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Children and Young Persons Bill [HL] **Committee Stage Report**

Bill No 8 of 2007-08

This is a report on the Committee Stage of the *Children and Young Persons Bill* produced in response to a recommendation of the Modernisation Committee in its report on The Legislative Process (HC 1097, 2005-06).

The Bill proposes to reform the current statutory framework for looked-after children. It includes proposals to introduce new social work practices; improve the quality and stability of care placements; and provide greater assistance for looked-after children to pursue education and training.

The Bill had its Second Reading debate on 16 June 2008. It was committed to Public Bill Committee for seven sittings between 24 June and 3 July 2008. The Bill was not amended in Committee, though both the Government and Opposition Parties announced intentions to amend the Bill at Report stage. Its remaining stages are to be on 8 October 2008.

Manjit Gheera

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Summary of main points

The *Children and Young Persons Bill* was introduced in the House of Lords on 14 November 2007. It provides the legislative framework for many of the Government's proposals first set out in the green paper, [Care Matters: Transforming the Lives of Children and Young People in Care](#),¹ and the subsequent white paper, [Care Matters: Time for Change](#).²

The Bill proposes to reform the statutory framework for the care system, to ensure that children and young people receive better quality care and support; and to drive improvements in the delivery of services focused on the needs of the child. The statutory provisions that would be amended by the proposals are the *Children Act 1989*, the *Care Standards Act 2000*, the *Adoption and Children Act 2002* and the *Education and Inspections Act 2006*.

In summary:

Part 1 of the Bill would allow local authorities to delegate functions in relation to looked-after children to social work practices.

Part 2, which was substantially amended during the Bill's passage through the House of Lords, would place a number of duties on local authorities when placing children, including: placing children with a parent, friends or family; near to the child's home or school; and within the local authority area, unless doing so would be inconsistent with the child's welfare or would not be reasonably practicable. It would also require councils to assist carers of disabled children by providing short break services. It would amend the *Care Standards Act 2000* to confer additional powers and duties on the registration authority in relation to standards in children's social care settings.

Part 3 would amend the *Children Act 1989* to allow for an independent review of decisions on the suitability of local authority foster parents. It would also amend the *Adoption and Children Act 2002* to extend the period for making regulations to establish a registration scheme for private fostering.

Part 4 would make amendments to the *Children Act 1989* and the *Adoption and Children Act 2002* in respect of when relatives and foster carers can apply for residence orders and special guardianship orders. It would also allow residence orders to be made until a child is 18.

Part 5 contains general provisions relating to order and regulation making, interpretation and commencement.

The Bill completed its stages in the House of Lords on 25 March 2008. Several amendments were made to Bill in the Lords including new duties for: local authorities to

¹ Department for Education and Skills, October 2006; Cm 6932

² Department for Education and Skills, June 2007; Cm 7137

improve the quality of care for carers through the provision of short breaks; and the Border and Immigration Agency to safeguard and promote the welfare of children who pass through its care.

The Bill had its Second Reading in the House of Commons on 16 June 2008 where it was universally welcomed by Members. Although there were some concerns expressed in relation to certain provisions, the Bill as a whole proved uncontentious and was not amended during the Public Bill Committee stage.

The Bill applies to England and Wales.

Background to the Bill and an account of its progress through the Lords is given in Library Research Paper RP [08/44](#).

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I Introduction

The Bill was presented to the House of Commons on 26 March 2008 and was debated on Second Reading on 16 June 2008. The Bill proceeded to a Public Bill Committee for all of its allocated seven sittings between 24 June and 3 July 2008. The Committee did not take oral evidence but was receptive to written submissions.

A House of Commons Library Research Paper – *Children and Young Persons Bill* [HL]³ - provides briefing on the main provisions of the Bill and details the main issues debated in the House of Lords. The progress of the Bill and further relevant documentation is available on the Library's [Bill Gateways](#)' pages.

II Second reading debate

On Second Reading in the House of Commons on 16 June 2008, the Minister for Children, Young People and Families, Beverley Hughes, acknowledged that despite Government measures to improve the outcome of children in care in recent years, the outcomes for those children had not improved enough:

Multiple placements, successive social workers and moving school at crucial times all militate against the stability and strong attachments that these children need in order to thrive. Therefore, our priority in this Bill is to achieve a step change in the improvements we have already begun to see for children in care, to enable them to progress further and faster and, crucially, to close the inequality gaps between them and other children.⁴

The Minister outlined the four key principles enshrined in the Bill:

- “Corporate parenting” from every person involved in the lives of children in care – from carers, teachers and social workers to directors of children’s services and elected lead members.
- The voice of young people being at the heart of the system. In future, the child’s views must be actively solicited and taken fully into account, as any parent would do.
- Stability and continuity in every aspect of a child’s care. Children should be prevented from going into care in the first place by preferences given to placements with family and friends. Pilots allowing children to stay with foster carers after the age of 18 would increase stability for children.
- An uncompromising culture of high aspirations. A designated teacher in every school to give children in care encouragement and support; a bursary for every child in care who goes to university.

³ [RP 08/44](#)

⁴ HC Deb 16 June 2008 c723

The Minister also announced that, alongside the Bill, the Government was investing £73 million over the next three years to improve the quality, capacity and supply of social workers for children and families.⁵ A further £1 million would be allocated to social pedagogy⁶ in children's homes in England.⁷

Members of Parliament expressed general support for the intentions behind the Bill. Tim Loughton for the Conservatives said that the Bill was "desperately required and very welcome."⁸ However, he added that there were a number of areas where the Bill could be made better and the Conservative party would be tabling amendments to that effect.⁹ He indicated that amendments would be proposed, in particular, to: include a welfare checklist at the forefront of the Bill; introduce a new post of chief social worker as the public face of social workers; and oppose the extension of a sunset clause for introducing the requirement to register private fostering arrangements.¹⁰

Annette Brooke for the Liberal Democrats expressed support for clause 7 of the Bill which would place a duty on the Border and Immigration Authority to safeguard and promote the welfare of children who have been trafficked or who are seeking asylum.¹¹ The clause was inserted into the Bill by an amendment moved by Baroness Morris of Bolton in the House of Lords. The Member also welcomed the independent reviewing officer role but stressed that more needed to be done to ensure that children's voices and rights were represented. Along with Joan Humble and John Bercow, Annette Brooke emphasised the importance of providing children in care with independent advocates.¹²

Other possible amendments to the Bill were suggested by Natascha Engel, who called for a ban on smacking children, and Helen Southworth, who asked the Minister to ensure that care home inspection reports took account of instances where children had run away or been assaulted. David Kidney observed that the Bill lacked an explicit provision requiring local authorities not just to allow contact between siblings in care but also to facilitate it.¹³

The Bill was given a Second Reading without division.

⁵ HC Deb 16 June 2008 c724

⁶ The [Care Matters: Time for Change](#) white paper defined social pedagogy as providing a 'theoretical and practical framework for understanding children's upbringing. It has a particular focus on building relationships through practical engagement with children and young people using skills such as art and music or outdoor activities. It provides the foundation for training those working with children in many other European countries. In a residential care setting, it brings a particular expertise in working with groups and using the group as a support.'

⁷ HC Deb 16 June 2008 c775

⁸ HC Deb 16 June 2008 c729

⁹ HC Deb 16 June 2008 c728

¹⁰ *Ibid* c731-5

¹¹ HC Deb 16 June 2008 c740

¹² HC Deb 16 June 2008 c742

¹³ HC Deb 16 June 2008 c766

III Committee stage

The Public Bill Committee met for seven sessions from 24 June to 3 July 2008. The Committee had 16 Members: two Liberal Democrat, five Conservative and nine Labour, including the Ministers for Children, Schools and Families. The full membership is set out in the Annex to this report.

Although no amendments were made at Committee stage, the Parliamentary Under Secretary of State for Children, Young People and Families, Kevin Brennan, remarked that, nonetheless, the proceedings had been extremely useful for bringing to light areas of the Bill which needed further consideration:

The Bill has been altered, if not through direct amendment, by indications that my right hon. Friend and I have given either about strengthening regulation or about amendments to other legislation about which hon. Members have raised important points. The Committee has had a right and proper scrutiny process, which has improved the Bill.¹⁴

Significant areas of debate are outlined below.

1. Social work practice pilots

The proposals to pilot social work practices dominated the first meeting of the Committee. David Kidney and Tim Loughton raised concerns about the possible loss of human rights protection as a consequence of contracting out functions to providers of social work practices. The Minister, Kevin Brennan, sought to reassure the Committee that human rights would be protected under the Bill and that the matter would be debated:

We will explore that in more detail as we consider the Bill further, but in our view there is no reason why their human rights should not be protected. We consider that social work practices will be a functional public authority.¹⁵

Tim Loughton was also unconvinced that it was necessary for the pilots to last for five years. He tabled a probing amendment [1] to clause 6 which would reduce the length of the pilot stage to three years.¹⁶

The Minister presented a detailed timetable for the pilots in order to explain the rationale behind the five year timescale.¹⁷ He added:

We therefore have five years to establish the pilots, allow them to run, make a thorough evaluation of them prior to deciding whether to roll out the power to make arrangements under clause 1 to all local authorities. Five years is a

¹⁴ PBC 3 July 2008

¹⁵ PBC 24 June 2008 c7

¹⁶ PBC 24 June 2008 c23

¹⁷ PBC 24 June 2008 cc24-25

reasonable period to undertake that work. Reducing it to three years would compromise the effectiveness of the pilots and risk disrupting children's lives by not allowing for the appropriate transition periods.¹⁸

Mr Loughton thanked the Minister for clarifying the piloting process:

I am grateful for the Minister's helpful comments. It is clear that it is not just some five years hence and then perhaps some after that, but that the Government appear to have a clearer timetable, which is more rapid and concise than I had anticipated. That is to be welcomed.¹⁹

The amendment was withdrawn.

2. Border and Immigration Agency

During the Lords stages of the Bill, a new clause was agreed which would place a duty on the Border and Immigration Agency (BIA)²⁰ to safeguard and promote the welfare of children who pass through its care by amending section 11 of the *Children Act 2004*.²¹ Since then, the BIA has become the UK Border Agency.

During Committee stage the Minister, Beverley Hughes, agreed that all agencies working with children and young people, including the immigration service, should consider how they can safeguard and promote the welfare of children. However, the UK Border Agency, as its names indicates, is a UK wide body, but the Bill would only extend to England and Wales. The Minister informed the Committee that, because of this discrepancy, the Government would be seeking to amend the Bill at Report stage:

It is important that we make the right legislative provision, to bind the UKBA effectively into a section 11 duty, while taking account of the agency's particular distribution of legal functions, and its UK-wide remit. The current provision in the Bill does not address the proposed organisation of UKBA, nor does it encompass that range of its functions.

Today, the Government are giving a public commitment to pursue a section 11 duty for UKBA, but we intend to do so not in this Bill but in the forthcoming immigration Bill, which will be published in draft in July. The intention is that it will be introduced in the 2008-09 Session, and I therefore want to give Members notice of my intention to introduce an amendment on Report to remove clause 7 from the Children and Young Persons Bill. It is right that the duty affects the operation of UKBA not just in England and Wales but throughout the UK. It is also right that we take the necessary time and effort to work with colleagues to find a legislative solution that is accepted throughout the UK, works consistently in the

¹⁸ PBC 24 June 2008 c24

¹⁹ PBC 24 June 2008 c25

²⁰ The UK Border Agency took over the work of the BIA in April 2008. It also took over the customs detection work at the border from Her Majesty's Revenue and Customs (HMRC) and UK Visa Services from the Foreign and Commonwealth Office (FCO).

²¹ HL Deb 17 March 2008 cc30-40 See pages 34-35 of the Library research paper on the *Children and Young Person Bill* [HL] [RP08/44](#)

interests of children and young people throughout the UK, and is consistent with, and obviously does not undermine, the integrity of our asylum and immigration system.²²

Members that contributed to the debate acknowledged that clause 7 was “technically deficient”.²³ There were however concerns expressed about the delay before an immigration Bill would be published. Tim Loughton told the Minister:

....those who supported the inclusion of the clause will need to see the detail that the Minister has promised to produce in draft with the Bill in July—before the summer recess, I hope. We are taking a deal on trust, but one is heartened by the Minister saying that it is the right thing to do and that she is intent on introducing the duty in principle.²⁴

Clause 7 was ordered to stand part of the Bill at Committee stage.

3. The welfare checklist

At the second sitting of the Committee, Tim Loughton moved an amendment to insert a new clause 1 into the Bill.²⁵ The clause would require local authorities to have regard to a checklist of nine criteria when considering or maintaining a placement for a looked after child. The clause was modelled on the welfare checklist set out in section 1(3) of the *Children Act 1989*, to which courts must have regard when making certain decisions relating to children. The Member explained the rationale behind the amendment:

The Bill has been criticised for not going far enough and for not containing detail that is explicit enough to require local authorities to pursue the legislation right up to the spirit in which it is intended.

[...]

It would be suitable, appropriate and helpful for the Bill if a welfare checklist giving the nine criteria set out in new clause 1 was used as a benchmark against which a local authority could be measured in order to see whether it had fulfilled the spirit of the legislation rather than just carried out the minimum requirements. That would be measured in relation to the impact on the welfare of the child, which is the most important consideration and the reason we are all here. We thought that it would be helpful to suggest a welfare checklist that cannibalised the list from the 1989 Act and was made germane to looked-after children.²⁶

David Kidney queried the need to have two checklists – the first set out in the *Children Act 1989* and the second as proposed by the amendment – with some, but not all, of the same criteria. He called it a “recipe for confusion if the situation either was not clarified or was completely different.”²⁷

²² PBC 24 June 2008 c27

²³ PBC 24 June 2008 c29

²⁴ PBC 24 June 2008 c28

²⁵ PBC 24 June 2008 c71

²⁶ PBC 24 June 2008 c73

²⁷ PBC 24 June 2008 c75

The Liberal Democrat Shadow Minister for Children, Schools and Families, Annette Brooke, called the principle behind the new clause “rather interesting.” She added:

I am not sure about the exact details, and the title seems to throw things into disarray, but we nevertheless need more in the Bill than what we have now that will give a stronger message to local authorities. Something like new clause 1, perhaps with a different title, might become as significant as the welfare checklist was in the context of the Children Act 1989, not least because the Bill is meant to be another landmark piece of legislation in a highly specialised area.²⁸

The Minister, Beverley Hughes, agreed that Mr Loughton had “put forward a very powerful proposition” that all the principles of the Bill should be brigaded in one place. However the Minister was not convinced that the Bill was the appropriate place for the checklist. Instead she suggested that, since the Bill already imposed duties on local authorities when placing children, the provisions should be coupled with key principles set out in care planning guidance. She explained:

That will have the same effect as a check list, such as the one in the 1989 Act, although in this case the list will be set out in guidance, given that very specific provisions exist in law already. Brigading those themes in one place will have a powerful effect by setting out very clearly the principles that we think should govern every aspect of social care work practice in relation to looked-after children. Indeed, the list in his new clause underpins the Bill’s four themes—good parenting, stability, the voice of the child and higher aspirations for children. I hope, therefore, that he accepts my assurance that we will set out that list at the beginning of the care planning guidance.²⁹

Mr Loughton accepted the Minister’s concession that the list would be set out in the front of care planning guidance and withdrew the amendment.³⁰

4. Visits from social workers

Tim Loughton moved an amendment [13] to clause 16 during the Committee’s fourth sitting which would require local authority visitors to looked-after children to be registered social workers or equivalent professionals. The Member explained:

We are talking in many cases about children with complex requirements, particularly if they are placed in children’s homes with specialist facilities. For all the reasons we have been debating with regard to the Bill, it is absolutely essential that the most appropriate person—an appropriately qualified person—is responsible for the child, and provides a key link between that child and the placing authority when decisions are made about that child’s future. It is therefore reasonable to expect that the person who is making the visits, and who will be the direct contact with the child in the care system, should be of significant status—they should be a registered social worker or equivalent—not just a trainee or somebody from a different department who is nominated as the authority’s

²⁸ PBC 24 June 2008 c77

²⁹ PBC 24 June 2008 c78

³⁰ PBC 24 June 2008 c80

representative. It should be somebody who is completely au fait with the procedures that put that child in the care system in the first place; with the procedures that may ultimately get the child out of the system; and with the level of care and facilities available to that child to assist their progress and ensure, for example, that the child gets access to the sort of schooling that to which we want them to have access. There are further measures in the Bill to ensure the continuity of the school placement and so forth. It is perfectly realistic that that person should be a registered social worker or an equivalent professional.³¹

He added that although the amendment was intended to be a probing one, the underlying reason for tabling it was to ensure that children were not “dumped” by local authorities.³²

The Minister, Kevin Brennan, agreed that generally it would be desirable that visits should be conducted by a social worker and that the expectation was that this would be the norm.³³ However, he believed that the amendment would be problematic since the supply of social workers would impact on the extent to which local authorities could comply with the duty. He explained:

[U]nless the visits are regular and frequent they are unlikely to deliver the policy objective of providing effective long-term supervision of the child’s placement, and of enabling the local authority to respond quickly to any change of circumstances. That means that local authorities must be given more discretion as to who they can appoint to visit the children.³⁴

He stressed that the system required a degree of flexibility to accommodate situations when a visit from a representative with a particular specialism would be more appropriate than a social worker:

It is important that the visitor has the right skills and experience both to provide the support and advice that the child needs and to establish an effective relationship with the child.³⁵

The Minister made a commitment to set out in regulations the functions of local authority representatives and the frequency and nature of visits. He also confirmed that in cases where the visitor was not a social worker, a registered social worker would supervise the visitor.³⁶

Tim Loughton welcomed the clarification but stressed that regulations must make clear that it would only be in exceptional circumstances that a registered social worker would not be performing the role of visitor. Although the Member withdrew the amendment,³⁷ he continued with the subject of visitors for children in care by discussing a new clause 7

³¹ PBC 1 July 2008 c130

³² *Ibid*

³³ PBC 1 July 2008 c131-2

³⁴ PBC 1 July 2008 c131

³⁵ PBC 1 July 2008 c132

³⁶ PBC 1 July 2008 c134

³⁷ *Ibid*

which would provide, amongst other assistance, a duty on local authorities to visit children in custody.

By tabling the new clause the Member sought clarification about what happens to children in the care system who then enter the custody system. He stressed that there should be continuity of care in such cases:

This new clause [...] would be one way of ensuring that children in the care system who go into custody receive the assistance that they need to keep them out of the custody system in the future and to give them a decent chance of getting back on their feet when they come out. It would allow them to have all the other things that other children in care might expect and, we hope, because of this Bill are more likely to achieve.³⁸

The Minister concurred with the spirit of the amendment but believed it did not make any substantial additions to the proposals in clause 16 of the Bill which would provide a statutory framework to ensure that local authorities maintained contact with all looked-after children. She added that the proposed amendment was also problematic since it was drafted in wide terms which would potentially require visits to be made to all children in all circumstances.

On the basis of the Committee's discussions and the detail provided by the Minister, Tim Loughton withdrew the amendment.³⁹

5. Designated member of staff

The Committee debated at length amendments tabled to clause 20, which concerned the requirement for schools to have a designated member of staff to promote the education of looked after children.⁴⁰ Tim Loughton welcomed the clause but suggested that it needed to be "beefed up". His proposed amendment [17] would require the designated members to be teachers or member of the school governing body. A further amendment [18] requiring designated members to report the educational progress of looked-after children to foster carers was also discussed. Tim Loughton explained why he believed the amendments were necessary:

Amendments Nos. 17 and 18 would require that there be designated teachers who know about the requirements of looked-after children, a governor to oversee that and that foster carers should have access to educational information about the child. They would then be able to ensure that they were doing well and ask the right questions if they were not. Such requirements would add some real beef to the well intentioned clause. They would make its provisions a reality rather than the wish list that they might become.⁴¹

³⁸ PBC 1 July 2008 c137

³⁹ PBC 1 July 2008 c141

⁴⁰ PBC 1 July 2008 cc149-161

⁴¹ PBC 1 July 2008 cc151-2

The proposals were supported by the Liberal Democrats who also tabled related amendments to the clause.⁴²

The Minister, Kevin Brennan, informed the Committee that it was the Government's intention that the designated member should be a teacher and that this would be set out in regulations. Statutory guidance would be issued which would set out the detail of the role and its responsibilities. Further statutory guidance would make it clear that the school governing bodies would receive regular reports on the work of the designated teacher and on the outcomes of looked-after children.

The Minister also explained why the government considered amendment 18, relating to foster children, to be unnecessary:

Under the Education (Pupil Information) (England) Regulations 2005, schools are already required to provide an annual report to the parent of every child who is a registered pupil at the school, and that includes looked-after children. For the purposes of education law, a parent includes anyone who has parental responsibility or who has care of the child. That includes foster carers and a child's key residential worker in a children's home. Schedule 1 of the regulations clearly lists what information the report should contain, including brief particulars of achievements in all subjects and activities that form part of the school curriculum, plus comments on the child's general progress and details of the arrangements for discussing their reports with their teacher.⁴³

The Minister stressed that regulations rather than primary legislation were a better vehicle to deliver the changes because they "will allow for changes to be made more easily in line with changes in teacher training without the need for further primary legislation."⁴⁴

Tim Loughton expressed his disappointment at the explanation offered by the Minister:

The Minister did not make a case for why having a designated teacher and a designated governor would in any way damage the Bill or hamper—beyond what is intended by forthcoming regulations—the role of the school in doing what we want it to do.⁴⁵

The amendments were put to a vote but were defeated by 6 votes to 8.⁴⁶

6. Private fostering registration scheme

In England and Wales, private foster placements are subject to the *Children Act 1989* and supporting regulations made under the Act.⁴⁷ The regulations require foster carers

⁴² Amendment Nos. 29 and 30.

⁴³ PBC 1 July 2008 c158

⁴⁴ PBC 1 July 2008 c159

⁴⁵ PBC 1 July 2008 c161

⁴⁶ PBC 1 July 2008 c161

to inform the local authority if they are caring for a child under a private fostering arrangement. Following Lord Laming's report in 2003 on the murder of Victoria Climbié by her foster parents,⁴⁸ the Government introduced measures to amend the arrangements under the 1989 Act for local authorities to safeguard and protect the welfare of privately fostered children. Section 45 of the *Children Act 2004* allows the Secretary of State to make regulations to establish a registration scheme for all private foster carers. However, the 2004 Act contains a sunset clause by which section 45 will cease to have effect if the scheme is not established within four years of the Act being passed. That time period is due to expire in November 2008.

Clause 35 of the Bill would extend the time in which the registration scheme has to be established to seven years. Tim Loughton tabled a new clause 15 to the Bill which would place a duty on the Government to set up a registration scheme for private foster carers within one year. He argued that the Government had failed to justify why the scheme should not come into force as originally anticipated:

It was quite clear four years ago that unless there was overwhelming evidence to show that the notification scheme was working, this section of the Children Act 2004 would come into force. Why are the Government seeking to extend the sunset clause again? When is a sunset not a sunset? How many more chances will they give to show that the notification scheme works, or as we think, that it simply does not work, before we have the private fostering registration scheme for which a wide cross-section of people have been calling for many years? On that basis, I commend new clause 15 to the Committee.⁴⁹

The new clause was supported by the Liberal Democrat, Annette Brooke, who added that since the voluntary notification scheme for foster carers was established under the *Children Act 2004*, there had been "no movement of any significance in the numbers of notifications." Accordingly, she argued that it would be "dangerous to allow this process to hang on for another three years."⁵⁰

The Minister, Kevin Brennan, was critical of the way the new clause was drafted, but conceded that the Government had been "over-optimistic" in predicting that four years would be sufficient to develop and implement a registration scheme for private foster carers. He added:

It is right to first gather further evidence on the notification scheme before proceeding to a registration scheme that could and would catch many families [...] We do not necessarily want to insist on a registration scheme, and yet we have not abandoned it. We want to give the changes that have been made the correct amount of time so that we can collect the evidence that is necessary to make that judgment.

[...]

⁴⁷ *Children (Private Arrangements for Fostering) Regulations 2005* No.1533 and *Children (Private Arrangements for Fostering)(Wales) Regulations 2006* No.940

⁴⁸ Lord Laming, [The Victoria Climbié Inquiry](#), January 2003 [on 11 September 2008]

⁴⁹ PBC 1 July 2008 c184

⁵⁰ PBC 1 July 2008 c185

If we then decide to move to registration, we will have to draft and consult on the regulations. All of that would take more than the year proposed in the new clause anyway. We must ensure enough time to gather the necessary evidence, analyse it and make a sound, evidence-based decision. The key problem is that we have only one full year's data on the number of private fostering arrangements under the strengthened notification scheme. By 2010, we will have three full years of data as well as the results of three years of inspection by Ofsted, and we will know the impact of further activity to raise notification levels.⁵¹

Tim Loughton expressed deep disappointment with what he described as a “pretty weak” Government response. Although he agreed not to press the new clause to a vote, he warned:

The sun is about to set on the Government. They will not be in a position to do anything about this sunset clause. So I offer the Minister a deal: will he reconsider his comments so we can re-examine this on Report in the light of what Opposition Members have said? We have urged him just to get on and do it. We will table a more comprehensive amendment on Report which will take in Wales and make it clear that a registration scheme will be triggered within a year of the Bill becoming law. On that basis, we offer him one last chance to trigger the sunset clause or, I fear, he will succumb to the inevitable. A new day will dawn for the private foster registration, just as a new day will dawn for the electorate as a whole in the not too distant future.⁵²

⁵¹ HC Deb 1 July 2008, cc186-7

⁵² HC Deb 1 July 2008, cc188-9

IV Annex – Members of the Public Bill Committee

Chairmen: Mr. Greg Pope and Hywel Williams.

Members:

Brennan, Kevin (*Parliamentary Under-Secretary of State for Children, Schools and Families*)

Brooke, Annette (*Mid-Dorset and North Poole*) (LD)

Foster, Mr. Michael (*Worcester*) (Lab)

Hesford, Stephen (*Wirral, West*) (Lab)

Hughes, Beverley (*Minister for Children, Young People and Families*)

Kidney, Mr. David (*Stafford*) (Lab)

Kirkbride, Miss Julie (*Bromsgrove*) (Con)

Loughton, Tim (*East Worthing and Shoreham*) (Con)

McCarthy, Kerry (*Bristol, East*) (Lab)

Russell, Christine (*City of Chester*) (Lab)

Southworth, Helen (*Warrington, South*) (Lab)

Timpson, Mr. Edward (*Crewe and Nantwich*) (Con)

Turner, Mr. Andrew (*Isle of Wight*) (Con)

Waltho, Lynda (*Stourbridge*) (Lab)

Watkinson, Angela (*Upminster*) (Con)

Williams, Mark (*Ceredigion*) (LD)

Committee Clerks: Mr. Chris Shaw and Mr. Mick Hillyard.