

## **SUMMARY OF THE CHILDREN AND FAMILIES ACT 2014**

### **The Children and Families Act 2014 obtained royal assent and became law on 13 March 2014.**

**This summary outlines the key changes the Act makes to the safeguarding and child protection system and services for children and families.**

**Although incorporated into one Act some changes will come into force at different times.**

**This Act is mainly concerned with England, however, some measures are applicable to Scotland, Wales and Northern Ireland.**

### **Adoption**

- Promotes 'fostering for adoption' in which approved adopters are allowed to foster children during the wait for formal court approval.
- Adoption agencies will no longer have to search for a perfect or even a partial ethnic match between potential adopters and children. This is designed to reduce delays in finding adopters for vulnerable children.
- Gives potential adopters access to the adoption register so they can search the database themselves (subject to safeguarding checks).
- Introduces personal budgets for adoptive parents from April 2015, allowing them to choose the type of support and how it is provided.
- From April 2015 adoptive parents will receive the same rights to leave and pay as birth parents.

### **Childcare**

- Child-minder agencies will be established and registered by September 2014. These will provide child-minders with training and business advice. Individual child-minders will not register with or be inspected by Ofsted.
- Permits the establishment community services, facilities and wraparound childcare by school governing bodies without consulting first.

### **Children and young people with special educational needs (SEN) and disabilities**

- A new Education, Health and Care (EHC) Plan based on a single assessment process will replace special education statements. EHC plans will support children, young people and their families from birth to 25.
- The commissioning and planning of services for children, young people and families will be run jointly by health services and local authorities.
- Extends the rights to a personal budget for the support to children, young people and families

- Local services available to children and families must be made available in a clear, easy to read manner.
- Local authorities must involve families and children in discussions and decisions relating to their care and education; and provide impartial advice, support and mediation services.
- These reforms will be phased in from September 2014. The government will publish transitional arrangements, setting out an implementation schedule which is likely to cover the next two years

## **Child welfare**

- Formalises 'staying put' arrangements designed to enable children in care to remain with foster families until the age of 21. This is provided that both the young person and the foster family are happy to do so.
- Measures designed to improve the quality of care provided by children's homes whilst also improving security.
- Councils must inform young people and parent carers of the support they are entitled to.
- Free school lunches must be provided on request for all children in reception, year 1 and year 2 at state-funded schools from August 2014.
- The education of all looked after children in each local authority, will be championed by virtual school heads.
- More support to be provided by schools to children with medical conditions.
- Starts the process of banning smoking in a car containing passengers under the age of 18 years.

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## **Family justice**

- A 26 week deadline for the family court to rule on care proceedings established. This can be expanded by a maximum of eight weeks in exceptional cases.

- Expert evidence will only be considered in family proceedings if it will not have a negative impact on the child's welfare and resolves the case justly.
- Provided that it is safe and in the child's best interests, the courts are required to take the view that after separation, both parents should be involved in their children's lives.
- Replaces contact and residence orders with a single order called a child arrangements order.

## **Parents' rights**

From April 2015, mothers, fathers and adopters can opt to share parental leave around their child's birth or placement.

From October 2015, fathers or a mother's partner can take unpaid leave to attend up to two antenatal appointments.

## **The role of the Children's Commissioner for England**

The Children's Commissioner's role will be increased from simply representing 'the views and interests' of children to focusing on, and 'promoting and protecting' the rights of children.

[Children and Families Act 2014](#). London: The Stationery Office.