



# Children and Social Work Act 2017

## CHAPTER 16

### CHILDREN AND SOCIAL WORK ACT 2017

#### PART 1

#### CHILDREN

#### CHAPTER 1

#### LOOKED AFTER CHILDREN

##### *Corporate parenting principles for English local authorities*

- 1 Corporate parenting principles

##### *Care leavers in England*

- 2 Local offer for care leavers
- 3 Advice and support

##### *Educational achievement in England*

- 4 Duty of local authority in relation to previously looked after children
- 5 Maintained schools: staff member for previously looked after pupils
- 6 Academies: staff member for looked after and previously looked after pupils
- 7 Maintained schools: guidance for staff member for looked after pupils

##### *Care and adoption proceedings in England and Wales*

- 8 Care orders: permanence provisions
- 9 Adoption: duty to have regard to relationship with adopters

*Secure accommodation*

- 10 Placing children in secure accommodation elsewhere in Great Britain

*Chapter 1: consequential amendments*

- 11 Chapter 1: consequential amendments

**CHAPTER 2**

## SAFEGUARDING OF CHILDREN

*Child Safeguarding Practice Review Panel*

- 12 Child Safeguarding Practice Review Panel  
 13 Functions of the Panel  
 14 Events to be notified to the Panel  
 15 Information

*Local arrangements for safeguarding and promoting welfare of children*

- 16 Local arrangements for safeguarding and promoting welfare of children  
 17 Local child safeguarding practice reviews  
 18 Further provision about arrangements  
 19 Information  
 20 Funding  
 21 Combining safeguarding partner areas and delegating functions  
 22 Guidance by Secretary of State  
 23 Interpretation

*Child death reviews*

- 24 Child death reviews  
 25 Information  
 26 Funding  
 27 Combining child death review partner areas and delegating functions  
 28 Guidance and interpretation

*Miscellaneous*

- 29 Regulations under provisions inserted by sections 13, 16 and 17  
 30 Abolition of Local Safeguarding Children Boards  
 31 Chapter 2: consequential amendments

**CHAPTER 3**

## OTHER PROVISION RELATING TO CHILDREN'S SOCIAL CARE

*Children's social care: pre-employment protection of whistle-blowers*

- 32 Pre-employment protection of whistle-blowers

*Combined authority functions relating to children*

- 33 Power to secure proper performance

## CHAPTER 4

### RELATIONSHIPS, SEX AND PSHE EDUCATION

- 34 Education relating to relationships and sex
- 35 Other personal, social, health and economic education

### PART 2

#### SOCIAL WORKERS ETC IN ENGLAND

##### *Social Work England*

- 36 Social Work England
- 37 Over-arching objective
- 38 Advisers

##### *Regulation and improvement*

- 39 Registration
- 40 Restrictions on practice and protected titles
- 41 Professional standards
- 42 Improvement standards
- 43 Education and training
- 44 Discipline and fitness to practise
- 45 Offences

##### *Provision of training*

- 46 Ensuring adequate provision of social work training
- 47 Exercise by Special Health Authority of functions under section 46(1)  
(b)

##### *Approval of courses in relation to mental health professionals*

- 48 Approval of courses for approved mental health professionals
- 49 Approval of courses for best interests assessors

##### *Fees and grants*

- 50 Fees
- 51 Grants

##### *Information and co-operation*

- 52 Information and advice
- 53 Duty to co-operate

##### *Oversight*

- 54 Information for Secretary of State
- 55 Default powers
- 56 Oversight by the Professional Standards Authority for Health and Social Care

##### *Regulations under Part 2*

- 57 Conferral of functions and sub-delegation

- 58 Consultation
- 59 Parliamentary procedure for regulations under Part 2

*Transfer scheme and consequential amendments*

- 60 Transfer scheme
- 61 Repeal of existing powers to regulate social workers
- 62 Amendments to do with this Part

*Interpretation*

- 63 Interpretation of Part 2

*Review*

- 64 Review by independent person

**PART 3**

GENERAL

- 65 Power to make transitional provision
- 66 Power to make consequential provision
- 67 Regulations: general
- 68 Affirmative and negative resolution procedures
- 69 Extent
- 70 Commencement
- 71 Short title

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**SCHEDULES**

SCHEDULE 1 — Placing children in secure accommodation elsewhere in Great Britain

- 1 Children Act 1989
- 2 (1) Section 25 (use of accommodation in England for restricting...
- 3 In paragraph 19(9) of Schedule 2 (restrictions on arrangements for...
- 4 Children (Secure Accommodation) Regulations 1991 (S.I. 1991/1505)
- 5 In regulation 1— (a) in the heading, for “and commencement”...
- 6 In regulation 2(1) (interpretation), in the definition of “children’s home”,...
- 7 For regulation 3 substitute— Approval by Secretary of State of...
- 8 In regulation 17 (records), in the words before paragraph (a),...
- 9 Secure Accommodation (Scotland) Regulations 2013 (S.S.I. 2013 No. 205)
- 10 In regulation 5 (maximum period in secure accommodation), after paragraph...
- 11 In regulation 15 (records to be kept by managers of...
- 12 Children’s Hearings (Scotland) Act 2011 (Consequential and Transitional Provisions and Savings) Order 2013 (S.I. 2013 No. 1465)
- 13 Social Services and Well-being (Wales) Act 2014 (anaw 4)
- 14 Saving for existing powers

SCHEDULE 2 — Part 1 of this Act: consequential amendments

Part 1 — AMENDMENT RELATING TO CHAPTER 1

- 1 Local offer for care leavers
- 2 In paragraph 1(2)(a) of Schedule 2 to the Children Act...
- 3 In section 135(1)(e) of the Education and Inspections Act 2006...
- 4 In section 30 of the Children and Families Act 2014...
- 5 Advice and support
- 6 In section 83A(5)(a) of the Apprenticeships, Skills, Children and Learning...

Part 2 — AMENDMENTS RELATING TO ABOLITION OF LOCAL  
SAFEGUARDING CHILDREN BOARDS

- 7 In Schedule 1 to the Local Authority Social Services Act...
- 8 (1) Section 83 of the Children Act 1989 (research and...
- 9 (1) Section 31 of the Children and Young Persons Act...

SCHEDULE 3 — Social Work England

- 1 Status
- 2 Members
- 3 Term of office
- 4 A member may resign by giving written notice to the...
- 5 The Secretary of State may by notice in writing remove...
- 6 Remuneration and pensions
- 7 If required to do so by the Secretary of State,...
- 8 Staff
- 9 The regulator may appoint other staff.
- 10 (1) The regulator's staff may be appointed on such terms,...
- 11 Procedure
- 12 No proceeding is invalidated by— (a) a vacancy in the...
- 13 Delegation
- 14 (1) The regulator may delegate functions to any other person...
- 15 (1) A function may be delegated under paragraph 13 or...
- 16 Membership of committees and sub-committees
- 17 Annual reports and accounts
- 18 (1) The regulator must keep proper accounts and proper records...
- 19 The Secretary of State must, in respect of each financial...
- 20 In paragraphs 17 to 19 “financial year” means—
- 21 Application of seal and evidence
- 22 A document purporting to be duly executed under the seal...
- 23 Disqualification
- 24 Freedom of information

SCHEDULE 4 — Oversight by the Professional Standards Authority for Health and  
Social Care

- 1 The National Health Service Reform and Health Care Professions Act...
- 2 (1) Section 25 (the Professional Standards Authority for Health and...
- 3 (1) Section 25A (funding of the Authority) is amended as...
- 4 After section 25A insert— Funding of the Authority by Social...
- 5 In section 25C (appointments to regulatory bodies), in subsection (7),...
- 6 (1) Section 25D (power of regulatory bodies to establish voluntary...
- 7 In section 25E (section 25D: interpretation), omit subsections (10) and...
- 8 In section 25F (establishment of voluntary register: impact assessment),  
in...
- 9 In section 25G (power of the Authority to accredit voluntary...
- 10 In section 25H (accreditation of voluntary register: impact assessment),  
in...

- 11 In section 25I (functions of the Authority in relation to...  
 12 (1) Section 26A (powers of Secretary of State and devolved...  
 13 In section 27 (regulatory bodies and the Authority), in subsection...  
 14 In section 28 (complaints), in subsection (1), after “regulatory body”...  
 15 (1) Section 29 (reference to disciplinary cases by the Authority...  
 16 (1) Section 38 (regulations and orders) is amended as follows....

## SCHEDULE 5 — Amendments to do with Part 2

### Part 1 — GENERAL AMENDMENTS

- 1 London County Council (General Powers) Act 1920  
 2 Medicines Act 1968  
 3 Video Recordings Act 1984  
 4 London Local Authorities Act 1991  
 5 Value Added Tax Act 1994  
 6 Data Protection Act 1998  
 7 Care Standards Act 2000  
 8 (1) Section 55 is amended as follows.  
 9 (1) Section 67 is amended as follows.  
 10 Health and Social Work Professions Order 2001  
 11 (1) Article 3 is amended as follows.  
 12 In article 6(3)(aa), omit “or social work”.  
 13 In article 7(4), omit “or social work”.  
 14 (1) Article 9 is amended as follows.  
 15 (1) Article 10 is amended as follows.  
 16 In article 11A, omit paragraph (11).  
 17 (1) Article 12 is amended as follows.  
 18 (1) Article 13 is amended as follows.  
 19 For the heading of article 13A substitute “Visiting health professionals...  
 20 Omit article 13B.  
 21 In article 19(2A)(b), omit “or social work”.  
 22 In article 20, omit the words from “; but the...  
 23 (1) Article 37 is amended as follows.  
 24 (1) Article 38 is amended as follows.  
 25 In article 39, omit paragraph (1A).  
 26 In Schedule 1, in paragraph 1A(1)(b), omit paragraph (ia) (but...  
 27 (1) In Schedule 3, paragraph 1 is amended as follows....  
 28 Adoption and Children Act 2002  
 29 Income Tax (Earnings and Pensions) Act 2003  
 30 National Health Service Act 2006  
 31 National Health Service (Wales) Act 2006  
 32 Armed Forces Act 2006  
 33 Safeguarding Vulnerable Groups Act 2006  
 34 In section 41(7), in the table, after entry 10 insert—...  
 35 In Schedule 3, in paragraph 16(4), after paragraph (l) insert—...  
 36 Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14)  
 37 Children and Young Persons Act 2008  
 38 Health and Social Care Act 2012  
 39 Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)  
 40 In section 111(4)(b)— (a) in the Welsh text, for “Cyngor...  
 41 In section 117(4)(a)— (a) in the Welsh text, after “Gofal”...  
 42 In section 119(4)(a)(ii)— (a) in the Welsh text, for “y...  
 43 In section 125(5)(a)(ii)— (a) in the Welsh text, for “y...  
 44 In section 174(5)(a)(ii)— (a) in the Welsh text, for “Cyngor...”

*Status: This is the original version (as it was originally enacted).*

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Part 2 — RENAMING OF HEALTH AND SOCIAL WORK PROFESSIONS  
ORDER 2001

- 45 For the title to the Health and Social Work Professions...
- 46 In article 1(1) of that Order (citation), for “the Health...
- 47 In the following provisions, for “the Health and Social Work...
- 48 In the definition of “registered psychologist” in each of the...