



Safer Caring: A New Approach supplementary resources (2017)

Chapter 5: Corporate parenting

Changes to legislation

Safer Caring: A New Approach challenged the thinking of the time that foster carers who do not have parental responsibility should be directed in their day-to-day care of children by those with parental responsibility. The development of delegated authority and recognition of the central importance of the child's relationship with their carer have led to carers being increasingly empowered to make decisions with and on behalf of children in their care, especially in long-term foster placements that are now, in England, legally recognised as offering permanence.

However, in reality, this takes place within a system of corporate parenting. Changes in legislation in the UK since the publication of Safer Caring: A New Approach have influenced the corporate parenting environment, in particular, by emphasising the importance of the concept of wellbeing for people, including looked after children. Taking a risk sensible rather than a risk averse approach as advocated in Safer Caring: A New Approach will contribute to meeting these principles.

The Children and Social Work Act 2017 in England

The [Children and Social Work Act 2017](#) set out some principles of corporate parenting for local authorities in England which must have regard, in carrying out their functions to children in care and care leavers, to the need to:

- act in the best interest, and promote the physical and mental health and well-being of those children and young people
- encourage those children and young people to express their views, wishes and feelings
- take into account the views, wishes and feelings of those children and young people
- help those children and young people gain access to, and make the best use of, services provided by the local authority and its relevant partners
- promote high aspirations, and seek to secure the best outcomes, for those children and young people
- for those children and young people to be safe, and for stability in their home lives, relationship and education or work
- prepare those children and young people for adulthood and independent living.

The Social Services and Well-being (Wales) Act 2014

In Wales the [Social Services and Well-being \(Wales\) Act 2014](#) came into force in April 2016. It is a new legal framework which brings together and modernises social services law.

Speaking about how the Act and its accompanying regulations and guidance would affect young people in Wales in summer 2015, Mark Drakeford, minister for health and social services, said: 'We have taken every opportunity to reinforce and strengthen our commitment to ensuring that children and young people are enabled to live their lives in a way that allows them to flourish in a safe and nurturing environment.'

Similarly to the England Act, the Wales Act focuses on ensuring wellbeing for all people. For looked after children, the Act ensures that there is effective care and support planning which embraces all aspects of the child's wellbeing, including health and developmental needs, stability and permanence and educational attainment. It provides for effective reviews of each child's case and includes preparation for independent living as well as support for post-18 living arrangements under the "When I'm Ready" scheme.

The Children and Young People (Scotland) Act 2014

The [Children and Young People \(Scotland\) Act](#) received royal assent in 2014 and was implemented in stages following this. It introduces a statutory definition of wellbeing and places duties on public bodies to focus on improving wellbeing outcomes for children and young people.

Additionally, it provides a clear definition of corporate parenting and defines the bodies to which it applies. The act also extends the age to which care leavers can receive support from their local authority.