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Press release

Unregulated accommodation banned for vulnerable children under 16

A ban on placing vulnerable children under the age of 16 in unregulated accommodation will come into force in September

From: Department for Education (<https://www.gov.uk/government/organisations/department-for-education>) and The Rt Hon Gavin Williamson CBE MP (<https://www.gov.uk/government/people/gavin-williamson>)

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A ban on placing vulnerable children under the age of 16 in unregulated accommodation will come into force in September, the Education Secretary Gavin Williamson has announced, as part of a series of reforms to drive up standards in children's social care.

Children in care under 16 will no longer be allowed to be accommodated in unregulated independent or semi-independent placements, helping to ensure the most vulnerable are cared for in settings that best meet their needs. Regulations have been laid in Parliament today, Friday 19 February, for the ban to come into force in September, as part of the Government's response to its consultation last year (https://consult.education.gov.uk/unregulated-provision/unregulated-provision-children-in-care/supporting_documents/Unregulated%20consultation%20FINAL%20link.pdf) aimed at ensuring the highest quality provision for all children and young people in care.

Published today, the Department for Education's response to the consultation (<https://www.gov.uk/government/consultations/unregulated-provision-for-children-in-care-and-care-leavers>) makes clear that while independent and semi-independent provision can be the right option for some older children where it is high quality and meets their needs, children aged under 16 are too young for this type of accommodation – which is intended to facilitate supported living for older children developing their independence before they leave the care system.

In his response, the Education Secretary has also announced that plans will be developed to support local authorities in creating more places in children's homes, backed by additional investment, building on the £24 million announced at the Spending Review and recognising that there are pressures on some local authorities to find the right placement for a child.

He also confirmed that he will be moving forward with plans for legislating at the earliest opportunity to give Ofsted new powers to take enforcement action against illegal unregistered providers, who should be registered as children's homes but are operating without the correct registration in place. This will enable Ofsted to take quicker action to register or close down these homes, building on their existing powers to prosecute providers operating without the correct registration and strengthening the options available to them.

The Government will also introduce national standards for unregulated settings that are accommodating 16 and 17-year-old children in care and care leavers, to raise the bar for the quality of this provision and ensure consistency across the country. The Department for Education will shortly launch a consultation on the new national standards, so that as more older children come into the care system, a high quality option is available where they can receive the support they need to prepare for adult life.

Education Secretary Gavin Williamson said:

Vulnerable children under 16 are too young for the type of accommodation that provides a place to stay but not the care and support that they need. The action taken today – supported by the sector and in response to their views - is an important step in making sure children in care are placed in settings that give them the highest chances of success.

We know that for some older young people, independent or semi-independent accommodation can be right in helping them transition to adult life – but these settings need to be consistently high quality. We cannot be complacent about the standards we expect to be met for children in our care.

Our consultation response sets out the urgent steps we are taking to raise the bar for these children, which alongside the independent review of children's social care, will level up outcomes for those most in need.

Mike Thiedke, Depaul UK CEO said:

Children's homes are the right place for many looked after children and I am glad that the Government intends to work with local authorities to open more. Some 16 and 17 year olds want to live in places where they have more independence - specialist young people's supported accommodation can be the best option for these young people.

Depaul UK provides this type of accommodation. We already have close local authority oversight and extensive internal policies and procedures to ensure we provide safe, supportive accommodation, and we believe other providers should operate with these controls in place to protect young people. I support today's announcement that national standards will be introduced with new powers for Ofsted.

Depaul will continue to work with the Department for Education to do our utmost so that young people living in appropriate accommodation can look forward to a bright future.

Statistics

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/864075/Looked_after_children_in_independent_or_semi-independent_placements_Feb_2020.pdf) show that across the year 2018-19 there were 660 looked after children placed in independent or in semi-independent living accommodation who were under the age of 16 when their placement started. This is 5% of looked after children in these settings during 2018-19. New data published today shows the characteristics and placements in independent or semi-independent living accommodation for looked after children under the age of 16 in England.

The Government's drive to raise standards and level up opportunities for the most vulnerable in society sits alongside an investment of almost £4.4 million to extend Covid-19 response programmes run by major children's charities aimed at reaching 'hidden' children who may face neglect or exploitation, especially while they spend more time at home. It adds to plans to create a National Centre for Family Hubs that will improve families' access to vital services across the country, and the confirmation from November's Spending Review of an additional £24 million investment in 2021-22 to expand capacity within secure children's homes, as well as £165 million funding for the Government's Troubled Families programme (<https://www.gov.uk/government/publications/troubled-families-early-help-system-guide>).

The response to the consultation on unregulated provision builds on a campaign of improvement across children's social care, including last month's launch of the wide-ranging and independent review into children's social care (<https://www.gov.uk/government/news/education-secretary-launches-review-of-childrens-social-care>). The review is being led by independent chair Josh MacAlister and will look at improving outcomes for children that have experienced the care system.

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