

Submission from Become: Children's Wellbeing and Schools Bill – Evidence to Public Bill Committee – January 2025

Introduction

- 1) [Become](#) is the national charity for care-experienced children and young people. We put young people at the heart of everything we do, supporting them to get the help they need now and empowering them to bring about change in their own lives, the care system and society.

- 2) We welcome many of the provisions within the Children's Wellbeing and Schools Bill aimed at strengthening the regulation of the children's social care system and improving support for care-experienced children and young people. This briefing sets out the areas in which we think the provisions of the Bill need to be strengthened further to improve the care system and the experiences, opportunities and outcomes of care-experienced young people. This submission covers the following areas:
 - Strengthening Staying Close support;
 - Strengthening the Local Offer for Care Leavers;
 - Disapplying homelessness intentionality rules for care leavers;
 - Extending priority need under homelessness legislation for all care leavers;
 - Providing safeguards within Regional Co-operation Arrangements;
 - Requiring a national sufficiency plan;
 - Extending new oversight measures to supported accommodation settings;
 - Supporting amendments proposed by other organisations.

Strengthening Staying Close support (Clause 7 of the Bill)

- 3) Clause 7 introduces new requirements on local authorities in England to assess whether certain care leavers (former relevant children) aged under 25 require the provision of Staying Close support. Where the local authority assesses that such support is required, it would be under a duty to provide it.

- 4) At Become, we strongly welcome the proposal to establish staying close as a legal offer and extend it to care leavers up to the age of 25; this is something we have long campaigned for. Each year, thousands of young people face a care cliff when leaving the care system: expected to leave home around the age of 18, often abruptly, where vital

relationships and support fall away, and they are left without the support needed to make a positive start to adulthood.¹

- 5) Our recent research shows that the transition from care to ‘independent living’ is often poorly planned and managed, and many young people feel unsupported during this time.² Young people leaving care also face a disproportionate risk of experiencing homelessness or housing insecurity. Our research has highlighted that care-experienced young people are nine times more likely to experience homelessness than other young people, and statutory homelessness rates for care leavers have increased by 54% in the past five years.³
- 6) Evidence shows that the Staying Close pilots have improved outcomes for care-experienced young people in a range of positive ways, including better ‘independent living’ skills, increased happiness, better stability, increased participation in activities, including education and employment; and a reduced risk of homelessness.⁴ The extension of Staying Close to care-experienced young people up to the age of 25 within legislation will have positively impact thousands of young people leaving care.
- 7) However, we are concerned that the way that clause 7 of the Bill is currently drafted could limit the impact of this reform for many care leavers:
 - **Assessment of whether support is required** - Subsection 7(2) states that the local authority must assess whether staying close support is required in the interest of a young person’s welfare. The criteria for this assessment is not set out and we are concerned that this could lead to rationing of this support or a postcode lottery.
 - **Lack of young person’s voice** – The young person’s voice, wishes and preferences are not referenced on the face of the Bill. We think that any assessment about the type of support that is provided should pay due consideration to young people’s wishes and preferences.
 - **Definition of staying close support** - Under the current wording, Staying Close support is defined as providing advice or information, or making representations on behalf of a care-experienced young person for the purpose of helping the young person to find and keep suitable accommodation, or access relevant services. This definition of support is too limited and should be broadened to reflect the broad type of support provided under staying close pilots.

¹ Become (2024), [Support Every Step of the Way: End the Care Cliff](#)

² Ibid

³ Ibid

⁴ Department for Education (2024), [Keeping Children Safe, Helping Families Thrive](#)

- 8) **Recommendation** – We recommend that Clause 7 of the Bill be amended to make the offer of Staying Close support a strong legal entitlement for all care leavers unless they don't require it; to broaden the type of support that could be provided; and to centre the wishes and preferences of young people themselves as part of any decisions about the type of support available. A suggested amendment is included in the box below.

Suggested amendment

Amend 7(2) of the CWSB to “The authority must assess what staying close support is required in the interests of that person’s welfare”

In 7(3), omit the following: “If following that assessment the authority determines that staying close support is so required”

In 7(5) after paragraph (b) insert – “and c) any other support the local authority deems appropriate”

After subsection (5) insert: “(6) In fulfilling the requirements of subsection (2) and subsection (3) local authorities must give due consideration to the wishes and preferences of the person.”

Strengthening the Local Offer for Care Leavers (Clause 8 of the Bill)

- 9) Section 2 of the Children and Social Work Act 2017 requires local authorities in England to publish a Care Leaver Local Offer, which sets out information about the services that it provides for care leavers in relation to six key areas: health and well-being, relationships, education and training, employment, accommodation, and participation in society. We welcome the proposals in Clause 8 of the Bill to expand the information required as part of Local Offers, however we think that this should be expanded further.
- 10) At Become, through our [Care Advice Line](#), we hear too often that care leavers are often not aware of the financial entitlements and support available to them from the local authority – such as council tax discounts, a higher education bursary – or more broadly, through welfare benefits. This lack of information can lead to them facing unnecessary financial hardship, or falling into rent arrears. We have also heard through our research that a lack of skills and knowledge about financial literacy, budgeting and money management, can negatively impact on care leavers who are more likely to live independently from an earlier age than their peers, and often feel unequipped.⁵
- 11) **Recommendation** – We recommend that the Bill introduce a requirement on local authorities to publish information about the services they provide to support care leavers to develop financial literacy and to better understand their financial entitlements

⁵ Become (2024), [Support Every Step of the Way: End the Care Cliff](#)

as part of their Local Offer for Care Leavers. This would create more transparency for care-experienced young people about the financial support available to them, and would help to address one of the main challenges they face when moving into independent living. A suggested amendment is included in the box below.

Suggested amendment

Amend Section 2 of the Children and Social Work Act 2017 (local offer for care leavers) as follows:

In subsection (2), after paragraph (f) insert:

- (g) financial literacy and financial support.

Disapplying homelessness intentionality rules for care leavers (amendment NC6)

12) We strongly welcome the Government amendment (NC6) to disapply homelessness intentionality rules for care leavers. Existing guidance states that care-experienced young people should only be assessed as intentionally homeless in exceptional circumstances, and these decisions should be approved by relevant Directors.⁶ However, a Freedom of Information request that we submitted to all tier one local authorities in England last year showed real variation in how this was implemented, with eight local authorities already disapplying homelessness intentionality assessments for care leavers.⁷

13) We have heard from care-experienced young people who have previously been assessed as intentionally homeless for moving away to university, not being in touch with their Personal Advisor, or for turning down offers of accommodation that were not appropriate for them.⁸ These assessments contradict local authority's roles as corporate parents and can contribute to the disproportionate risk of homelessness that care-experienced young people face.

14) **Recommendation** – We recommend that the Committee supports and approves amendment NC6.

Extending priority need under homelessness legislation for all care leavers – suggested new amendment

⁶ Ministry for Housing, Communities and Local Government, and Department for Education (2024), [Joint housing protocols for care leavers: good practice advice](#)

⁷ Become (2024), [Support Every Step of the Way: End the Care Cliff](#)

⁸ Ibid

- 15) Currently, care leavers aged 18-20 are automatically assessed as being in ‘priority need’ under homelessness legislation, which means that local authorities are required to provide them with accommodation. Care leavers aged 21 or above can be assessed as being in ‘priority need’ if they are “vulnerable as a result of having been looked after, accommodated or fostered”: the assessment of vulnerability is not clearly defined in legislation.⁹
- 16) Despite local authority’s responsibilities as the ‘corporate parent’ to care leavers up to the age of 25, [360 care leavers aged 21-24](#) received a statutory homelessness duty in 2023/24 without being assessed as being in priority need.¹⁰ Furthermore, we have heard numerous examples of care leavers having to prove their vulnerability at a time where they are at crisis point, including taking part in psychiatric assessments, having to pay for a GP letter or recounting past traumas multiple times to statutory services.¹¹
- 17) **Recommendation** – We recommend that an amendment be introduced to extend priority need status under homelessness legislation to all care leavers up to the age of 25, regardless of vulnerability, as a way of strengthening the safety net for care leavers at risk of homelessness. A suggested amendment is included in the box below.

Suggested amendment

To amend Section 4 of the Homelessness (Priority Need for Accommodation) (England) Order 2002 (young people under 21) as follows:

In subsection (1) in paragraph a) replace “is under twenty-one” with “is under twenty-five”.

Amend the title of section 4 from “young people under 21” to “care leavers”

To amend Section 5 of the Homelessness (Priority Need for Accommodation) (England) Order 2002 (vulnerability: institutional backgrounds) as follows:

Subsection (1) is omitted.

Providing safeguards within Regional Co-operation Arrangements (Clause 9 of the Bill)

- 18) Clause 9 of the Children’s Wellbeing and Schools Bill introduces a measure to regionalise the commissioning, analysis, and sufficiency practices of local authorities, by giving the

⁹ Ministry for Housing, Communities and Local Government (2018), [Homelessness code of guidance for local authorities](#), chapter 22.

¹⁰ Ministry for Housing, Communities and Local Government (2024), [Statutory homelessness: detailed local authority tables: financial year 2023-24](#)

¹¹ Just for Kids Law (2022), [Hitting brick walls: barriers faced by homeless care leavers](#)

Secretary of State the power to direct them to join together to make regional co-operation arrangements. At Become, we are concerned that, without appropriate safeguards, this regional approach could lead to more children in care being moved far from their support networks and communities, but within the region.

19) In 2024, more than a fifth of all children in care (22%) were living more than 20 miles from home, and this number has increased by 66% in the last 11 years.¹² Similarly, in 2024, almost half of all children in care (45%) were living outside the boundary of their local authority area.¹³ Although there can be legitimate reasons why children in care are moved far from home, such as to safeguard them from exploitation or harm, or to move them closer to family networks, often this is simply due to a lack of appropriate local options.¹⁴ Our [Gone Too Far](#) campaign has highlighted the negative impact that being moved far from their families, friends and schools can have on children’s relationships, wellbeing and development.¹⁵

20) **Recommendation** – We recommend that a safeguard to mitigate against the risk of children being moved far from home as a result of the proposed move towards a regional approach of commissioning and sufficiency planning. A suggested amendment is included in the box below.

Suggested amendment:

Amend Clause 9)(2)(3)a) of the CWSB to the following:

- (3) A local authority’s “strategic accommodation functions” are— (a) assessing current and future requirements for accommodation **to meet the needs of** children being looked after by the local authority, **as close to home as reasonably practicable.**

Requiring a national sufficiency plan – suggested new amendment

21) Section 22G of the Children Act 1989, the sufficiency duty, requires each local authority to ensure, so far as reasonably practicable, that it can offer sufficient suitable accommodation in its area to meet the needs of children in care. In recent years, local authorities across the country have faced a range of challenges in providing sufficiency.

¹² Department for Education (2024), [Children looked after in England including Adoptions: Reporting year 2024](#)

¹³ Ibid

¹⁴ Become (2023), [Gone Too Far: Preventing children in care being moved miles from the people and places that matter to them](#)

¹⁵ Ibid

- 22) This has a significant impact on children in care – often leading to them living in care settings unable to meet all of their needs, or leading to significant instability that can exacerbate complexity, adversity or trauma they experienced before entering care. For example, 49% of all children living in children’s homes or secure units in 2024 were living more than 20 miles from home;¹⁶ and it has been estimated that 78% of all children living in children’s homes or secure units have been separated from siblings.¹⁷
- 23) In its “Children’s Social Care study”, the Competition and Markets Authority highlighted that there is a lack of transparent and accurate information both locally and nationally about the extent to which sufficiency of placements is being achieved, or how often children are being placed in placements that do not fit their needs, due to a lack of appropriate placements.¹⁸
- 24) Although, there have been many welcome proposals to address structural challenges in the way that sufficiency is planned and delivered in recent years, including in the Children’s Wellbeing and Schools Bill, there remains an absence of a national strategy for delivering sufficiency or robust national oversight. The Bill introduces a number of welcome measures, but does not provide any provisions that will significantly boost capacity in the system.
- 25) **Recommendation** – We recommend that a new clause is introduced to require the Department for Education to develop and publish a national sufficiency plan to truly understand how many children in care are living in placements unable to meet their needs, the provision needed to address this, and a strategy setting out how national Government will support local authorities to deliver this. A suggested amendment is included in the box below.

¹⁶ Department for Education (2024), [Children looked after in England including Adoptions: Reporting year 2024](#)

¹⁷ Children’s Commissioner (2023), [Siblings in Care](#)

¹⁸ Competition and Markets Authority (2022), [Children’s Social Care study](#)

Suggested amendment:

To move the following clause:

1. National sufficiency plan

- (1) As soon as reasonably practicable after the end of each financial year, the Secretary of State must publish a national sufficiency plan.
- (2) A national sufficiency plan under subsection (1) must include the following:
 - a) Data about the number of children looked after who are living in homes that are not in line with their care plan, or are living in distance placements due to a lack of local placements that are able to meet their needs.
 - b) Information about the type and number of care settings that are required to ensure that local authorities are meeting the requirements of Section 22G of the Children Act 1989
 - c) Information about the support that the Government are providing to local authorities to meet the requirements of Section 22G of the Children Act 1989, and to prevent children looked after being moved to distance placements due to a lack of local placements that are able to meet their needs.
 - d) An assessment of the efficacy of the support that Government has provided to local authorities to meet the requirements of Section 22G of the Children Act 1989, and to prevent children looked after being moved to distance placements due to a lack of local placements that are able to meet their needs.
- (3) The Secretary of State may delegate the conduct of a national sufficiency plan under subsection (1).
- (4) In subsection (2) the term “distance placements” means when a child who is looked after by the local authority is living more than 20 miles from their home.

Extending new oversight measures to supported accommodation settings:

- 26) There has been a significant rise in the number of children in care aged 16 or 17 who are living in supported accommodation settings in the past six years. Approximately a third of all 16- and 17- year olds in care were living in supported accommodation in 2024.¹⁹
- 27) Given the significant and growing number of children in care living in supported accommodation settings, the oversight measures proposed within the Children’s Wellbeing and Schools Bill in clause 13 (financial oversight) and clause 14 (power to limit

¹⁹ Department for Education (2024), [Children looked after in England including Adoptions: Reporting year 2024](#)

profits of relevant providers) should be extended to providers of supported accommodation, as well as providers of children’s homes or fostering agencies.

28) **Recommendation** – We recommend that sections 13 (7) and 14 (3) are amended to include providers of supported accommodation, as well as providers of children’s homes or fostering agencies.

Supporting amendments proposed by other organisations

29) We support a number of other suggested amendments that have been proposed by other organisations that, if implemented, would improve safeguards, rights and protections for care-experienced children and young people.

30) We recommend that the Committee consider and support the suggested amendments listed below:

- **National Offer for Care Leavers** - Amendment NC40 – tabled by Ellie Chowns MP, and supported by Barnardo’s, would introduce a requirement on the Department of Education to develop and publish a national offer for care leavers. This would be an important step in increasing transparency about care leavers rights and entitlements, and ensuring these rights are upheld; as well as introducing a national minimum offer for all care leavers.
- **Sibling contact** – Family Rights Group, as part of their written evidence to the Bill Committee, have proposed an amendment, which would place the same emphasis on promoting children in care’s relationships with their siblings, as already exists with parents. Children are often separated from their siblings when in care, due to systemic issues, and are not given support to maintain contact with siblings they are not living with.²⁰
- **Promoting children in care’s relationships** - Family Rights Group have also recommended that Section 22 (3A) of the Children Act 1989 be amended, after “educational achievement” to add “a duty to promote the child’s family and social relationships in ways which are consistent with the child’s welfare”. This would be a very explicit way of achieving the Government’s goal to promote relationships for children in care.

Contact:

If you have any questions about the content included in this submission, if you require any additional detail or would like to discuss further, please contact:

²⁰ Children’s Commissioner (2023), [Siblings in Care](#)

BECOME.

THE CHARITY FOR CHILDREN IN CARE
AND YOUNG CARE LEAVERS

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