

The Children's Plan: Vision for Care

October 2025

Table of contents

Foreword from Dame Rachel de Souza.....	3
Introduction.....	6
1. Standards across the children’s social care system	7
2. Protections for children living with their families.....	9
2.1 Equal protection from assault for children	9
2.2 Children with a Child in Need Plan.....	10
3. Looked after children	12
3.1 Sufficiency of loving homes.....	12
3.1.1 Unregistered children’s homes	12
3.1.2 Homeless 16- and 17-year-olds	13
3.1.3 Supported accommodation	13
3.2 Sibling relationships.....	14
3.3 Depriving children of their liberty.....	14
3.4 Unaccompanied asylum-seeking children.....	15
3.5 Right to education.....	16
4. Youth custody	18
5. Care leavers.....	19
6. Recommendations	20
References	27

Foreword from Dame Rachel de Souza



As Children's Commissioner, I have a special responsibility to children living in care or away from home. That is not just a responsibility defined by legislation, but one that I feel personally.

It was a big part of my motivation for taking on this role nearly five years ago, after a 30-year career as a teacher and headteacher. I was part of the great wave of education reform that transformed the outcomes for so many children. The valuable role of school in developing a child's social, moral, spiritual and cultural character was widely recognised and - relative to other children's services - they received significant investment.

As a result, schools got better, standards rose, and outcomes improved for many children. But at the same time, I saw how it failed the handful of children we consider our most vulnerable, in part because those reforms underestimated the importance of wider support services.

My recent School Census acknowledges this same truth. I asked every school leader in England what they know about the needs of their children, what challenges they are facing in meeting these, and what their pastoral offer is. More secondary schools (59%) were worried about the funding of wider services than they were about their own funding (51%). The issues they told me they worry most about

are not those considered a school's 'core business' – curriculum, attainment – but instead those which go beyond the school gate, such as attendance and children's social care.

The findings from my Census bring me back to my great motivation, first as an educator and now as Children's Commissioner: we must work harder to reach those children. Those children for whom a great education, brilliant teachers and learning important life skills can often be the most impactful, but by themselves are not enough. Those children for whom even getting to school in the morning is a challenge: from not being safe at home, or living with domestic abuse, to being homeless or in temporary accommodation, to having complex health needs or seeking asylum.

For these children, who face barriers in attending school, engaging in lessons, and attaining, support from a collaborative group of services across education, health and care is essential.

In recent years, there have been myriad reforms across the children's social care system in England, starting with the 2022 independent review of children's social care. But rather than a wholesale re-imagining of what great care can and should be, implementation has been a piecemeal, piloted roll out – bringing some positive change to some children. That's far from the bold ambition and deep commitment needed to make changes for every child to excel.

More than 29,000 children in care currently live in local authorities judged as less than good by Ofsted – that could and would never be tolerated in schools. It is simply not good enough.

It is deeply concerning for the safety and wellbeing of the one in four children who have involvement from children's social care at some point in their lives. But as my School Census makes clear, as well as my work over the past five years on attendance, it is also deeply concerning for their educational outcomes. Without wholesale reform to children's social care, there is a ceiling on how far any attempts to close educational gaps and improve attainment can go.

Children's social care can no longer be seen as the junior partner when it comes to improving children's lives. The many thousands of dedicated professionals working in care roles have been telling us this for years. The love and care they provide to children whose lives are complicated, and often marred by trauma, far too often flies under the radar. Around the country there are brilliant programmes, led by brilliant people, quietly but determinedly transforming children's lives. The challenge is how to model this everywhere.

We are at a critical juncture for children's services, with reforms underway across children's social care, health, and education. Children's social care must receive the same ambition and attention. It is not more marginal, or less important simply because fewer children will have direct involvement with it. The fact that it only touches the lives of children who are more vulnerable makes it more, not less, important to get right.

Every child deserves adults in their life who are ambitious for them and a coherent plan set out by the services supporting them to help them achieve their potential. We cannot leave it to chance. It requires hard work and bold thinking. It will require a shared vision across the country of what 'good' looks like within all services – and a refusal to allow anything less for these children.

Above all, it will require children's voices and experiences to be listened to and placed at the centre of urgent reform. Children in care, or with a social worker, must no longer be an afterthought to any serious public sector reform.

Introduction

The Children's Commissioner Dame Rachel de Souza is in her fourth year of a six-year term. This report summarises her work on children's social care, and the work of her office, since taking up the position on March 1, 2021.

The report does two things. Firstly, it highlights how far away the children's social care system is from where it needs to be, despite much well-intentioned work and nods to reform. It sets out the continued breaches of children's rights, to education, to alternative care, and to liberty.

Secondly, it sets out a vision for how the system could change, with a set of ambitious recommendations for transforming children's social care, with children's rights at its heart.

1. Standards across the children's social care system

Standards across children's social care services in England are troublingly low. Almost a third (32%) of local authority children's services were judged Requires Improvement to be good or were Inadequate at their last inspection. A total of 29,189 children in care therefore live in local authorities not even judged as 'Good' by Ofsted (36%). The remaining 68% of local authorities were either Outstanding or Good at their last judgement.

Comparatively, last year only 10% schools were judged as requiring improvement to be good or were Inadequate, while 90% were judged good or outstanding, a small increase from 89% in August 2023.

Even in local authorities rated good or better, the Children's Commissioner frequently finds breaches of children's rights – children being placed in illegal homes, or moved out of loving foster homes for cost-saving reasons. If this is as good as the system can be, it shows that our metrics of success are not nearly ambitious enough.

This is in part due to a lack of clarity about what 'good' looks like for children's social care. While an outcomes framework for children's social care is now in place, it is very limited. It records many process measures, such as the length of time on a Child Protection Plan – which may be linked to worse outcomes, but may not. And the outcome measures it does include – such as on attainment – are not connected to any work that has been done to help the child to achieve. The Children's Commissioner's research into children on Child in Need plans shows plans do not consistently record what outcomes are being sought, or what progress is being made towards those goals.

There must be an ambitious plan to drive up standards, underpinned by a rigorous understanding of what good looks like, and how to measure it.

Figure 1: Ofsted children's social care ratings

Ofsted children's social care rating	Number of local authorities	Percent of local authorities	Number of children in care on March 31 2024	Share of children in care on March 31 2024
Outstanding	38	25%	20,307	25%
Good	66	43%	32,698	40%
Requires improvement to be good	32	21%	20,314	25%
Inadequate	17	11%	8,875	11%
Total	153	100%	82,194	100%

2. Protections for children living with their families

The majority of children who have contact with children's social care remain living with their families, but are referred to children's social care for assessment and/or support. In total, one in four children receive services from children's social care at some point in their childhood, and it is only by getting this support right that children will be able to have the kind of safe, loving family home that every child deserves.

2.1 Equal protection from assault for children

Every child should be safe, healthy and happy – and not live in fear. However, in England, children are the only people who are not fully protected in law from assault and battery. The 'reasonable punishment' defence in common law and Section 58 of the Children Act 2004 means that if a parent or carer commits assault against their child, they may be able to argue that it was legitimate and lawful.

What constitutes 'reasonable punishment' is not defined in legislation. While the most serious cases of violence and abuse against children would still be a criminal offence, this defence to a charge of assault creates problematic shades of grey within the law. It leaves parents, carers, professionals, and children themselves, uncertain about what level of violence is acceptable.

The office has called for the Children's Wellbeing and Schools Bill to remove the defence of 'reasonable punishment' in England in common law and the Children Act 2004. This law change is sometimes referred to as a 'smacking ban', however the Commissioner believes that describing it in this way trivialises the issue, is misleading.

This change would instead remove the defence currently available to parents and carers who have been charged with assault – which by nature are some of the most serious cases of child maltreatment. These are not '*one-off light smacks*', but cases in which, but for the defence, a parent could be charged with common assault. Those are cases where the frequency or severity of corporal punishment mean that children live their lives in fear.

Evidence from elsewhere, including Wales, shows that removal of this defence has not led to increased criminalisation of parents and carers. This change instead serves primarily as a deterrent for physical

punishment of children and provides much-needed clarity that physical assault of children is never acceptable.

2.2 Children with a Child in Need Plan

“It felt more like they were just observing the situation to see what happened.”

– Parent of a child on a Child in Need plan

“I was never told what the offer was, I used to ask them, what is this plan for?”

– Parent of a child on a Child in Need plan

Last year using the Commissioner’s statutory data collection powers the office published a report on children with Child in Need plans, drawing on previously unpublished data. The report showed a notable lack of consistency in practice when it comes to which children reach the threshold for support, and what help they get.

The office examined the proportion of children involved with children’s social care who had a Child in Need plan across local authorities in England. There was notable variation – in one local authority, 70% of the children involved with children’s social care were on Child in Need plans, while in another it was as low as 3.6%. Unless the distribution of need across the country is indeed this varied, there is variation in the thresholds for intervention across the country.

The help children receive once a plan is in place is also very variable. When examining local authority protocols, the office found that in the majority (74%) of local authorities there was no minimum requirement for children to be visited by social workers or other lead professionals. For local authorities that specified a minimum frequency of visits, this varied from once a fortnight to as infrequently as once every three months. Guidance on how long plans should last for is equally patchy, with less than half (46%) of local authorities outlining how long plans should last for.

It is also very challenging to understand the effectiveness of these plans as no national data is collected on whether progress has been made against the goals in the plans.

It is no wonder that the level of intervention that children receive differs greatly as there is no national guidance that sets out the thresholds of need that should prompt intervention or that define how often children should receive help or how frequently it is reviewed.

To ensure that Child in Need plans effectively meet children's needs, no matter what their background or area of the country they grow up in, there is an urgent need for improved national guidance for local authorities which sets consistent standards.

3. Looked after children

3.1 Sufficiency of loving homes

Every child deserves love, stability, and a home that feels like family. Yet too often this doesn't happen. There is a shortage of foster carers, some children's homes are not good enough, and too many are operated for profit rather than for the benefit of children. Children taken into care can be placed in settings where they are not legally entitled to actually receive care, only 'support'.

The office has carried out extensive research into the appropriateness of provision for specific groups of looked after children, as well as advocating on behalf of children in care through her Help at Hand service.

These gaps in provision are unacceptable and must be addressed. There must be a national effort to recruit more foster carers, increased investment in children's homes, and a clear commitment to end profit making in the care of vulnerable children.

3.1.1 Unregistered children's homes

"It was just a horrible scruffy little house. It was an emergency placement [...] My bedroom light didn't turn on, my door didn't shut." – Child subject to DoL order, 15

In recent years the office's independent advocacy team Help at Hand has supported numerous children with extreme vulnerabilities, often subject to a Deprivation of Liberty (DoL) order, who are placed in children's homes that are not registered with Ofsted as by law they should be.

In a December 2024 report, for the first time, the office used local authority data to establish how many children are placed in unregistered accommodation and how much these placements are costing. On 1st September 2024, there were 775 children in unregistered homes. That included children under the age of 10, children who had spent more than two years in those homes and children in entirely inappropriate unregistered settings, such as caravans. Staggeringly, the average cost was more than £1,500 a day, with

an estimated total annual cost to local authorities of over £400 million. The use of these homes is a national scandal.

The Commissioner welcomes the introduction of enforcement powers for Ofsted to issue civil penalties against providers of unregistered children's homes. It is essential that Ofsted is given adequate resource to discharge their new power. However, it's also crucial that local authorities and, where they exist, regional care cooperatives are held to account for the use of illegal homes in their area.

To ensure that this critical issue is not forgotten about and there is urgent action and accountability, the office will be repeating its data request to all local authorities in England this year. This report will be published in the coming months.

3.1.2 Homeless 16- and 17-year-olds

"I was told that section 17, which is the one I ended up picking at first, it's just the section where I'll have more freedom and as a child, I was happy about that. [...] I'll have freedom to do whatever I want essentially, but I wasn't told that it's not just me getting freedom. Due to me picking section 17, I'm going to lose out on the on the things that I actually require." – Young man, 19

Statutory guidance and case law set out that children with nowhere to live should usually be taken into care under section 20 of the Children Act, giving them 'looked after child' status. However, of the approximately 6,000 children aged 16 and 17 who presented as homeless in the office's novel data collection covering 2022-23, most of those accommodated were not given this status – only 39% were. Most of the children who were accommodated (61%, or 1,200) were instead accommodated under housing legislation or under section 17 of the Children Act without becoming 'looked after'. This office is deeply concerned about this practice and intends to investigate this further.

3.1.3 Supported accommodation

All homes that children live in must provide them with care and not just support. Currently, 16- and 17-year-olds can be placed in settings (supported accommodation) which legally only provide support and

not care. Universal care standards must be introduced, that align regulatory frameworks across care settings and ensure that every setting caring for a child is legally able to provide care.

3.2 Sibling relationships

"If you don't have a relationship with your siblings or parents how are you meant to know how to build relationships in your life? Even fighting with my foster brother taught me about how to build a relationship." – Female, care leaver

Children in care and care experienced young people told the Children's Commissioner's office about how important sibling relationships are to them. In 2023, in order to better understand what happens to siblings, the office conducted analysis to estimate the number of children in care who are separated from their siblings.¹ The office's analysis reveals there were an estimated 20,000 children in care in England who have been separated from their siblings. This is more than 1 in 3 children in care (37%).

Of the sibling groups who were split up, 39% were split between two different local authorities and 2% were split between three or more different local authorities.

Interviews with children in care, care experienced young people and case studies from the Children's Commissioner's Help at Hand team reveal some of the main reasons why siblings are separated. This includes a lack of sufficient places for siblings, with particular challenges identified for larger sibling groups and older teenagers placed in supported accommodation.

3.3 Depriving children of their liberty

"To me it's akin to him being under security; they weren't like carers, it was security. And I think although they would argue that he was dysregulating 19 times a day and they've got it down to like seven or eight ... I think that was

because of bullying. And fear, I don't think it was because they were doing great work." – Social worker of child subject to DoL order

"We were reacting to crisis and putting out fires. We weren't meeting his needs. We were surviving on a daily basis in the hope that he didn't injure himself, in the hope that there wasn't a complaint." – Social worker

Far more must be done to prevent children from reaching the point where their needs become so complex that they require crisis intervention. Too often, children are let down by systems that fail to identify and respond to their needs early enough. We see children who have experienced trauma, instability, and unmet health and care needs being passed between services, without anyone taking full responsibility. This lack of coordinated support can lead to children being placed in highly restrictive settings, when what they needed was help much earlier.

Last year the Children's Commissioner's research showed that despite these children being highly vulnerable, most children interviewed had previously been placed in an illegal children's home. In the Children's Commissioner's 2024 report *'Illegal Children's Homes'*, the office found that of 775 children living in unregistered placements on 1 September 2024, almost a third (31%) were subject to a court-ordered DoL. The placement of these highly vulnerable children in illegal settings is deeply concerning.

3.4 Unaccompanied asylum-seeking children

"I told them I'm underage but they didn't believe me and put me with the adults. I didn't feel safe there because people were drinking, smoking cigarettes and smoking hashish. They are older than myself." – Boy, 17

The office has seen just how vulnerable unaccompanied asylum-seeking children are. Using statutory powers of entry, the Children's Commissioner and her team regularly visit border sites in Kent, including Manston, Western Jet Foil, and the Kent Intake Unit, to understand children's experiences and ensure their voices are heard. In 2023 the office used its statutory powers to show the inappropriateness of

hotel accommodation for highly vulnerable children, and was therefore pleased that the Home Office's power to accommodate children was removed in the Border, Security, Asylum and Immigration Bill.

The Commissioner is clear that the ultimate goal for unaccompanied children seeking asylum must be that they do not have to make the perilous small boat journey across the channel. It is essential that vulnerable children fleeing war and persecution have the ability to access safe and legal routes.

The office welcomes the recent publication of the Independent Chief Inspector of Borders and Immigration's inspection and final report on the Home Office's use of age assessments, to which the office submitted evidence. The office's submission highlighted concerns about the accuracy, consistency, and impact of age assessments on vulnerable UASC. In response, the office greatly welcomes the Home Office's acceptance of the report's recommendations.

Alongside this, the office notes the government's announcement on the planned use of facial age estimation technology for age assessments of unaccompanied asylum-seeking children. While innovation can support more consistent assessments, the office will closely monitor its implementation to ensure it is used ethically, transparently, and in a way that protects children's rights.

3.5 Right to education

School is important for every child, and every child should be able to attend, engage, and attain in education. This is most vital for the most vulnerable children, including children who are in care. These are children who have experienced trauma and upheaval, and where school can and should be a source of stability that can help them to develop and thrive. For these children, being in school and receiving an excellent education could not be more important. School forms a central part of the safety net supporting these children and can provide them with a sense of stability and trusted relationships they need but may not freely have.

And yet, in 2022 the office examined the education of looked after children, and the findings were concerning.² The research showed that looked after children were over-represented among those missing from school. Under the Children's Commissioner's office's definition, 97.3% of looked after children were in school, and 1,363 (2.7%) of looked after children were not in school. By local authority,

this varied from 0% to 13.4%. This is much worse than the position for all school-age children, of whom 0.5% are children missing from education.³

Among other findings, the analysis revealed of all looked after children, unaccompanied children seeking asylum, boys, older children, children with special educational needs, and children without stable care placements were disproportionately more likely to not be in school.

Case study

‘Tom’ is 15 and a looked after child who was moved to a children’s home outside his local area. He has an Education Health and Care Plan (EHCP) and had been doing well in his special school prior to the move. However, after moving, the local SEND team approached more than 20 schools and were unable to find him a place, as schools reported that they either couldn’t meet his needs or were at full capacity. This led to him being out of school for six months, with only 10 hours per week of online tuition (which Tom worked hard on). He was very keen to get back to school and to make friends in his local area. His children’s home contacted Help at Hand for support and the team made representations to both local authorities requesting urgent action to provide suitable education for Tom. Ultimately, he was offered a place at a vocational college for the next academic year, although this still meant being out of education for 10 months. Both local authorities accepted that 10 hours per week of learning was inadequate and arranged a tutor for Tom in the afternoon, with his care home staff providing additional support with reading and other key skills. Tom is really keen to start college after everything he has missed, as he has always wanted to be in education.

4. Youth custody

Young Offender Institutions and Secure Training Centres in England have consistently failed to meet the most basic requirements for keeping children safe. There have been repeated Urgent Notifications about standards, with settings having to close their doors to new admissions, or close altogether, in response to serious concerns raised by inspectors. Children in these settings are experiencing violence, which is often enabled, ignored, or even perpetrated by staff. Around one in seven children at Oakhill Secure Training Centre reported being sexually abused by staff in the past year alone.⁴ Across the secure estate, 1 in 25 children reported the same.

All children remanded into custody, though not all children in custody, are officially considered looked after children. A substantial proportion of those children sentenced to custody have previous experience of being in care. Forthcoming analysis by the office will explore more about the journeys of children into care and into custody, as part of a report on the criminalisation of children in care.

The only form of custodial settings which are consistently shown through inspection to at least be safe for children are Secure Children's Homes. It is unacceptable that our system continues to place children in settings which are known to be unsafe.

Every child in custody should be considered a looked after child, placed in a setting which is registered as a children's home, and the responsibility for managing the estate should move to the Department of Education from the Ministry of Justice.

5. Care leavers

“Nowadays, birth children stay with their families until late 20s and even into their thirties; as children in care we do not get this opportunity, setting us up to fail.” – Girl, aged 15

The Children’s Commissioner is delighted to be a member of the Care Leavers Ministerial Board and is committed to championing the rights of care-experienced young people as they transition into adulthood.

There has been progress in recent years. For example, the office welcomes the introduction of a set of corporate parenting responsibilities for a range of government departments and other public bodies including Ofsted, the NHS and Youth Justice Board. This should ensure that Secretaries of State and relevant public bodies are actively considering how they can better support care experienced children and young people. However, the office remains concerned about the exclusion of immigration functions from these responsibilities, particularly given the vulnerability of children in the immigration and asylum system and the need for consistent support across all areas of government.

In addition, our Help at Hand team continues to work with care leavers who are not getting the support they need, even when they are legally entitled to it.

6. Recommendations

1) Incorporate the UN Convention on the Rights of the Child into law

While the office is clear that there is no silver bullet that would address all of the ongoing issues in the care system, incorporation of the UN Convention on the Rights of the Child would be a major step forward in how we protect children's rights, especially for children in care and those who interact with the system.

While many of the Convention's principles are reflected in laws like the Children Act 1989, full incorporation would make those rights directly enforceable. It would mean that public bodies must uphold children's rights in every decision they make and every service they deliver.

This must be a thoughtful and ambitious process, grounded in the lived experiences of children and focused on building a system that empowers them to claim and enjoy their rights fully.

2) Create a Children Act for the next generation

The Children Act 1989 is rightly hailed as a landmark piece of legislation, that has undoubtedly improved the lives of children – and indeed probably saved lives. But it is time for it to be refreshed to fit a changed world. This should particularly focus on:

- **Children who face harm from outside the home.** The growing understanding over the last 30 years of the way children can be groomed or exploited into harm has meant practitioners are bending the Children Act to fit a new cohort of children – who are not facing abuse or neglect from their parents, but whose parents are unable to protect them from the harms around them.
- **Consistency:** The office's work on children on Child in Need plans has revealed the startling inconsistency between which children receive help, and what help they receive. A new Act should set out a clear threshold for intervention, and what support a child is entitled to receive.
- **Disabled children:** The Law Commission recently set out the changes required to the legal framework for supporting disabled children, not least because the current definition *'blind, deaf*

or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity' is outdated and offensive.

- **Equal protection:** The Children Act 2004 currently contains a defence of 'reasonable punishment' for a parent hitting their child. Children must be entitled to at least the same protections as an adult would be, so this defence must be removed. Law change alone will of course not create the cultural shift needed to protect children from harm. Families need to understand why this change is in the best interests of children, and to receive non-judgemental support to adapt their disciplinary approaches. This includes ensuring that support is tailored to different communities and sensitive to different cultural contexts, working in partnership with organisations led by and for the communities they serve.
- **Sibling relationships:** The new Act should acknowledge the importance of sibling relationships, and introduce greater safeguards for sibling contact, and a presumption that children will be placed together whenever it is in their best interests.
- **Care to 18:** All children who are placed in care should only be placed in settings where they can legally receive care, not just support.

3) An improved model of inspection and accountability

Ofsted has recently undertaken significant reforms to their model of school inspections. It is essential that a similar level of ambition is applied to reforms to children's social care inspection frameworks.

This must ensure there is a single robust and trusted local area inspection framework which brings together inspections of children's social care, local SEND services, and potentially a wider range of inspections.

Inspections must be based on assessment against tangible, measurable outcomes for all children in their area, including those children with additional needs and those involved with children's social care, including care leavers.

4) Effective support for families

All children should be given the chance to grow up in families empowered to love and care for them. That means delivering effective intensive support to families where children are at risk. Many of the reforms underway in children's social care, on multi-agency child protection teams and family help, are aiming to change the way that children are supported, and these must be effectively evaluated. Children and families should have a clear entitlement to intensive packages of support to keep families together, which includes children being in care 'part-time' while remaining with their families.

This should include a roll out of family support packages for all children in contact with children's social care, to put in practical assistance to keep children with birth families. This should include where necessary shared care arrangements, and short breaks provision.

But it is also essential to provide consistent universal support. This must include:

- Scrapping the two-child benefit limit, and ending the five-week wait in Universal Credit, to alleviate child poverty.
- A Family Hub, with provision for children from 0 to 18, should be established in every local area.

5) A loving home for every child in care

While the ambition must be for more children to be able to stay safely with their families, if a child does come into care the assumption should always be that they can live in a homely, family environment – in kinship or foster care. This includes those children in large sibling groups, those who are currently placed on remand, or being deprived of their liberty. No child should be deemed too 'complex' for foster care – often these children have had multiple 'failed' placements, which have broken down because the specialisation and support for foster carers wasn't in place.

The office has consistently heard from children in care about the vital importance of sibling relationships. The office's analysis revealed that there were an estimated 20,000 children in care in England who had been separated from their siblings. This is more than 1 in 3 children in care (37%).

To address this there needs to be:

- An ambitious and fully funded plan for foster care recruitment, including central government funding for innovative approaches, specialist foster care, and adaptations for family homes to accommodate children.
- A joint funding pot from the Department of Health and Social Care and Department for Education should be established for regional care cooperatives to bid into to deliver new forms of accommodation for children who meet the criteria to be deprived of liberty under section 25 of the Children Act, or who are on remand, but where it is not in their best interests to be placed in secure settings.
- All YOIs and STCs should be closed, to be replaced with Secure Children's Homes. All children in custody should become looked after children, and responsibility for their care and the estate should pass to the Department of Education.
- Support for all settings currently registered as supported accommodation to transition to be able to provide care for children.
- A review of protocols for placing children who present as homeless, to ensure independent sign-off on the decision making processes, so that all children are placed in care, rather than being accommodated under housing legislation, unless they genuinely refuse it.
- A transition plan should be established for ending profit-making provision in children's homes.

6) An ambitious single child identifier

The Children, Wellbeing and Schools Bill will introduce a single unique identifier for children, which will enable easier and more accurate matching of children between different systems and services. It is essential that this is used in the most ambitious, comprehensive way possible, and that the digital infrastructure is built around it – so that children, parents and professionals can have access to a single portal with the information available to them. Reviews of the most serious failings in safeguarding have found time and again that a lack of robust information sharing has allowed children to fall through the gaps – this must be the time to seriously address that.

7) Joined up information sharing and support for vulnerable children

Personalised, integrated support plans for every child: The Children's Commissioner has set out a vision for how every child in need of help above and beyond what they receive in mainstream education should have a plan detailing what that help should look like. For some children that will just be an education plan, but for other children it will be either an Education and Care plan or an Education, Health and Care plans. These plans should incorporate the statutory elements of support that children receive from children's social care, including the Personal Education Plans currently in place for looked after children.

Strong protections and joined up working for children not in school: The Commissioner warmly welcomes the introduction of a register of children not in school. However, the Bill should go further to both improve the support for children in home education and to introduce a clear national framework for data sharing so that local Children Missing Education teams can quickly identify and support children who are missing from education to return swiftly and with the right support. The office would like to see provisions to protect children at a known risk of harm strengthened further. That should include a requirement to obtain consent from the local authority before a child is removed from school, in any case where a child has been referred to social services for a Child in Need or Child Protection enquiry in the last 12 months, and where the primary need was abuse or neglect. Where children have a Child in Need Plan or a Child Protection Plan, for these reasons, these plans should always include a named school.

8) Support for care experienced people

Corporate parenting: New corporate parenting duties must be extended to bodies exercising immigration functions, given the vulnerability of children and care leavers in the immigration and asylum system and the need for consistent support across all areas of government.

Staying put and staying close: Young care experienced people can stay in care if they want to or be supported to access the most appropriate housing option for them. Every care leaver should be entitled to either a 'Staying Put' or 'Staying Close' arrangement, where they stay with or near their former foster carers or children's home. Those who do not want it should receive priority housing in whatever area they are living in, and their local authority should act as their guarantor or support them to apply for a guarantor. Every child who has experienced homelessness and has not been looked after under section 20 should be supported to challenge their previous care status through the legal system.

Supporting care leavers to develop and maintain strong relationships: The office is clear; care leavers should be supported to form and sustain loving relationships that will last throughout their lives. That's why the office is calling for all children in care to be supported to access the lifelong links and the family finding and befriending and mentoring programmes. These programmes should be rolled out nationally across the country.

Priority housing: The office welcomes recent changes to the Social Housing Local Connection Test, which remove unnecessary barriers for care leavers. Under the new rules, care leavers who have been placed out of area will no longer be required to return to their original local authority to access social housing once they turn 18. This is a vital step forward; however, the office has supported care leavers who have had the local connection test removed but have been denied priority access to social housing because they are outside of their home local authority, this must be urgently addressed at national as well as at local level.

Council tax exemption: The next priority must be Council Tax exemption for all care leavers up to the age of 25, regardless of where they reside. Many local authorities have already taken this step, by acknowledging the financial pressures care leavers face when setting up home often without the family support others can rely on. Care leavers who have been living in other areas, however, are continuing to be affected by the lack of reciprocity towards the council tax exemptions between areas. In the current economic climate, there is no better time to extend this exemption nationally. If students, diplomats, and members of the armed forces are exempt, care leavers should be too. This would be a meaningful recognition of their circumstances.

Universal credit: In recognition of the additional financial burden that care leavers face, the office is clear that all care leavers should be entitlement to the over-25 rate of Universal Credit from the age of 18.

University accommodation: Care leavers must be supported to have access to stable accommodation throughout their university career. Some universities offer year-round accommodation for care leavers, but this varies hugely across the country⁵. Both leaving care teams and universities should be expected to support care leavers to stay in their university accommodation year-round if they wish to do so. They also will not be able to provide a guarantor, and this should not be requested of those living in university owned accommodation.

References

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