Briefing: The Children's Wellbeing and Schools Bill 2025

Briefing on Committee stage amendments, House of Lords

Amendments 84, 86, 87, 88, 90, 91, 130, 105 and 143

9th June 2025

About The Fostering Network
The Fostering Network is the UK's leading fostering charity and membership organisation. We are the essential network for fostering, bringing together everyone who is involved in the lives of children in foster care. We support foster carers to transform children's lives and we work with fostering services and the wider sector to develop and share best practice. We work to ensure all children and young people in foster care experience stable family life and we are passionate about the difference foster care makes. We champion fostering and seek to create vital change so that foster care is the very best it can be. We have been leading the fostering agenda for 50 years, influencing and shaping policy and practice at every level.

Summary
We support the Children's Wellbeing and Schools Bill and its focus on early intervention, tackling profiteering in the sector, and kinship care. There has been a lack of priority given to children's social care for far too long and this is a much-needed reset. However, we believe the Bill has a distinct lack of focus on foster care and could go further to address the key issues facing foster carers and children and young people in foster care.

This briefing covers amendments **84, 86, 87, 88, 90, 91** tabled by Lord Watson of Invergowrie on the **extension of Staying Put provision** from 21 to 25, which has been sponsored by Baroness Bennett of Manor Castle and amendment number **130,** tabled by Baroness Tyler of Enfield, which has the same effect and has been sponsored by Lord Storey and Lord Russell of Liverpool. It also covers amendment number **105** tabled by Lord Watson on a **register for foster carers**, which has been sponsored by Lord Russell of Liverpool and amendment number **143** tabled by Lord Young of Cookham on a **national foster care strategy** which has been sponsored by The Lord Bishop of Chelmsford.

An extension of Staying Put was proposed by the Independent Care Review and was committed to in the previous Government's 'Stable Homes Built on Love' strategy. The introduction of a national register for foster carers was recommended by the previous Chair of the Education Select Committee as part of the Committee's 2024 inquiry into children's social care.[1] We have been pleased to hear the Government is considering the merits of a national register of foster carers[2] and both the Scottish and Welsh Governments are currently consulting on the creation of one.

[1] Mr Robin Walker MP (2024) Correspondence to the Parliamentary Under-Secretary of State for Children, Families and Wellbeing on the Committee's inquiry into Children's social care.
[2] Lisa Smart MP (29 March 2025) Written Question to Department for Education UIN 38412

We urge Lords on the Committee to support these amendments. You can read the full amendments in the annex on page 5 of this briefing.

Staying Put extension to mirror Staying Close

We believe that the Bill is at risk of creating a two-tier system for care leavers in residential and foster care as it only extends Staying Close support (which offers residential care) to the age of 25 for any former relevant child, and not Staying Put (which allows young people who have been in foster care the option to stay with their former foster carer). See Part 1, Clause 7 of the Bill as presented to the House of Lords.

An extension of Staying Put to age 23 was proposed by the Independent Care Review and was committed to in the previous Government's 'Stable Homes Built on Love' strategy so we were disappointed not to see this included in the Bill. On average, a young person doesn't leave home until the age of 24[3], and the current cliff edge that care leavers face puts them at a severe disadvantage when navigating adult life, leading to poor outcomes across many areas.

We know many young people and foster carers would like to continue in a Staying Put arrangement past the age of 21, but are not able to because there is currently not funding to support it. Our State of the Nations Foster Care Survey 2024 found that three quarters of foster carers are financially worse off in a post 18 foster care arrangement.

It is well acknowledged and found by the Independent Care Review that young people experience better outcomes when they remain in family environments such as foster care, in comparison to residential care. Foster carers are often best placed to prepare the young people in their care for independence, as they are the most trusted adult known to them.

The Independent Care Review found that extending Staying Put and Staying Close up to age 23 and scaling up supported lodgings would have an overall cost benefit to local authorities of £84 million over five years.[4] This is largely from reduced homelessness episodes and reduced use of other types of accommodation. Foster care is also much more cost effective than residential care.[5]

Currently only 9% of young people Stay Put over 19 – 21 so the numbers staying from 21 to 25 are likely to be low and will not incur a huge cost for the Government.[6]

We worked with Ellie Chowns MP (Green) to table an amendment on this issue which was supported by Lib Dem Children's Spokesperson Munira Wilson MP in the House of Commons. The amendment was discussed at Committee Stage in the House of Commons on 23rd January 2025, and the Government refused the amendment stating that they recognise the case that was made, but need to prioritise young people in residential care, who often have the most complex needs. However, it is well evidenced that young people in foster care also have complex needs, and many young people are only placed in residential care because there are not enough foster placements available for them.[7]

Our State of the Nations survey found that the needs of children in foster care are becoming more complex and challenging, particularly mental health and special educational needs. This is partly because large proportions of children who need support are not getting it. 5% of foster carers said at least one child they foster is either receiving mental health or wellbeing support or is on a waiting list for support. The proportion fostering a child who is receiving support fell very slightly from 29% in 2021, to 28% in 2024. Half (53%) of foster carers said at least one of the children they foster receives additional support with their learning.

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[3] ONS (2024) Milestones: Journeying through modern life

[4] Alma Economics (2022) Costing and outline CBA of the Independent Review of Children's Social Care recommendations: Modelling assumptions Independent Review of Children's Social Care

[5] In 2020, the average weekly cost of a residential care placement was £3,830 - approximately £199,160 per year. (The independent review of children's social care, Recommendation Annexes: Additional detail on review recommendations). In contrast, an average foster care placement has been estimated to cost £71,567 per year, comprising £13,274 of staffing costs and £58,293 of placement costs (Children's Social Care Market Study Final Report, 2022; Rodger et al., 2020).

[6] Department for Education (2025 live tables) '17-21 year old care leaver accommodation - NATIONAL' from 'Children looked after in England including adoptions'

[7] One third of children in residential care had foster care on their care plan when they came into care (Ofsted, Why do children go into children's homes?, 2022).

We are delighted to be working with Lord Watson to re-table the same amendment to extend Staying Put provision at Committee Stage in the House of Lords and have cross party support for this amendment, as well as support from a number of children' charities.

Clause 7 would provide enhanced support for those leaving care from children's homes or other forms of residential care. We believe that young people should have the same opportunities to stay in the environment they feel most comfortable in, as those living in residential care, and the Bill needs to enable this by extending the offer of Staying Put to young people up to 25 so they can stay with their former foster care if they wish.

We know from our work with foster carers and young people how important this would be to them both, these quotes below from foster carers in our State of the Nations' Foster Care 2024 report illustrate this:

"The increase in the age for staying put would be of amazing benefit to care leavers. At the age of 21 many who have had the opportunity to go to university are just obtaining their qualification and have to face negotiating the next huge step, the job market, and to find that they are possibly homeless due to leaving their placement is a catastrophic step backwards."

"The cost of living is at its peak and to be able to secure decent accommodation in a safe area is way out of most young people's reach, let alone at the age of 21, which is why so many young people are still living with their parents at that age. Care leavers, in a majority of cases, do not have that choice unless their foster parents are prepared to continue to provide them with a home with no financial support from the state."

"This transition has been traumatic and felt like we were being abandoned and also the continuing work we will do with the child unrecognised purely because they have reached a chronological milestone rather than adapting to the child's needs."

We urge Peers to pass this amendment to ensure parity with Staying Put and Staying Close, given the Government's widespread acknowledgement that foster care and a family home has the best long-term outcomes for young people transitioning into adulthood.

A national register for foster carers

The Fostering Network believes that introducing a national register for foster carers (as exists for social workers) would improve the safeguarding of children, matching and sufficiency, increase the portability of foster carers and improve the status of foster carers. In our recent State of the Nations Foster Care 2024 survey, almost half of foster carers said they support proposals to create a national register.

The most recent Select Committee Inquiry into children's social care in 2024 recommended the creation of a national register of foster carers be considered by the then Children's Minister, but the Inquiry was paused due to the General Election in July 2024. We are pleased to hear the Government is considering the merits of a national register of foster carers from a recent parliamentary question[8], and both the Scottish and Welsh Governments are consulting on the creation of a register.

Crucially, a register would safeguard children by keeping a central record of foster carers who have had their approval terminated for safeguarding reasons, ensuring they aren't re-approved by another service and then able to care for another child. Currently, services can't always know this - particularly if they are transferring between independents to local authority services. In line with other parts of the care sector, the introduction of a register would go hand in hand with an accredited pre- and post-approval training framework and robust national standards of practice, improving the quality of care for children.

The number of children in care in England moved outside their council boundary has increased from 41% in 2020 to 45% in 2024.[9] A register would allow services to make matches more quickly at a local level and ultimately reduce out-of-area placements. We believe this could be done through the Regional Care

[8] Lisa Smart MP (29 March 2025) Written Question to Department for Education UIN 38412
[9] Department for Education (2024) Children looked after in England including adoptions.

Cooperatives (RCCs) which will lead on regional placement commissioning which the Bill already makes provision for. Through introducing a register, local authority fostering services could be given access to information on the number of fostering households with vacancies for children in their local area, including those with independent fostering providers and in neighbouring local authorities.

This amendment would require the Government to establish a national register for foster carers, linked to the RCCs. This would help better safeguard children, improve the status of foster carers through formal recognition of their role, and allow services to match children to foster care placements more quickly at a local level and ultimately reduce out-of-area placements.

We urge Peers to pass this amendment to better safeguard children and young people and improve matching and sufficiency of foster care placements.

A national foster care strategy

We have just celebrated Foster Care Fortnight from12th to 25th May , the annual fortnight where we raise awareness of the fostering community and encourage more people to come forward to foster and offer children the chance to be part of their family. This amendment to introduce a national foster care strategy to increase foster care sufficiency is therefore very timely and we call on Peers to support it.

Urgent action is needed to address the recruitment and retention crisis in foster care. Nationwide, we have calculated there is a shortfall of 6,000 foster carers across the UK, with 5,000 more needed in England. Recent figures by Ofsted show that more foster carers continue to leave the role than join[10] whilst the numbers of children that are coming into care have increased over the past decade and remain high.[11]

During the last financial year, a total of 4,080 fostering households were approved while 5,130 stopped fostering – a loss of 1,050 fostering households. The figures show a concerning downward trend in the number of foster carer applications and newly approved foster carers over the last five years. The number of applications received from prospective fostering households in 2022 to 2023 was around 8,000. This is the lowest number in several years and 18% lower than 2018 to 2019.

Our 2024 State of the Nations' Foster Care survey found that 60% of foster carers have considered resigning for several reasons, including; lack of support from their fostering service, lack of respect from other professionals, and burnout and poor wellbeing related to fostering. Sadly, the number of foster carers who would recommend fostering to others has decreased. Less than half (48%) of foster carers said they would recommend fostering to others who may be considering it, down from 54% in 2021.

A lack of fostering families means children are not having all their needs met. In 2024, 22% of children were placed over 20 miles from home, 37% were separated from their siblings, and one third of children in residential care had foster care on their care plan when they came into care.[12] Children and young people coming into care want to maintain relationships with their families and communities. We need enough highly skilled foster families locally that can care for children where they need them.

The Government's recent strategy 'Keeping Children Safe, Helping Families Thrive' recognises that England is facing a foster carer recruitment and retention crisis, however it does not fully examine the sufficiency of foster carers and why we have more foster carers leaving than joining. The Children's Wellbeing Bill does not contain any mention of foster care when 70% of children in care are in foster care. The Spring Statement announced a £25 million investment in the fostering system to recruit 400 new fostering households, this is nowhere near the 5,000 we calculate that are needed in England.

We therefore need a comprehensive foster care strategy, as was published for kinship carers last year, which fully addresses both the current recruitment and retention crisis in foster care and creates an implementation

[10] Ofsted (2024) Fostering in England 1 April 2023 to 31 March 2024

[11] Department for Education (2024) Children looked after in England including adoptions.

[12] Department for Education (2024) Children looked after in England including adoptions; Children's Commissioner (2023) 'Siblings in Care'(2023);Ofsted (2024) 'Why do children go into children's homes'

plan to tackle this. As specified in the amendment, this should involve comprehensive research to fully understand the reasons why foster carers are leaving and make clear recommendations for improvement.

We urge Peers to support this amendment to create a foster care strategy to address sufficiency and recruitment and retention of foster carers.

For more information, please contact Natalie Williams, Head of Policy and Campaigns (Natalie.Williams@fostering.net, 020 7620 6433).

Annex – Children's Wellbeing and Schools Bill: amendments on foster care

Annex A: Amendment numbers 84, 86, 87, 88, 90 and 91 on Staying Put, tabled by Lord Watson of Invergowrie and sponsored by Baroness Bennett of Manor Castle

Clause 7, page 12, line 8

after "support" insert "and staying put support"

Clause 7, page 12, line 17

after "support" insert "or staying put support"

Clause 7, page 12, line 20

after "support" insert "or staying put support"

Clause 7, page 12, line 21

after "support" insert "or staying put support"

Clause 7, page 12, line 24

after first "support" insert "and staying put support"

Clause 7, page 12, line 32

at end insert—

"(4A)"Staying put" has the meaning given by section 23CZA(2) of the Children Act 1989 (arrangements for certain former relevant children to continue to live with former foster parents)."

Member's explanatory statement

This amendment, together with others to this Clause in the name of Lord Watson of Invergowrie, would include staying put support in the support provided by local authorities under this section and extend the provision of 'staying put' for young people to the age of 25.

Link to amendment - Committee stage Amendments on Children's Wellbeing and Schools Bill - Parliamentary Bills - UK Parliament

Annex B: Amendment number 130 on Staying Put, tabled by Baroness Tyler of Enfield, supported by Lord Storey and Lord Russell of Liverpool

After Clause 11

insert the following new Clause—

“Extending “staying put arrangements” to the age of 25
In section 23CZA(6) of the Children Act 1989, for “21” substitute “25”.”

Member's explanatory statement

This amendment would extend the Staying Put scheme to the age of 25.

Link to amendment - Amendment 130 to Children’s Wellbeing and Schools Bill to Children’s Wellbeing and Schools Bill - Parliamentary Bills - UK Parliament

Annex C: Amendment number 105 on a register of foster carers, tabled by Lord Watson of Invergowrie

After Clause 9

insert the following new Clause—

“Register of foster carers

(1)The Secretary of State must introduce a register of local authority foster parents and independent foster parents who are—

(a)currently fostering children, or

(b)available to foster children.

(2)For the purposes of subsection (1), “local authority foster parent” is defined in accordance with section 105 of the Children Act 1989.”

Member's explanatory statement

This amendment would introduce a register of foster carers. The intention is that having such a register, as exists for social workers, would improve the safeguarding of children, and matching and sufficiency of placements, and improve the status of foster carers.

Link to amendment - Unnumbered amendment to Children’s Wellbeing and Schools Bill to Children’s Wellbeing and Schools Bill - Parliamentary Bills - UK Parliament

Annex D: Amendment number 143 on a national foster care strategy, tabled by Lord Young of Cookham and sponsored by The Lord Bishop of Chelmsford and Lord Hampton

After Clause 18

insert the following new Clause—

“National foster care strategy

(1)The Secretary of State must, within six months of the day on which this Act is passed, launch a dedicated foster care strategy.

(2)The strategy may examine—

(a) the sufficiency of foster carer provision, and make recommendations for how this could be improved;

(b) inefficiencies, if any, in current foster care commissioning practices, and make recommendations for improvement;

(c) where further research is required to gain a fully comprehensive view of the foster care sector."

Link to amendment - Unnumbered amendment to Children's Wellbeing and Schools Bill to Children's Wellbeing and Schools Bill - Parliamentary Bills - UK Parliament