establish the roles and responsibilities of the safeguarding partners, including:

- Section 16F requires local safeguarding partners to make arrangements to identify serious child safeguarding cases which raise issues of importance to the area and, where appropriate, arrange for them to be reviewed under their supervision.
- Section 16G requires local safeguarding partners to publish their arrangements, and to ensure scrutiny of how effective the arrangements have been by an independent person. It also places a duty on the safeguarding partners and relevant agencies to act in accordance with the published arrangements.
- Section 16H requires people or bodies to supply information to the safeguarding partners if requested for the purpose of enabling or assisting in the performance of their functions.
- Section 16J enables the safeguarding partners for two or more local authority areas to agree that their areas are to be treated as a single area.
- Section 16K puts the safeguarding partners and relevant agencies under a duty to have regard to any guidance issued by the Secretary of State.

Child Safeguarding Practice Review Panel

Section 16A of the Children Act 2004, as inserted by the 2017 Act, requires the Secretary of State to establish a Child Safeguarding Practice Review Panel. The panel's functions under section 16B of the 2004 Act are to "identify serious safeguarding cases which raise issues that are complex or of national importance and to arrange, where appropriate, for those cases to be reviewed under their supervision."⁶³ The aim of the reviews is to identify improvements required to safeguard and promote the welfare of children.

Under section 16C of the 2004 Act, a local authority is under a duty to notify the Panel if a child who it knows or suspects has been abused:

- dies or is seriously harmed in the local authority's area; or
- dies or is seriously harmed outside England while normally resident in the local authority's area.⁶⁴

Child Death Reviews

Under sections 16M to 16Q of the Children Act 2004, as inserted by the 2017 Act, child death review partners, defined as the local authority and any integrated care board within the local authority area, must make

⁶³ HM Government, [Working Together to Safeguard Children: Statutory framework](#), July 2018, p3

⁶⁴ Children Act 2004, section 16C.

arrangements to review each death of a child normally resident in the area. They may also arrange to review deaths of children not normally resident in the area if they deem it appropriate.⁶⁵

4: The safeguarding framework in the devolved nations

Each nation of the UK has its own child protection system and laws for safeguarding and promoting the welfare of children. Further information on the legislative framework for child protection in Scotland, Wales and Northern Ireland is available on the website of the NSPCC at:

1. [Child Protection System in Scotland: Legislation and guidance](#), last updated January 2024.
2. [Child Protection System in Wales: Legislation and guidance](#), last updated April 2024.
3. [Child Protection System in Northern Ireland: Legislation and guidance](#), last updated July 2023.

⁶⁵ Children Act 2004, sections 16M to 16Q.

3

Government reform proposals

3.1

Government implementation strategy

On 2 February 2023, the government published an implementation strategy and consultation on reforming children's social care in England: [Stable Homes, Built on Love](#).⁶⁶ This was a response to, and based on the recommendations of, three independent reviews published in 2022:

- The [final report of the Independent Review of Children's Social Care](#), published in May 2022.⁶⁷
- The [final report of the Competition and Markets Authority's market study into the children's social care market](#), published in March 2022.⁶⁸
- The Child Safeguarding Practice Review Panel [review into the deaths of Star Hobson and Arthur Labinjo-Hughes](#), published in May 2022.⁶⁹

The government published a [response to the consultation on children's social care reform](#) in September 2023.⁷⁰ This largely confirmed the approach set out in the February 2023 consultation and set out progress made on implementation.

Reform proposals

The strategy said children's social care needs to be rebalanced “away from costly crisis intervention to more meaningful and effective help for families.”⁷¹ It said the government would reform in phases:

- Over the next two years, the government will invest £200 million “addressing urgent issues facing children and families now, laying the foundations for whole system reform and setting national direction for change.”

⁶⁶ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation](#), February 2023.

⁶⁷ The Independent Review of Children's Social Care, [Final Report](#), May 2022.

⁶⁸ Competition and Markets Authority, [Children's social care market study final report](#), 10 March 2022.

⁶⁹ Child Safeguarding Practice Review Panel, [National review into the murders of Arthur Labinjo-Hughes and Star Hobson](#), 26 May 2022.

⁷⁰ DfE, [Children's Social Care: Stable Homes, Built on Love: Government Consultation Response](#), September 2023.

⁷¹ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children's Social Care Reform 2023](#), February 2023, p16.

- After two years, the government will refresh the strategy, scale up the approaches tested and bring forward new legislation, subject to parliamentary time. Activity in the later phases will be about “embedding reform everywhere”.⁷²

‘Families First for Children Pathfinder’

The strategy said the government would provide over £45 million to launch a ‘Families First for Children Pathfinder’ programme in up to 12 local areas in England over the next two years.

The pathfinders will test:

- A new Family Help service, which will provide “intensive multi-disciplinary support” to families facing significant challenges in a “non-stigmatising way”.⁷³ It will, the strategy said, simplify how support is provided by becoming “a single service that removes the distinction between ‘targeted early help’ and children in need”.⁷⁴ Among other things, the government will use the pilots to help decide whether family help teams need to be put on a statutory footing.⁷⁵
- Changes to front-line child protection practice, including some child protection functions, such as section 47 enquiries and oversight of child protection plans, being led by a group of multi-agency staff from local authorities, police and health working as a team on a day-to-day basis.⁷⁶
- Testing a new child protection lead practitioner role, under which social workers with greater expertise and experience carry out front-line child protection work.⁷⁷
- How to implement family group decision making, such as family group conferences, at an early stage.⁷⁸

The first wave of pathfinders, in Dorset, Lincolnshire and Wolverhampton, launched in July 2023. A second wave in a further seven local authorities, were announced in April 2023. Further information is provided in a DfE policy paper: [Families first for children \(FFC\) pathfinder programme](#).⁷⁹

⁷² DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children’s Social Care Reform 2023](#), February 2023, pp16 and 142.

⁷³ As above, p17.

⁷⁴ As above, p33.

⁷⁵ As above, p45.

⁷⁶ As above, p64.

⁷⁷ As above, p64.

⁷⁸ As above, pp18 and 79; [DfE care review response: key points](#), Community Care, 7 February 2023.

⁷⁹ DfE, [Families first for children \(FFC\) pathfinder programme and family networks pilot \(FNP\)](#), 10 April 2024.

Other proposals

The strategy set out several other proposals for reform in areas related to child safeguarding and protection. These included:

- Consulting on an update to the Working Together to Safeguard Children statutory guidance.⁸⁰ The [consultation was published in June 2023](#) and the updated guidance was published in December 2023.⁸¹ The DfE also published a [document setting out the main changes made in the updated guidance](#) (PDF), which include the introduction of new multi-agency child protection standards.⁸²
- Forming proposals on whether and how to make education a fourth safeguarding partner.⁸³ In response to the consultation on the Working Together guidance, the government said it planned “to test out how a strengthened role of education would look in practice through the Families First for Children Pathfinder.”⁸⁴
- Reforms aimed at “unlock[ing] the potential of family networks” and creating “a culture of “family first” that prioritises family-led solutions.”⁸⁵ Further information is available in the [Library briefing on kinship carers in England](#).⁸⁶
- Testing the use of regional care cooperatives (regional groupings of local authorities) to plan, commission and deliver care places in two regional pilots.⁸⁷ In its response to the consultation, the DfE said regional care cooperatives would be developed “on a staged basis.”⁸⁸
- Developing a financial oversight regime covering the largest providers or children’s homes and fostering agencies.⁸⁹
- Providing £27 million for a fostering recruitment and retention programme.⁹⁰ In December 2023, the government said it would provide

⁸⁰ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children’s Social Care Reform 2023](#), February 2023, pp18 and 66.

⁸¹ Department for Education, [Working together to safeguard children: changes to statutory guidance](#), June 2023; Department for Education, [Working together to safeguard children](#), December 2023.

⁸² Department for Education, [Working Together to Safeguard Children 2023: Summary of Changes](#) (PDF), December 2023.

⁸³ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children’s Social Care Reform 2023](#), February 2023, p72.

⁸⁴ Department for Education, [Changes to statutory guidance: Working Together to Safeguard Children: Government consultation response](#), December 2023, p34;

⁸⁵ As above, pp18 and 75.

⁸⁶ Commons Library briefing CBP-2967, [Kinship carers in England](#).

⁸⁷ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children’s Social Care Reform 2023](#), February 2023, pp19 and 102-106.

⁸⁸ DfE, [Children’s Social Care: Stable Homes, Built on Love: Government Consultation Response](#), September 2023, pp45-46.

⁸⁹ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children’s Social Care Reform 2023](#), February 2023, pp19 and 101.

⁹⁰ As above, pp19 and 97-98.

an additional £8.5 million for delivering the fostering reforms, taking the total investment to £36 million.⁹¹ It added that would allow the recruitment and retention programmes to cover 60% of local authorities.⁹²

- Considering what additional bodies the corporate parenting principles should be extended to.⁹³ The response to the consultation on the reform strategy said the government was “refining [its] proposals on primary legislation”, which will “be enacted when parliamentary time allows”.⁹⁴
- Establishing an early career framework for social workers, to “give child and family social workers two years of consistent, high-quality support and development.”⁹⁵

Further information on the reform proposals is provided in the [Library briefing on reform of children’s social care in England](#).⁹⁶

⁹¹ Department for Education, [Children’s social care: reform statement](#), 15 December 2023; [HCWS144 \[Children’s Social Care\]](#), 18 December 2023.

⁹² Department for Education, [Children’s social care: reform statement](#), 15 December 2023; [HCWS144 \[Children’s Social Care\]](#), 18 December 2023.

⁹³ As above, pp20 and 106-108; DfE, [Children’s Social Care: Stable Homes, Built on Love: Government Consultation Response](#), September 2023, p48.

⁹⁴ Department for Education, [Children’s Social Care: Stable Homes, Built on Love: Government Consultation Response](#) (PDF), September 2023, pp47-48.

⁹⁵ DfE, [Stable Homes, Built on Love: Implementation Strategy and Consultation: Children’s Social Care Reform 2023](#), February 2023, pp21 and 121-122.

⁹⁶ Commons Library briefing CBP-9818, [Reform of children’s social care in England](#).

4 Further information

4.1 Statutory guidance

- HM Government, [Working together to safeguard children: A guide to inter-agency working to help, protect and promote the welfare of children](#), December 2023.
- DfE, [Children Act 1989: Children Act 1989 guidance and regulations volume 2: care planning, placement and case review](#), July 2021.
- DfE, [Children Act 1989: court orders](#), July 2021.
- DfE, [Applying corporate parenting principles to looked-after children and care leavers](#), February 2018.

4.2 Library briefings

- Commons Library briefing CBP-7730, [Local authority support for children in need \(England\)](#).
- Commons Library briefing CBP-2967, [Kinship carers in England](#).
- Commons Library briefing CBP-9818, [Reform of children's social care in England](#).
- Commons Library briefing CBP-6793, [Duties to report child abuse in England](#).

4.3 Other resources

- NSPCC, [Child protection system in England](#), 9 April 2024.
- NSPCC, [History of child protection in the UK](#), 9 April 2024.
- Coram Child Law Advice, [Children's services referral and assessment](#).
- Family Rights Group, [Child protection](#).

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