Enactment impact assessment

Title:	Children's Wellbeing and Schools Act 2026 Enactment Impact Assessment
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1. Children’s Wellbeing and Schools Act 2026 Overview

1. Summary of legislation

1. This enactment stage impact assessment reflects changes to legislation that have occurred over the parliamentary passage of the Children’s Wellbeing and Schools Bill (“CWSB), now the Children’s Wellbeing and Schools Act 2026. All other impact assessments for the Act can be found on: Children’s Wellbeing and Schools Act 2026: impact assessments - GOV.UK.

2. The Children’s Wellbeing and Schools Act 2026 (“the Act”) will put children and their wellbeing at the centre of the education and children’s social care systems, and make changes so that every child has a fulfilling childhood enabling them to achieve and thrive.

3. The Act will remove barriers to opportunity and raise school standards to ensure the school system is fair for every child, no matter their background and will deliver manifesto commitments on children’s social care to ensure that all children can thrive in safe, loving homes.

4. This enactment impact assessment summarises the impacts of the Act’s measures, which are further analysed in measure-level impact assessments published alongside this document.

5. This first section outlines seven different groups of measures in the Act. Each individual measure is also listed in Section 3, Table 1. This section also identifies the subset of Act measures that are considered ‘Regulatory Provisions’ by the Better Regulation Framework, given their potential to directly impact businesses and other external organisations or groups. The remaining measures are not Regulatory Provisions because they regulate publicly-funded organisations only (mainly schools and local authorities[1]), and/or do not have direct impacts on businesses. Only where provisions apply to both England and Wales, has the available data in relation to Wales, and the anticipated impact of the provision, been included.

6. The seven groups of measures in the Children’s Wellbeing and Schools Act 2026 are as follows.

   a. **Keeping families together and children safe.** The Act includes measures that will help more families to stay together where this is in the child's best interests by giving them the support they need, and measures to improve child protection and safeguarding practice to keep children safe. This includes: mandating local authorities to offer ‘Family Group Decision Making’; improving information sharing by enabling a single unique identifier (‘consistent identifier’), which aims to address a lack of joint working or information sharing between agencies involved in children’s safeguarding; strengthening the role of education in safeguarding; requiring multi-agency child protection teams; and ensuring children are employed safely.

   b. **Supporting children with care experience to thrive.** The Act includes measures that will enable children with experience of care (be it, currently in care, at risk of care, or care leavers) to thrive and have the best life chances. This includes: requiring local authorities to publish their local offer for children in kinship care and their carers; extending the virtual school head role to children in kinship care as well as those with a social worker; strengthening support for eligible care leavers through ‘Staying Close’; requiring local

[1] Note – ‘local authorities’ and ‘LAs’ are used interchangeably. Whilst measures with impacts on local authorities are not regulatory provisions, we include impacts on them in this and the other published impact assessments. Furthermore, we have conducted, or are conducting, new burdens assessments and working with MHCLG where necessary.

authorities to publish information to ensure care leavers have a planned and supportive transition to adulthood; introducing new corporate parenting responsibilities for corporate parents to improve the poor outcomes children in care and care leavers currently experience across all aspects of their lives, and ensure that care leavers who are in scope of the local authority's corporate parenting duty and who are not looked after by a local authority cannot be found to have become homeless intentionally.

c. **Making the care system child-centred.** Following amendments during the parliamentary passage, the Act includes measures to support children to have strong, enduring relationships with their siblings, and strengthen information sharing about children living in temporary accommodation. The Act also includes measures that will support every child to have a loving, secure home. This includes: a statutory framework to authorise the deprivation of liberty of children with complex needs in relevant accommodation provision that can, where appropriate, allow the child to maintain links in the community; empowering the regulator, Ofsted, to tackle breaches of the Care Standards Act 2000, including against unregistered children's homes; limiting the use of agency social workers; and closing a legal gap around low-level abuse (ill treatment or wilful neglect) of children aged 16 and 17.

d. **Improving the children's social care placement market and tackle profiteering.** The Act includes measures that will strengthen regulation so that children's social care works in the best interests of all children. This includes: establishing a 'Financial Oversight Scheme' to increase financial and corporate transparency of difficult-to-replace care providers and their corporate owners, as well as a 'Provider Oversight Regime'; enabling the Secretary of State for Education to implement a cap on the profits of non-local authority providers of children's social care in future, if other market intervention measures do not have the desired effect; and supporting the creation of 'Regional Care Co-operatives' to improve the forecasting and commissioning of placements. The Financial Oversight Scheme, Provider Oversight Regime, and future profit capping powers are Regulatory Provisions, as they introduce regulations that directly impact businesses.

e. **Removing barriers to opportunity in schools.** Following amendments during the parliamentary passage, the Act includes a measure to expand free school meals (FSM) to all children in families in receipt of Universal Credit and all schools to have regard to guidance make clear all schools should be mobile-phone free environments by default. The Act also includes two measures that deliver manifesto commitments on free breakfast clubs and limiting the number of branded uniform items that schools can require. This is to support the government's mission to break down barriers to opportunity by supporting children to arrive at school ready to learn.

f. **Creating a safer and higher-quality education system for every child.** Following amendments during the parliamentary passage, the Act introduces a requirement for all schools to have an explicit, written allergy safety policy covering the identification and management of pupils with allergies, including those at risk of anaphylaxis. The Act includes nine measures, some of which were originally introduced in the Schools Bill 2022[2]: the duty for local authorities to have and maintain Children Not in School registers; changes to the regulation and inspection of independent education institutions; and improving investigation

[2] Since the Schools Bill 2022, the measures have been updated. For example, changes to the Children Not in School measure include: a requirement for parents to seek LA consent before children are removed from school to be home educated if they are subject to certain conditions; a power whereby if a child is subject to a s47 Children Act enquiry or on a child protection plan, or was discharged from a child protection plan in the last five years, and is already being home educated, the local authority will be able to require them to attend school; and amendments to the School Attendance Order process. Each is covered in more detail in the respective Measure-level Impact Assessment published alongside this document.

of serious teacher misconduct. These measures support the government's commitment to raise school standards for every child by supporting attendance and quality education across all institutions. The Children Not in School measures applied to England only on introduction, have since been extended to include Wales. The Children Not in School, independent education institution (hereafter "independent schools"), and teacher misconduct measures are all Regulatory Provisions as they introduce regulations that directly impact businesses.

g. **Driving high and rising standards for every child.** Following amendments during the parliamentary passage, the Act introduces academy trust inspection and intervention to raise standards in education. The Act also includes ten measures aimed at delivering high and rising school standards across the education system and make sure that parents, wherever they live, will have a good local school for their child, and can be confident they will achieve and thrive. Some measures deliver manifesto commitments on school admissions, national curriculum and qualified teacher status. Alongside these, further measures concern driving high and rising standards in all schools.

7. The measures identified to be Regulatory Provisions are those for which impacts have been analysed most extensively in accordance with the Better Regulation Framework guidance, and include the use of economic appraisal and methodologies in the Green Book. The remaining measures still include an analysis of expected or estimated impacts, but that analysis is often more qualitative and does not apply the same appraisals as for Regulatory Provisions due to no impacts on businesses or such impacts being indirect.

8. This enactment impact assessment summarises the impacts across both sets of measures and the Act as a whole, including aggregated quantifiable impacts of the Regulatory Provisions. Before doing so, it outlines the overall strategic case for government intervention at the Act-level, above and across groups of measures, in the next section.

9. Lastly, it should be noted that the Act includes a measure which confers a delegated power on the Secretary of State to make regulations requiring providers of internet services to prevent or restrict access by children to specified internet services, or to specified features or functionalities of such services, for the purpose of protecting children from a risk of harm.

10. This amendment was tabled to the Children's Wellbeing and Schools Bill (now Act), and ultimately voted for by both Houses of Parliament. The policy is owned by the Department for Science, Innovation and Technology, who, in agreement with the Regulatory Policy Committee, will conduct and publish full impact assessments before the regulation-making power is exercised in future.

2. Strategic case for regulation

11. There are various problems that necessitate government intervention through the Children's Wellbeing and Schools Act 2026. This section of the regulatory impact assessment sets out a summary of these problems – supported by evidence – why government intervention is necessary, and what could occur if the government does not intervene.

12. The structure of this section follows the layout of the Act's two parts – Children's Social Care and Schools – and, within each part, the seven groups of measures identified in Section 1.

13. More detail on the problem each measure is aiming to address, evidence of problems, and rationales for intervention, is included in the Measure-level Impact Assessments published alongside this document.

Part 1: Children's Social Care – overall rationale for intervention

14. Despite specific interventions across children's social care over a number of decades (for example, the introduction of Youth Offending Teams, Sure Start children's centres, and Every Child Matters), key reports and reviews have shown that the system is not delivering consistently good outcomes for the children, young people, and families it serves. Reviews, including the Independent Review of Children's Social Care and a number of reviews into child protection and safeguarding carried out by the Child Safeguarding Practice Review Panel have shown that children have consistently poor outcomes, and that some services designed for children and young people are not consistently meeting their needs or offering value for money to the taxpayer.

15. The Independent Review of Children's Social Care (2022) assessed the needs, experiences and outcomes of children supported by care. The report's executive summary states that, "without a dramatic whole system reset, outcomes for children and families will remain stubbornly poor and by this time next decade there will be approaching 100,000 children in care (up from 80,000 today) and a flawed system will cost over £15 billion per year (up from £10 billion now)".[3] Furthermore, this is shown in the latest data where overall local government spending on looked after children has increased from £3.51 billion in 2012/13 to £8.17 billion in 2023/24.

16. Furthermore, the review cites multiple statistics in relation to the outcomes of children in care or children who have care experience, as set out on page 68, which evidence that despite increased spending children in need and children who enter care achieve significantly worse outcomes than those not in need or children who are not in care. For example "the lifetime outcomes of children in need (most of whom never enter care) are not dissimilar to children who enter care… in the year of exams, children in need were around 50% less likely to achieve a strong pass in their English and Maths GCSEs. Pupils who were in need at some point in the four years leading up to exams were 25-50% less likely to achieve a strong pass".[4] During a parliamentary debate in the House of Commons, the cost of adverse outcomes from children's social care was quantified at £23 billion a year.[5] This is derived from a report as part of the Independent Review entitled, 'Paying the Price: the social and financial costs of children's social care', which provides the following tabular breakdown on page 16.

	Children who need a social worker (including children looked after, or 'in care') *[i.e., overall figure, children in need* *<u>and</u> in care]*	Children looked after (or 'in care') *[i.e., one part of the overall figure, children in care only]*
Wellbeing impact	£5.8 billion	£1.2 billion
Loss in productivity	£4 billion	£1.2 billion
Cost of public services	£12.5 billion	£6.2 billion
Other social costs	£1 billion	£260 million
Total	**£23 billion**	**£9 billion**

[3] The report states that, "these costs approximate children's social care spend by local authorities. There is no agreed definition of children's social care spend, but the aggregate presented here includes all those children's and young people's services lines from the Section 251 return except: 3.4.5 Universal family support, 3.5.1 Universal services for young people, 3.0.1 Spend on individual Sure Start Children's Centres, 3.0.2 Spend for services delivered through Sure Start Children's Centres, 3.0.3 Spend on management costs relating to Sure Start Children's Centres, 3.0.4 Other spend on children under 5, and 3.6.1 Youth justice".

[4] Independent review of children's social care: final report - GOV.UK

[5] By Rachael Maskell, MP (York Central, Lab/Co-op) Independent Review of Children's Social Care - Hansard - UK Parliament

17. Investing in reform to children's social care should be considered a public good because investment will bring benefits to society as a whole and tackle escalating costs, including for those delivering children's services, such as local authorities (where local government spending on looked after children has increased from £3.5 billion in 2012/13 to £8.1 billion in 2023/24). Improving children's social care will also reduce downstream costs to healthcare and/or criminal justice which result from poor outcomes for children in need and/or children with care experience (as outlined in the aforementioned Independent Review). This makes children's social care a 'merit good'[6], because it is anticipated that reform to children's social care will also result in societal benefits, including better educational outcomes for children, as well as increased wellbeing and life satisfaction for children. Reform to children's social care is critical to giving hundreds of thousands of children and young people the start in life they deserve. 'Keeping Children Safe, Helping Families Thrive' was published in November 2024 and sets out plans to reform children's social care. The plans it sets out will ensure children can remain with their families where it is in children's interests to do so, support more children to live with kinship carers or in fostering families and fix the broken care market to tackle profiteering and put children's needs first. Within these plans for reform, some actions will require regulatory change which are detailed below in thematic areas. Overall, it is for these reasons that the department is intervening in children's social care in the following ways.

1A. Keeping families together and children safe

18. Broadly, this group of five measures seeks to keep families together where it is in the child's best interest, and to also take forward a number of proposals to improve child protection and safeguarding practice across the country. There is also an issue of information asymmetry, and families not necessarily being aware of support that can help them and their children's needs to be met; and that current information sharing and safeguarding arrangements are not working as efficiently as was originally intended.

19. **Evidence supports these broad problem statements.** They are explored and documented in the Independent Review of Children's Social Care (for example, respectively, section two 'a revolution in family help, from page 47, and section 3.4, 'information sharing – a five year challenge). Regarding safeguarding, the review draws on the Child Safeguarding Practice Review Panel National Review to examine the circumstances leading up to the tragic deaths of Arthur Labinjo-Hughes and Star Hobson.

    a. Regarding family support, for example, research by Pro Bono Economics and the Children's Charity Coalition has found that more local authority expenditure on children in care is being tilted towards later support and away from early intervention. They report, for example, that "in 2022/23, local authorities in England spent £2.4 billion on residential care placements, compared with £2.2 billion on all early intervention services that support families and help prevent children entering care." "There has been a drop of almost half (44%) of spending on early intervention services for families by councils." "The spending on late intervention services when families reach crisis point has reached record levels, increasing by £3.6 billion in 12 years (a 57% increase)."[7]

    b. Regarding safeguarding, for example, the Child Protection in England National Review reported that, "Despite the intentions of recent reforms (and most recently the Children and Social Work Act 2017), multi-agency safeguarding arrangements are not yet fit for purpose everywhere. This results too often in blurred strategic and operational responsibilities,

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[6] Goods or services whose consumption is believed to confer benefits on society as a whole greater than those reflected in consumers' own preferences for them. A good may be classed as a merit good if it causes positive externalities (Oxford Reference).

[7] childrens-services-spending_2010-2023.pdf

creating fault lines in practice arrangements. This has major consequences for the ability of practitioners across different agencies to work together skilfully and purposively to protect children." (page 5)

c. Ineffective multi-agency working is a key factor where child protection activity fails to keep children safe. Following a review of child protection practice in England, The Child Safeguarding Practice Review Panel (CSPRP) recommended introducing multi-agency child protection units in every local authority area to address this.

d. Regarding information sharing, for example, the same Child Protection National Review reported that "There needs to be much greater focus on creating the optimum conditions and environment for what is very complex and high-risk decision making. The perennial problems of sharing, seeking and using information about a child and a family persist. This must be tackled. We cannot afford to revisit these problems again and again; new approaches are required." (page 6). The Independent Review of Children's Social Care reported that, "Poor critical information exchange was present in 40% of the serious incident notifications in 2018/19 and has featured in high profile inquiries, including the inquiries into the deaths of Victoria Climbié and Peter Connelly (Child Safeguarding Practice Review Panel, 2020). Information sharing is important not just because it protects children from significant harm, but because it also helps identify lower level needs more clearly so that children are provided with support (Crockett et al., 2013)."

Rationale for intervention:

20. The Independent Review reported that too often families enter care proceedings without a 'Family Group Decision-Making' (FGDM) meeting having taken place and opportunities may have been missed in identifying family network members who could act as a support system to the parents to promote the wellbeing of the child or be considered as alternative care givers if the need arose.

21. While we know that many local authorities (LAs) already deliver forms of meetings to consider kinship options at different stages, the number of such meetings held by LAs has been found to vary significantly. ranged from 5 to 800. [8] Government intervention is therefore required to bring consistency to the FGDM approach, and to encourage a family-first culture. Without intervention and a national duty, we have no evidence or indication to believe that the significant variability in the number of FGDM meetings would change, and therefore regional inequalities in access to early intervention would be likely to persist, leading to 'under-consumption' of family support in some areas compared to others. Given the Independent Review found that children in care are overrepresented from disadvantaged areas and families experiencing poverty, there is a risk that areas with less early support are those that have the most children at risk of entering the care system, so we consider government intervention to address regional inequality as essential.

22. The sharing of data/information across services is a long-standing issue and has been well documented in many reports and serious case reviews over decades.[9] Whilst the law permits information sharing for the purposes of safeguarding, this is often interpreted as the section 47 threshold of suspecting that a child is suffering, or is likely to suffer, significant harm. This means that information sharing is inconsistent, which can make it difficult for practitioners across the

[8] Cascade research (2022) - CASCADE-Family-VOICE-survey-findings.pdf (cascadewales.org). in a 2022 study[8], 83% of the LAs that participated reported providing a Family Group Conferencing (FGC) service, representing 54% of all LAs in England.

[9] E.g., Improving Multi-Agency Information Sharing (July 2023) and Children's social care data and digital strategy (Dec 2023).

health, social care, education and police sectors to understand how and when it is appropriate to exercise these freedoms.

23. Furthermore, while existing laws[10] go some way in supporting current policy on multi-agency working in child protection, they fall short of legislating for it and instead, duties are currently placed directly on LAs. With no specified legislation directing multi-agency work, the existing policy position is reliant on statutory guidance and the goodwill of agencies other than the LA. Similarly, multiple expert reviews have found that current multi-agency safeguarding arrangements do not go far enough to ensure that education has an effective and proportionate role. Reports describe inconsistent communication between education settings and children's social care, police, and health services, and a lack of strategic connections when making decisions. Government intervention is required to address these issues, including to make sure that crucial knowledge and insights of education settings are not missed from decision-making by safeguarding partnerships.

1B. Supporting children with care experience to thrive

24. Broadly, this group of measures seeks to address that a greater proportion of children in need[11], children in care (also known as looked-after children)[12] and care leavers experience poor outcomes across a range of metrics compared to children and adults not in these groups.

25. These measures therefore seek to remove barriers to opportunity for children in care and care leavers.

26. **Extensive evidence supports this problem statement.** Children in care and care leavers have often experienced trauma, abuse or neglect before entering care, can experience instability while in care due to multiple placements and when they leave care are often forced to live independently at a much younger age than their peers in the general population, without the family support networks that other young people can rely on. As a result, they have poorer outcomes in relation to education, employment, health and housing than their peers.

27. The most recent statistical publication on outcomes for children in need, including children looked after by local authorities in England, reported that, "children on a child protection plan and in each of the CIN social care groups at 31 March were half as likely to achieve the expected standard in reading, writing and mathematics (combined) at Key Stage 2 compared to the overall pupil population" and "children in the key social care groups perform less well than their peers across all Key Stage 4 measures (with their overall average Attainment 8 score being broadly less than half of that of the overall pupil population).". Furthermore, the Children in Need Review, published in 2019, found that 1.6 million children needed a social worker between 2012/13 and 2017/18, equivalent to 1 in 10 children, and that these children have worse educational outcomes at every stage and poorer outcomes persist even after social care involvement has ended.

28. Furthermore, care leavers[13] face significant challenges when comparing core education and wellbeing metrics to those of non-care leavers. Thirty-eight percent of care leavers aged 19-21

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[10] The Children Act 1989 and The Children Act 2004

[11] A child in need is defined under the Children Act 1989 as a child who is unlikely to reach or maintain a satisfactory level of health or development, or their health or development will be significantly impaired without the provision of children's social care services, or the child is disabled.

[12] Under the Children Act 1989, a child is looked after by a local authority (a 'child in care') if he or she falls into one of the following: i. is provided with accommodation, for a continuous period of more than 24 hours [Children Act 1989, Section 20 and 21], ii. is subject to a care order [Children Act 1989, Part IV], iii. is subject to a placement order. Nb, all children in care are also children in need (but not all children in need are children in care).

[13] The Children's Commissioner website includes helpful definitions of care leavers.

were not in education, employment, or training (NEET) at the year ending March 2023[14]; care leavers experience higher rates of poor emotional health and well-being; over half become homeless during the two years following leaving care; and they are more likely than their peers to report feeling lonely or isolated. This is also the case in relation to housing, where care leavers are particularly vulnerable to becoming homeless, with the latest MHCLG H-CLIC annual statistics for 2023-24, finding 8790 households that contained a care leaver were owed homelessness duties, and that up to 410 households which included a care leaver were found to be intentionally homeless. Ministry of Housing, Communities and Local Government (MHCLG) data also shows us that the number of care leavers aged 18-20 becoming homeless has increased by 54% in the past five years, that young care leavers are more likely to be found intentionally homelessness, and that between 2022/23 and 2023/24 there was a significant increase in the number of care leavers found intentionally homeless.

Rationale for intervention

29. The market mechanism is not incentivising investment in, or allocation of resources to improve, better outcomes for children in need, in care and care leavers. This is likely to be because there is not monetary reward for doing so and due to their statutory duty to support these cohorts, local authorities have to purchase enough care placements (for which there is growing demand), and do not have, and/or are unable to exercise due to information asymmetries (i.e., not knowing the cost of neighbouring providers' provision and their outcomes), buyer power to balance against supplier power in driving better outcomes. Children's social care should be considered a public good because of the long-term benefits to society as a whole from children achieving good outcomes and becoming adults more likely to be in education, employment or training with greater productivity and improved life satisfaction. Therefore, first and foremost we will achieve better outcomes for children in need, care and care leavers, as well as achieving better value. In the absence of this being achieved through the market as it currently operates, government intervention should be considered.

30. Regarding children in need, much non-legislative support is already ongoing and while it is having a desired effect, to increase and accelerate its impact, there is a rationale for intervention legislatively. Virtual School Heads (VSHs) are strategic leaders who promote the educational outcomes of children with a social worker. The Children in Need Review recognised the crucial role that VSHs have in helping schools/education settings and local authorities work together to support the cohort of children and young people. This policy is already being delivered by local authorities on a *non-statutory basis* and is an effective and critical service to improving educational outcomes for children in need. From September 2024, the duties under this non-statutory function include children in kinship care, to broaden the support to more children in need. It is our assessment that continuing VSHs on a non-statutory basis only risks some local authorities deprioritising the role given current local authority budgetary and staffing pressures (which are well-documented in various published reports). This in turn would risk a postcode lottery of support for children, with different local authorities offering different levels of support dependent on local circumstances. We have seen that since the VSH role became statutory for looked-after children and previously looked-after children, that VSHs have the seniority within their local authorities to affect the outcomes of these children and young people. Intervention is therefore required to ensure VSH provision is statutory, to support outcomes of children in need. Failure to do so would risk the accessibility of, and disempowering the impact and seniority of, VSHs for this cohort of children.

31. Regarding care leavers, as outlined in Staying Close guidance, "many care leavers report experiencing a 'cliff-edge' when they leave care and move into semi-independent accommodation or an independent tenancy. They report not feeling equipped to deal with the

[14] Written questions and answers - Written questions, answers and statements - UK Parliament

challenges of living independently and as a result, many care leavers get into debt and arrears and lose their tenancies. Also, many young people leaving care do not have strong support networks to help them with the transition to independent living. As a result, care leavers are particularly at risk of homelessness due to a lack of transitional and practical support, and a lack of suitable accommodation." This is supported by some examples of evidence of relatively poor outcomes for this cohort, above. Failure to address these challenges in the short-term, when people become care leavers, leads to negative externalities of increased expenditure on healthcare, housing and, in some cases, the criminal justice system, costing the taxpayer more in the long-term, with an opportunity cost on other uses for this public expenditure. A publication by Pro Bono Economics reported that, "since 2010-11, real terms expenditure on the care system has increased by more than £2 billion, a rise of almost two-thirds (61%). Additional spending of almost £500 million in 2021-22 meant more than one-fifth (22%) of that increase occurred in 12 months alone. A 25% increase in the number of children in care in the last 12 years partially explains this, but a dramatic transformation in the kind of care that children receive has also played a significant role… With almost universal acceptance that the current system is failing, [there is] recognition that the system must be rebalanced away from cost-intensive late intervention services and towards earlier support for families and children."[15]

32. The department currently operates a grant funding scheme known as Staying Close which began as a pilot in 2018 with 8 initiatives and has now expanded to 47 LAs. Staying Close is a model which provides an enhanced support package for young people leaving care from children's homes and is designed to be a comparable offer to the option to Stay Put, which supports young people in foster care to remain with their former foster carers until age 21. Staying Close provides help to find and maintain accommodation, alongside a package of practical and emotional support, provided by someone who they know and trust. These bespoke packages of support help develop their confidence and skills for independent living, and for their emotional health and wellbeing. Evaluation of the initial 8 pilot sites concluded that the programme had a significant impact on increasing outcomes for care leavers including an increase in sustained tenancies, increased placement stability, a reduction of young people not in education, employment, or training (NEET), and a significant increase in health and wellbeing.[16] While, as is the case for VSHs, we could continue to support this provision on a non-statutory basis, doing so would risk inconsistent provision and a postcode lottery of care leaver support. Furthermore, there can be a disconnect between LA housing and care leaver teams and while the department is aware of good practice, this is not consistent. We therefore deem it necessary to intervene in the provision of information for care leavers, in addition to Staying Close. This is to ensure each local authority includes the arrangements it has in place to support and assist care leavers in their transition to adulthood and independent living as part of that published local offer. Without this government intervention, there is a risk of continued variable access to, for example, information about different local authority's arrangements for anticipating the future needs of care leavers in respect of accommodation and/or co-operation with local housing authorities in its area in assisting former relevant children aged under 25 to find and keep suitable accommodation.

33. Regarding corporate parenting duties and removal of care leavers being regarded as becoming homeless intentionally, the former required intervention because while local authorities play a crucial role in delivering services for children in care and care leavers, they do not have all the levers at their disposal to deal with all the difficult challenges they face, and to ensure that Care Experienced Young People (CEYP) can achieve their full potential. Therefore, the proposed legislation will introduce new corporate parenting responsibilities for corporate parents as well as local authorities, which includes those whose policies and services have a significant impact on

[15] The well-worn path: Children's services spending 2010-11 to 2021-22 | Pro Bono Economics
[16] Evaluations are ongoing as of yet unpublished.

children in care and care leavers' experiences and outcomes. This is necessary to support local authorities and improve the poor outcomes children in care and care leavers currently experience across all aspects of their lives. Regarding intentional homelessness, in recognition of the specific vulnerabilities of care leavers including their need for more support than most young people due to them not having the benefit of parental guidance, the Government is clear it wants to go further, and ensure that no care leavers in-scope of this corporate parenting duty can be found to have become homeless intentionally.

1C. Making the care system child-centred

34. The four measures in this group in the Act as introduced aim to address system-wide problems affecting the quality of children's social care, including issues facing the children's placements regulator, Ofsted.

35. The first such problem is that currently where Ofsted has reasonable grounds to believe that there are systemic concerns in more than one children's social care setting owned by the same provider group, they do not have powers to act at pace and scale to improve the quality of provision. Additionally, where a provider of children's social care settings or agencies (e.g. children's homes, fostering agencies) does not register with Ofsted – as they legally must – Ofsted only has the power to prosecute individuals, which is resource-intensive and a lengthy process. The second is that the use of agency social workers in children's social care is increasing. The third is that current deprivation of liberty order (DOLO) placements do not have a clear legal framework. There would be no opportunity to develop clear and specific requirements for the provision, for example within Ofsted regulation, and a continued conflict of rights when children with and without deprivations of liberty orders are held in the same settings.

36. **Evidence supports these problem statements.** Regarding unregistered settings, despite investigations finding an increase in the number of children placed in such settings[17], under the current system only one case has been brought to court for prosecution. Regarding agency workers, there were 7,200 agency social workers in post on 30 September 2023, the highest since the data series started in 2017 and representing an increase of 6.1% from 2022. Four in five agency social workers (80.1%) were covering vacancies in 2023.[18] 'The independent review of children's social care: final report' was published in May 2022 and described the engagement of agency social work resource as "costly and works against providing stable professional relationships for children and families.

Rationale for intervention

37. Government intervention is necessary to address the problems evidenced in the previous paragraph. Without intervention, there is no evidence to suggest that the trends in the increased placement of children in unregistered settings or the use of agency workers in children's social care would reverse**.** Furthermore, there is no indication that existing placements of children in DOLO placements without a clear framework for care would cease. Intervention here is required to increase high-quality provision for looked after children with complex needs which maintain their links with the community and are a space for care and therapeutic input and reduce the usage of DOLOs, which were always intended to be used as a last resort rather than as a norm.

[17] A recent investigation by the Observer newspaper and Together Trust found an increase of 277% of children placed in unlawful unregistered children's homes between 2020 and 2023.
[18] Children's social work workforce, Reporting year 2023. Figures quoted are full-time equivalent (FTE) https://explore-education-statistics.service.gov.uk/find-statistics/children-s-social-work-workforce/2023

38. Regarding the two measures introduced in the Act, on sibling contact, intervention is needed because, currently, paragraph 15 of schedule 2 to the Children Act 1989 states that LAs must ‘endeavour’ to promote contact between looked after children and their relatives ‘unless it is not reasonably practicable or consistent with [their] welfare’. Stakeholders report that many looked after children aren’t supported to see their siblings as much as think should be, and, following the serious consideration the issue was given in Parliament, intervention was deemed necessary. On temporary accommodation notifications, intervention is deemed necessary because evidence indicates that children living in this accommodation can have a detrimental impact on a child’s health, wellbeing and education outcomes.

1D. Improving the children’s social care placement market and tackling profiteering

39. The four measures in this group seek to address the broad problem that the cost of placements for children in care have rapidly increased over recent years, outstripped demand, failed to deliver better outcomes and value for money, and are on an unsustainable trajectory without intervention.

40. **Extensive evidence strongly supports this problem statement.** Evidence has already been set out in paragraphs 12-14 and, given three of the measures in this group are Regulatory Provisions, is outlined extensively in Measure-level Impact Assessments published alongside this document. This section does not therefore duplicate what is set out elsewhere.

41. In summary of the evidence, in England LA spending for children’s social care placements has increased 131% since 2012/13 (from £3.5 billion to £8.1 billion in 2023/24)[19], far outstripping the 23% increase in CLA over the same period.[20] Departmental concerns about this situation were supported by an independent review. A Competition and Markets Authority (CMA) study of the children’s social care placements market highlighted: a lack of placements of the right kind, in the right places; materially higher prices and profits among the largest providers than the CMA would expect to see in a well-functioning market; and very high levels of debt among some of the largest private providers creating a risk of disruption to placements.[21] Regarding the second point, on profits being made, the Competition and Markets Authority have estimated the operating profit margins for large providers as 22.6% for children’s homes; 19.4% for Independent Fostering Agencies and 35.5% for Supported Accommodation (between 2016 and 2020); and, according to the Local Government Association, in 2018/2019 there were 120 children in placements costing over £0.5 million every year, whereas by 2022/2023 the number of placements costing this amount had risen to 1,500. One reason for these issues is the structure of the market for children’s social care provision; the children’s homes market in particular is dominated by private providers with 83% of children’s homes places provided by private companies.

Rationale for intervention

42. Government intervention is necessary to address the significant pressure on children’s social care budgets. We know from the aforementioned evidence that the placement market is not functioning properly and costs to local authorities are rising unsustainably. In addition to the CMA’s 2022 report, evidence from the Association of Directors of Children’s Services[22], the Local Government Association[23], and Ofsted inspection, shows that children’s social care budgets are under significant pressure, largely due to rapidly increasing placement costs for

[19] LA and school expenditure, Financial year 2023-24 - Explore education statistics - GOV.UK
[20] As of 31st of March 2024, there were 83,630 Children Looked After (CLA) in England. This figure has risen steadily. By comparison, as of 31 March 2013, the number of CLA in England was 68,060.
[21] Children's social care market study final report - GOV.UK
[22] Safeguarding Pressures – ADCS
[23] High-cost children’s social care placements survey | Local Government Association

children in care. Without government intervention, it is unclear whether or how these issues would be addressed. As outlined above for 'evidence', given three of the measures in this group are Regulatory Provisions, further rationales for intervention for each measure in this group are outlined extensively in Measure-level Impact Assessments published alongside this document and are therefore not duplicated here. The only measure that this does not apply to in this group is 'Regional Care Co-operatives' (RCCs), which are referred to as 'regional co-operation arrangements' in the legislation.

43. For RCCs, as outlined more extensively in 'Keeping children safe, helping families thrive', and as supported by CMA evidence above, there is currently a gap in the data around the underlying costs of different types of children's social care provision. It is difficult to access the data that individual LAs hold on the prices paid for private placements and their cost breakdown, and there is often only piecemeal sharing of this data across some local authority groupings. These gaps create challenges for assessing whether prevailing price levels in the sector are appropriate. LAs need more shared cost information to inform their commissioning practices and enable them to negotiate effectively with providers to secure the best placement for children at the lowest possible cost. The CMA and the Independent Review of Children's Social Care both recommended a regional approach to planning and commissioning children's care places. In the department's view, it is sensible for central government to intervene to support this because playing a coordinating role above and across all LAs, while retaining local flexibility, can accelerate the adoption and efficiency of approaches taken by *every* LA to address these challenges. The department is already intervening in a non-statutory way by working with two RCC pathfinder areas in Greater Manchester and the South East to support the delivery of a regional approach to planning and commissioning children's social care places under current legislation. We will continue to support local authorities to increase the number of RCCs over time. However, as with Virtual School Heads and Staying Close above, we think it is important to mitigate the risk of regional or local inequality. Therefore, as a last resort, this legislation gives the Secretary of State the power to direct local authorities to establish regional co-operation arrangements.

Part 2: Schools – overall rationale for intervention

44. Education is a merit good because of the benefits to wider society from a more highly educated population, which has been found to increase productivity, earnings and satisfaction. It is therefore important to raise educational standards for all. Furthermore, pupils from some backgrounds have achieve relatively worse outcomes. The Institute for Fiscal Studies reported, "only 57% of children who are eligible for free school meals (FSM) are assessed as having a good level of development in meeting early learning goals, compared with 74% of children from better off households. These inequalities persist through primary school, into secondary school and beyond" (September 2022).

45. The cost of living and inflation is having an impact too. Evidence shows that over a third of low-income parents reported cutting back on food for their children due to financial pressures, and a notable increase in the number of households unable to afford basic items for their children due to rising inflation and stagnant wages.[24] Essential expenses of energy, food and housing represents a larger proportion of income for lower-income households. The National Foundation for Education Research (NFER) has also reported that "pupil mental health and wellbeing needs remain a significant concern for schools and a wide range of factors are likely to be contributing to this sustained increase in mental health needs among pupils… For example, financial

[24] Cost of living crisis: Impact on schools - Full Report | NFER, ASK Research and the Nuffield Foundation, section 1

pressures create additional stress for parents and cause families to cut back on essentials, including food and energy, which may lead to instability and uncertainty at home".[25]

46. The same NFER survey[24] found, "most senior leaders (84 per cent or more across all settings) agree or strongly agree that increases in the cost of living have driven an increase in the number of pupils requiring additional support and the level of their needs" and "schools report an increase in safeguarding concerns, behaviour incidents and pupil absence because of the increased cost of living, particularly in secondary schools and more disadvantaged schools". These are examples of the evidenced problems that the government is seeking to intervene in to support all children and young people to thrive.

47. As well as barriers to opportunity, this Act seeks to address problems concerning pupil absence, safeguarding, and independent educational institutions. Firstly, regarding pupil absence, departmental data on schools in England, for autumn and spring term 2023/24, show that in these terms the overall absence rate was 6.9%, a reduction from 7.3% in 2022/23 but higher than comparable pre-pandemic two term rates which were below 5%. It also reported that the rate of persistently absent pupils decreased from 21.2% in autumn and spring 2022/23 to 19.2% in autumn and spring 2023/34, but before the pandemic, in 2018/19, the persistent absence rate was 10.5%.[26] Secondly, regarding safeguarding local authorities have a duty to establish the identities of children in their area who are of compulsory school age, not registered at a school and are not receiving a suitable education. Parents are responsible for ensuring that their child is receiving a suitable education and can choose to do this by having their child attend a school "or otherwise" – for example, home education. However, currently parents do not need to notify their local authority that they are home educating, which can make it difficult for local authorities to fulfil their duty. Sadly, there are also cases where a child has been seriously harmed or died as a result of abuse or neglect whilst not in school, or having been removed from school for the purposes of home education.[27] Lastly, regarding independent educational institutions, there are c2450 registered independent schools. While the current regulatory approach works well for most independent schools, with a vast majority meeting prescribed standards ("ISS") at any given time (c.94%) and those not meeting the ISS addressing issues swiftly; there are several problems with the existing regulatory regime of independent schools, making oversight to ensure pupil safety, wellbeing, and that pupils are receiving a safe and appropriate education, challenging. While these affect relatively few settings and children, the impact on each can be significant.

48. Lastly, evidence from inspections and outcome evidence shows that a majority of schools and pupils achieve good outcomes, but that there is a consistent proportion of schools and pupils that do not make expected progress across different school types. It is important to increase standards for all. As of the 2023/24 academic year, "while 43.5% of all schools were academies, over half of all pupils (56.2%) were attending an academy. This is due to higher proportions of secondary schools being academies than primary, with typically much higher numbers of pupils".[28] To support high and rising standards for all, the government wants to ensure that pupils across all schools can benefit from best practice, for example by introducing a cutting-edge national curriculum, ensuring new teachers are qualified and updating our pay and conditions framework to give all teachers a core and guaranteed pay and conditions offer and allow all schools the flexibility to create an attractive pay offer to recruit and retain the best

[25] The ongoing impact of the cost-of-living crisis on schools - NFER (page 6)
[26] Pupil absence in schools in England, Autumn and spring term 2023/24 - Explore education statistics - GOV.UK
[27] Between April 2023 and March 2024, the Child Safeguarding Practice Review Panel (CSPRP) received 330 serious incident notifications and rapid reviews. Ten per cent of those that died or were seriously harmed were not in school or receiving home education and 5% were not receiving any education at all. The Child Safeguarding Practice Review Panel - Annual Report 2023 to 2024.
[28] Schools, pupils and their characteristics, Academic year 2023/24 - Explore education statistics - GOV.UK

teachers.

49. Given the arguments for education as a merit good (defined above), and the desire to avoid negative externalities and longer-term costs on society of fewer young people or adults in education, training or employment, it is important for the government to support families and children experiencing these problems, to achieve benefits and avoid risks of longer-term costs from worsening educational outcomes. Overall, it is for these reasons that the department is intervening in schools in England in the following ways, summarised by three broad groups of measures.

2A. Removing barriers to opportunity in schools

50. The two measures in this group in the Act as introduced aim to solve the problem that rising food insecurity, the high cost of before-school childcare, and the cost of living are putting significant pressure on households and impacting children's ability to achieve and thrive at school.

51. **These problems are supported by extensive evidence.** In the 2022/23 period, 17% of children lived in food-insecure households, a sharp increase from 12% in 2021/22.[29] Furthermore, 38% of state school teachers reported a noticeable increase in the number of pupils arriving at school hungry[30], a trend closely linked to the ongoing cost-of-living crisis. In addition to this, an external report from 2020 found that where parents had to buy two or more uniform items from specific shops, the average cost of a primary school uniform was around 50% more expensive and, for secondary schools, where parents had to buy two or more items of uniform from a specific supplier, costs were on average £75 per year higher. [31]

52. **Government intervention is necessary** to ensure breakfast clubs are available to all children so that every child can benefit from the opportunities that breakfast clubs offer, including being able to access a breakfast before school, to have the chance to socialise in a relaxed setting before lessons begin, helping to develop social skills and a sense of community, and enabling them to start the school day ready to learn and achieve their full potential. Breakfast clubs will also support parents with the cost of living by removing or reducing the cost of before school childcare, and by supporting them to work. In addition, government intervention is necessary to enable children and parents to choose from a wider and less expensive range of uniform items, to avoid longer-term costs to society from children avoiding school or physical education.

53. There is no existing legislation that could be used to solve these problems. On breakfast clubs, there is a duty on LAs to ensure sufficient childcare for working parents or in education for children aged 0-14 (up to 18 for disabled children) and there are existing funded programmes such as the Holiday Activities and Food Programme, but there is limited capacity to achieve the former for all and the latter applies in school holidays only. Therefore, legislation is necessary to ensure breakfast club provision across primary schools in England. On school uniform, Section 551A of The Education Act 1996[32] creates a duty on the Secretary of State for Education (hereafter "Secretary of State") to publish guidance on the cost of school uniform and requires schools to "have regard" to that guidance. Because it is open to schools to depart from statutory guidance with good reason, simply adding a limit on the number of branded items a school could require to the existing guidance would not meet our policy objectives. Legislating for a limit puts the requirement on the strongest possible footing.

[29] House of Commons Library (2024) Who is experiencing food insecurity in the UK?
[30] Sutton Trust (2022) Cost of Living and Education
[31] The Children's Society Wrong Blazer report (2020)
[32] As inserted by the Education (Guidance about Costs of School Uniforms) Act 2021.

54. Regarding the measure introduced during the parliamentary process, on expansion of free school meal eligibility, intervention is deemed necessary to ensure pupils from the most disadvantaged households are provided with hot and nutritious lunches when they are in school, in order to promote attendance, concentration, learning and attainment to some of the most disadvantaged pupils. Regarding the measure introduced during the parliamentary process, on mobile phones in schools, some school leaders report uncertainty about their powers to enforce their mobile phone policy and concern that the current position (of non-statutory guidance) does not provide adequate reassurance when challenged by parents or pupils. Therefore, intervention is necessary to establish a consistent national expectation and reduce ambiguity, whilst supporting school leaders to act confidently and proportionately.

2B. Creating a safer and higher-quality education for every child

55. Regarding the measure introduced during the parliamentary passage on allergy safety, intervention is required because current arrangements rely heavily on variable local practice, general health and safety duties, and non-statutory guidance. This has resulted in inconsistent approaches to allergy management across schools, leading to avoidable incidents and uncertainty among staff, parents, and pupils about roles, responsibilities, and expected standards of practice, which increase the risk of delayed or inappropriate emergency response. This is evidenced by several issues outlined further in the Bill's non-regulatory impact assessment on schools measures.

56. The nine measures in this group, as in the Act when introduced, aim to solve problems concerning children receiving a safe education.

57. **Extensive evidence supports this problem.** Local authorities are unable to identify all children in their areas who are not in school and not receiving a suitable education, limiting local authorities' ability to take action to support these children. Data shows that elective home education (EHE) numbers in England have been increasing on an annual basis since data collection began in 2016 by the Association of Directors' of Children's Services (ADCS). The department took over the data collection from the ADCS in 2022. The department's 2025/2026 EHE data publication[33] shows that there were an estimated 126,000[34] children in EHE in England on the Autumn census day in October 2025, up from 111,700 the previous year. Data in Wales has also shown a larger percentage increase with 6,156[35] children home educated on census day for 2023/24, compared with 5,330 the year before. Most parents who home educate do so in their children's best interests, and many home educated children receive a suitable education that supports them to thrive. However, increasingly, parents of children with complex needs are choosing to home educate and may not be well prepared or equipped to provide a suitable education. There are also concerns that rising numbers will mean a risk of more children being out of sight of safeguarding professionals and potentially at risk of harm.

58. In May 2024 the Child Safeguarding Practice Review Panel (CSPRP) published a thematic review of 27 serious safeguarding incidents involving 41 school age children (29 of whom appear to have been home educated, six considered to be missing education, with data not available for the remaining six). Of these 41 children, only 17 were known to local authority children's services at the time of the incident.[36] Sara Sharif was also removed from school in

[33] Elective home education, Autumn term 2025/26 - Explore education statistics - GOV.UK
[34] It should also be noted that local authorities are concerned that the numbers they have provided for the department's EHE data collection are underestimates of the number of children not in school in their area as parents do not need to notify them that they are home educating.
[35] Pupils educated other than at school: September 2023 to August 2024 (revised) [HTML] | GOV.WALES
[36] Safeguarding children in Elective Home Education – Panel Briefing 3

April 2023 under the guise of home education prior to her murder (August 2023).[37] Her father and stepmother were found guilty of her murder in December 2024. In November 2025, the Local Child Safeguarding Panel Review report into Sara's death was published.[38] It made several recommendations for additional touchpoints for home educated children or children whose parents are considering home educating to ensure that they remain visible to services that are there to protect them.

59. Intervention is therefore necessary to ensure children not in school are known to local authorities, which means, where necessary, action can be taken to safeguard and support these children.

60. In Wales a formal review[39] published in 2021 by the then Children's Commissioner for Wales concluded that the Welsh Government had failed in its duty to protect the rights of children who are home educated, and children in independent schools. The Commissioner highlighted the need to strengthen home education legislation and noted the lack of action taken by the Welsh Government following recommendations made in a Child Practice Review (CPR) published in 2016 in relation to the death of a home-educated child in Wales. In 2017, the National Independent Safeguarding Board (NISB) commissioned the CASCADE report. Recommendations included a significantly enhanced support service for home educated children, and clearer assessment of the needs and well-being of home educated children. The requirement included a register of home educated children, a more holistic assessment of the well-being and education of home-educated children undertaken at regular intervals and in the home as their place of education, and consideration of a legal expectation on parents.

61. Secondly, there are gaps in the current legislation which mean that not all teachers who have committed misconduct are subject to the Teaching Regulation Agency's (TRA) regulatory regime. This means that some people who may be a risk to children's wellbeing are permitted to, or not prevented from, working with children in an educational setting.

62. The third problem concerns independent educational institutions (hereafter "independent schools"). The problems are that, firstly, while the department already takes regulatory and enforcement action against schools which fail to meet the ISS, in line with our published policy, at times the regulatory regime and enforcement action available to the department has proven to be disproportionate. Evidence of this is outlined in the independent education Measure-level Impact Assessment published alongside this document. Secondly, a small number of full-time settings providing education to children of compulsory school age currently operate without inspection, regulation or oversight, meaning low assurance can be given that children who attend them are receiving a safe and/or high-quality education. Government intervention is therefore necessary to ensure there is assurance over the safety or quality of the education that is provided in these settings, and that regulatory action is proportionate, flexible and where appropriate gives institutions with problems an opportunity to resolve issues.

2C. Driving high and rising standards for every child

63. The ten measures in this group in the Act as introduced aim to solve the problems that local authorities do not always have levers to fulfil duties related to schools in their areas, and that children attending different types of school can experience differences in key areas of their education that drive high standards for all.

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[37] Safeguarding children in elective home education - GOV.UK

[38] SS-CSPR-SSCP-Report-for-publication-13.11.25.pdf

[39] https://www.childcomwales.org.uk/a-review-of-the-welsh-governments-exercise-of-its-functions-home-education-and-independent-schools/

64. Three of the measures in this group concern school admissions and will give local authorities greater powers and influence to deliver their admissions and place planning duties. For example, local authorities have various statutory duties designed to ensure children of compulsory school age have access to suitable education but the powers and levers currently available to them to achieve this are not always effective, which can result in children being out of school for too long and have serious consequences. Government intervention is necessary so that local authorities are able to secure places for unplaced and vulnerable children more quickly and efficiently, in the event that the usual admissions processes fail to secure a place.

65. Furthermore, over 58% of pupils in state-funded education study in academies. Unlike maintained schools, academies are not required to teach the national curriculum, although they can choose to do so. Academy trusts have the freedom to set and deliver their own curriculum, although they are obliged to meet the curriculum requirements of section 78 of the Education Act 2002 – offering a "balanced and broadly based curriculum". This leaves potential for inconsistencies in education standards, opportunities and outcomes for students across different types of state-funded schools. The government has committed to requiring academies to teach the national curriculum. Following the Curriculum and Assessment Review, which published its recommendations in November 2025, we are working towards publishing a revised national curriculum in spring 2027, for first teaching in 2028.

66. Academies are also not required to follow the School Teacher Pay and Conditions Document (STPCD) when determining their pay and conditions offer for teachers, and although the majority do tend to follow it, not all do. The government is creating a floor on teacher pay in all state schools, and through changes to the STPCD the government will ensure there is no ceiling, as is the case for academies, enabling healthy competition and innovation beyond a core framework to improve all schools. We will require academies, for the first time, to have regard to the rest of the terms and conditions in the STPCD, ensuring an established starting point for all schools, but giving confidence that existing or future changes which benefit teachers and pupils continue. Maintained schools will continue to follow the entire STPCD and they will see the benefit of further flexibilities that we will remit the School Teachers' Review Body (STRB) to consider following Royal Assent.

67. Lastly, the government is committed to ensuring that new teachers entering the classroom have or are working towards Qualified Teacher Status (QTS). Unqualified teacher rates are slightly higher in academies (3.6%) compared to LA maintained schools (2.5%) based on 2023 data. Intervention is needed to ensure that new teachers in state schools in England are well trained and qualified and have an induction which supports their development.

68. Regarding the measure introduced in the Act, on inspection and intervention of academy trusts, Ofsted does not currently have the necessary powers to inspect at trust level, which has created an accountability gap in the sector. The current approach to trust intervention relies on contractual arrangements between the department and individual trusts and, while these contractual arrangements have regard to trust finance and governance issues, they take only limited account of the quality of education. Therefore, intervention is deemed necessary to be able to deliver expert scrutiny of trust performance against acceptable standards, in support of a self-improving system.

3. SMART objectives for intervention

69. Following evidence of problems in Section 2, this section outlines SMART objectives from government intervention in attempting to address these problems.

70. Our overall, broad aims from legislative intervention in the form of the Children's Wellbeing and Schools Act 2026 are to lay primary legislation that will enable the department to:

    a. Deliver manifesto commitments to put children and their wellbeing at the centre of the children's social care and education systems, and make changes so that every child has a fulfilling childhood enabling them to achieve and thrive.
    b. Remove barriers to opportunity and raise school standards to ensure the school system is fair for every child, no matter their background.

71. **Time-bound:** As required by the Guide to Making Legislation, the department will provide a memorandum to the Education Select Committee, including a preliminary assessment of how the Act has worked in practice, relative to objectives and benchmarks identified in the impact assessments. **This will be produced within three to five years after the Act comes into force, so the department's aim is to have begun to achieve the objectives in 'table 1', to markedly contribute to aims 'a' and 'b', within this time period.** Beyond this, the broad aims are not more specifically time-bound, as the Act includes tens of measures with different dates for implementation and objectives – more information for each measure is in table 1.

72. Specific objectives for each measure are summarised in Table 1, with more detail in Measure-level Impact Assessments which are published alongside this document. As is the case for our broad aims, the date by which these objectives can be delivered will depend on parliamentary timetabling and procedure which, for many measures requiring secondary legislation (see Section 5, Table 2), will in turn determine when statutory instruments can begin to be laid. We would be making too many estimates by making these objectives time bound now, but for all measures requiring secondary legislation to be implemented, we will include desired dates to achieve objectives by once impact assessments are updated going forward. For other measures only requiring primary legislation, we have made objectives time bound, although these dates are indicative due to the uncertainty and dependency on parliamentary procedure.

Table 1. Objectives of Children's Wellbeing and Schools Act 2026 measures

1A. Keeping families together and children safe.

	Measure[40]	**Description of preferred way forward,** to:	**Objective(s)**, to:
1	Family group decision making (FGDM)	Mandate LAs to offer FGDM. FGDM is an umbrella term to describe family-led meetings that allow a family network to come together and make a plan in response to concerns about a child's safety and wellbeing.	• Increase the number of families at pre-proceedings that receive the offer of FGDM – by mandating this consistent offer from LAs, we expect 67% families will accept the offer. • Increase the number of families with the opportunity to form a plan for the child and potentially avoid care proceedings.

[40] Where the description of a measure is slightly different in legislative terms in the Act print, both its common name and legislative version (in brackets) are included.

	Measure[40]	Description of preferred way forward, to:	Objective(s), to:
2	Strengthen the role of education in safeguarding ('inclusion of childcare and education agencies in local safeguarding arrangements')	Strengthen the role of education in local multi-agency safeguarding arrangements (MASAs).	• Ensure all education settings are named as relevant agencies by default so that they are automatically included in safeguarding arrangements in a local area, to bring about better join-up between children's social care, police, and health services with education. • Ensure all local safeguarding arrangements include educational representation at both operational and strategic decision-making levels, to improve understanding of the thresholds for referrals and intervention and the roles of each agency.
3	Multi-agency child protection teams (MACPTs)	Place a duty on safeguarding partners in England to establish one or more MACPTs for their area. MACPTs will consist of a prescribed membership including representation from the local authority, police, integrated care boards and education. Other relevant agencies will be required to co-operate as needed.	• Enable dedicated, skilled, multi-agency front-line child protection practitioners from the local authority, police and integrated care boards and other relevant agencies to work together in an integrated way to accurately and quickly identify actual or likely significant harm and take rapid and effective protective action.
4	Information Sharing and Single Unique ('Consistent') Identifier for children	Improve data sharing for the purposes of safeguarding and promoting the welfare of children across multi-agency services; and introduce a single unique identifier, known as a consistent identifier in legislation, to better support children and families.	Following a pilot programme: • Promote timelier and more confident sharing of information to help identify and address risks to a child's safety and wellbeing and enable better provision of services to support their health and wellbeing. • Give professionals more relevant information on which to base their assessment of a child's needs and decisions regarding appropriate services to safeguard and promote the welfare if the child.
5	Employment of children	Give the Secretary of State, Welsh Ministers and Scottish Ministers a power to make regulations in relation to child employment in their respective countries which will replace the power local authorities have to make byelaws. The measure also updates certain restrictions contained in the Children and Young People Act 1933 and the Children and Young Person's (Scotland) Act 1937.	• Modernise and standardise child employment restrictions to bring them in line with modern societal attitudes, technological advancements and changes to work that may become either suitable or unsuitable for children. • Remove Sunday employment restrictions, allow children to work for an hour before school and an extra hour in the evening*, require an employment permit. *Nb, the total number of hours permitted to be worked in a week will remain at 12 hours a week when a child is required in school.

1B Supporting children with care experience to thrive

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
6	Kinship local offer requirement ('information: children in kinship care and their carers')	Introduce a duty for local authorities to publish a kinship local offer.	• Ensure 100% of local authorities have a clear and accessible published kinship local offer. • Increase awareness of support available to kinship carers and potential kinship carers.
7	Virtual school head (VSH) ('promoting educational achievement')	Make VSH statutory for all cohorts, to include kinship, and children on child in need plans and child protection plans which are not currently statutory.	• Improve educational achievements (including attainment and attendance) of children in need and child protection plans and those in kinship care. • Enhance collaboration between social care and education establishments for children with a social worker to improve education outcomes.
8	Staying Close ('provision of advice and other support')	Create a duty on local authorities to consider whether each former relevant child (up to age 25) in their area requires a package of support known as 'Staying Close support' and if their welfare requires it, provide that support.	• Ensure that when a young person leaves their care placement, and at any point upon review of their pathway plan, that all local authorities will consider whether Staying Close support may be suitable for that young person, depending on their needs and wider plans and aspirations.
9	Local offer for care leavers	Require each local authority to publish information on its internal processes and procedures to ensure, as far as possible, a planned and supportive transition between care and independent living for all eligible children, relevant children and former relevant children.	• Coordinate and plan the sufficiency of care leaver accommodation. • Ensure that 100% of local authorities set out the offers available to care leavers. • Reduce the risk of care leaver homelessness, specifically in the early years of leaving care.
10	Corporate parenting	Introduce new corporate parenting responsibilities for corporate parents to improve the poor outcomes children in care and care leavers currently experience across all aspects of their lives.	Among other objectives (outlined in the Bill-level non-regulatory IA): • Increased consideration of children in care and care leavers from corporate parents. • Increased engagement with children in care and care leavers from corporate parents. • Children in care and care leavers feel more considered, represented and empowered by corporate parents. • Corporate parent policies better consider the needs and vulnerabilities of children in care and care leavers.
11	Intentional homelessness	Amend section 191 of the Housing Act 1996 to ensure that care leavers who are in scope of the local authority's corporate parenting duty and who are not looked after by a local authority cannot be found to have become homeless intentionally.	• Ensure that *no* care leavers in-scope of this corporate parenting duty can be found to have become homeless intentionally. • Support in-scope care leavers to successfully transition from care to adulthood.

1C. Making the care system child-centred

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
12	Sibling contact for children in care of the local authority	Strengthen duties placed on local authorities (LAs) to support and prioritise contact between children in the care of the local authority and their siblings, where this is consistent with their welfare.	• Increase contact and promote relationships between children in care of the LA and their siblings. • Place sibling contact on equal footing to parental contact.
13	Temporary accommodation notifications	Place a duty on local housing authorities to notify educational institutions, GP practices and health visiting services in England when a child is placed in temporary accommodation.	• Strengthen information sharing so that relevant educational institutions (schools and further education institutions) and health providers (GP practices and health visiting services) are aware that a child is living in housing insecurity in temporary accommodation and that they therefore may require additional or different support.
14	Accommodation to deprive children of liberty	Provide a statutory framework to authorise the deprivation of liberty of children in provision other than a secure children's home, which will provide care and treatment and where restrictions that amount to deprivation of liberty can be imposed, if required to keep children safe, in connection with the care and treatment being provided.	• Significantly reduce the usage of deprivation of liberty orders, which should be used as a last resort rather than as a norm. • Create a framework of clear rights and safeguards for children subject to a deprivation of liberty order. • Increase high-quality provision for looked after children with complex needs which maintain their links with the community and are a space for care and therapeutic input.
15	Ofsted powers for breaches of the Care Standards Act 2000, and linked regulations	Expand Ofsted powers for breaches of the Care Standards Act including in unregistered children's homes - by giving powers to Ofsted to impose monetary penalties to individuals who do not register their children's social care setting or agency, and to registered providers/provider groups that commit offences/do not comply with requirements.	• Provide accountability to all services and settings delivering children's social care, in line with all legislation and standards. • Act as a deterrent to those who wish to set up and run children's social care settings or services without legal oversight. • Improve Ofsted's capacity to act proportionately and efficiently, by facilitating a middle step between no action and prosecution.
16	Children's social care agency workers	Introduce a regulation making power to govern the use of agency workers in local authority's children's social care.	• Create a more sustainable workforce in children's social care by creating the circumstances which allow English local authorities to invest more resource in developing and maintaining their permanent workforces. • Improve the stability and quality of the agency workforce and support workers to build quality relationships with children and families that can lead to better outcomes.
17	Legal protection for children aged 16 and 17 from ill-treatment or wilful neglect	Close a legal gap to make ill-treatment or wilful neglect of children aged 16 and 17 in children's social care settings a prosecutable offence.[41]	• Enable the prosecution of workers/providers of children's social care and youth detention accommodation involved in ill-treatment or wilful neglect against children of all ages.

[41] The current legislative framework only covers children under 16 and adults in social care who are over 18.

1D. Improving the children's social care placement market and tackling profiteering

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
18	Regional Care Cooperatives (RCCs) ('regional co-operation arrangements')	Regionalise the commissioning, analysis, and sufficiency practices of local authorities, by giving the Secretary of State the power to direct them to join together to establish regional commissioning arrangements, harnessing their collective buying power.	Support local authorities through RCCs': • Assessing current and future requirements for the accommodation of children being looked after by the local authority; • Developing and publishing strategies for meeting those requirements; • Commissioning the provision of accommodation for children being looked after by the local authority; • Recruiting prospective local authority foster parents and supporting local authority foster parents; • Developing, or facilitating the development of, new provision for the accommodation of children being looked after by the local authority.
19	**Provider Oversight Regime: Children's Social Care (Regulatory Provision)**	Establish a 'Provider Oversight Regime' to strengthen Ofsted's regulatory power of children's social care settings at a group level when quality issues have been identified in two or more individual settings	• Ensure that Ofsted can take action to secure change in multiple settings where Ofsted have reasonable grounds to believe that there are systemic issues that relate to safeguarding and welfare concerns. • Improve quality of care in settings more quickly, without needing to rely on individual Ofsted inspections of settings.
20	**Financial Oversight Scheme: Children's Social Care (Regulatory Provision)**	Establish a 'Financial Oversight Scheme' covering the largest and most 'difficult to replace' children's social care placement providers. The scheme will monitor risk of financial distress and failure and require contingency planning by providers to increase their accountability when managing company financial distress or market exit.	• Guard against sudden or disorderly market exit of 'difficult to replace' providers due to financial failure. • Support local authorities to meet their statutory duties to ensure there is sufficient provision in their area to meet the needs of children in their care and arrange care/support and accommodation that best meets the needs of the child.
21	**Future children's social care profit cap (Regulatory Provision)**	Introduce legislation that allows for a future cap on the profits of non-local authority Ofsted-registered providers of children's homes, supported accommodation and independent fostering agencies if we do not see a decrease in profiteering through other market intervention measures.	If the profit cap is implemented in the future, the objectives would be to: • Reduce excessive profit-making in the children's social care market. • Reduce placement costs and provide better value for money for LAs, which will increase their financial sustainability.

2A. Removing barriers to opportunity in schools

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
22	Breakfast clubs	Introduce free breakfast clubs in all primary schools.	Upon commencement of the section, across all state-funded schools with primary aged children in England, to: • Enable more children to begin the day ready to learn which will also drive improvements to behaviour, attainment and attendance. • Reduce the number of primary aged pupils in state-funded schools starting the school day hungry. • Increase household incomes by saving families up to £450 a year - reducing the amount spent on food and before-school childcare, and increasing the accessibility of before-school childcare, enabling more parents to work. •
23	Free School Meal (FSM) eligibility	Introduce new eligibility criteria meaning that all children from households in receipt of Universal Credit (UC) in England and attending state funded schools will be entitled to receive FSM.	• Ensure that any child from a household in receipt of UC can receive FSMs from September 2026, lifting over 100,000 children out of poverty. • Make it easier for parents to know whether they are eligible for funded meal provision. • Expected higher attainment, improved behaviour and better outcomes.
24	Uniform limit	Introduce a numerical limit on the number of branded uniform and PE items schools can require in their uniform policies. The limit will be 3 items, with secondary schools permitted an additional branded school tie.	From AY 2026/27, across all state-funded schools in England, to: • reduce the number of compulsory branded items parents are required to buy. • increase the proportion of generic items parents can purchase, allowing them greater choice to make the spending decisions which reflect their individual circumstances.
25	Mobile phones in schools	Place the guidance[42] on a statutory footing, strengthening its authority and providing clear legal backing for school leaders when setting and enforcing mobile phone policies.	The objective of this policy is to ensure that mobile phone use in school does not undermine pupils' wellbeing, safety, behaviour, or educational outcomes.

[42] Mobile phones in schools - GOV.UK

2B. Creating a safer and higher-quality education system for every child

	Measure[22]	**Description of preferred way forward,** to:	**Objective(s)**, to:
26	Allergy safety policy	Introduce a requirement for all schools to have an explicit, written allergy safety policy covering the identification and management of pupils with allergies.	The objective of this policy is safer and more consistent school environments for pupils with allergies, with a reduced risk of serious allergic incidents and improved emergency preparedness. This intends to reduce harm, prevent avoidable incidents, and strengthen reassurance that pupils with allergies are properly supported across all school settings.

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
27	**Children Not in School Registers and associated safeguarding measures <u>(Regulatory Provision)</u>**	Introduce compulsory local authority (LA)-maintained Children Not in School registers. Introduce a duty on local authorities to provide advice and information to registered families about their child's education, including information on access to GCSE exams. Also introduce a requirement for parents to seek consent to home educate if children are subject to a section 47 enquiry, on a Child Protection Plan or were discharged from a child protection plan in the past 5 years, or are attending a special school maintained by a LA, special academy or non-maintained special school, or at an independent school which, in the case of a school in England, is specially organised to make special educational provision for pupils with special educational needs, or in the case of a school in Wales, makes additional learning provision for pupils for whom an individual development plan is maintained, and where the child became a registered pupil at that school under arrangements made by the local authority (hereafter referred to as "at a special school"). Pilot mandatory meetings before parents can withdraw their children from school for home education in up to 30% of local authorities in England and up to 30% of local authorities in Wales. Make the School Attendance Order process more efficient and broaden it to require LAs to consider the home and any other learning environment when determining whether or not children should be required to attend school.	• Enable LAs to identify all children not in school in their areas. • Improve LAs' ability to take action where they identify children who are not receiving a safe, suitable education and/or are of wider safeguarding concern.

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
28	**Independent schools: suspension powers** **<u>(Regulatory Provision)</u>**	Grant a power to the Secretary of State to suspend registration for up to 12 weeks if a registered independent school is failing to meet the Independent School Standards ("ISS") and placing children at risk of significant harm.	• Enable temporary suspension of independent schools that fail to comply with the ISS and put children at risk of harm, where the department could assure a Justice of the Peace that the threat to children's wellbeing was significant and immediate.[43]
29	**Independent schools: material change approvals** **<u>(Regulatory Provision)</u>**	Make changes to the regime for independent schools to seek Secretary of State approval before making material changes (e.g. to the school capacity), to ensure continued compliance with the ISS.	• Be able to impose a 'relevant restriction' (not only 'de-registration' of the school, as at present) on independent schools that make an unauthorised material change, to improve safeguarding. • Reduce the risk and use of unsafe school buildings by introducing a new requirement for independent schools to tell us about the use of "additional premises".
30	**Independent schools: appeals against de-registration** **<u>(Regulatory Provision)</u>**	Make changes to how an independent school may appeal against a decision to deregister.	• Reshape how the tribunal exercises its discretion on an appeal against a decision to deregister a school in some specific circumstances where schools have failed to meet the required standards for a long time. • Resolve appeals in these cases more quickly and close failing schools sooner.
31	**Independent schools: suitability of proprietors** **<u>(Regulatory Provision)</u>**	Expand existing Secretary of State powers, enabling a wider set of due diligence checks on a person seeking to run an independent school and to remove a previously approved proprietor whose behaviour or conduct has been found to be unsuitable.	• Reduce the number of independent school proprietors who are approved despite departmental concerns about their previous behaviour or track record to zero, from a small baseline at present (estimated at <5).
32	**Independent schools: Inspectorate (Ofsted) powers** **<u>(Regulatory Provision)</u>**	Extend enhanced powers to Ofsted to address the issue of non-cooperation by proprietors of settings believed to be operating as an unlawful, unregistered independent school.	• Reduce to zero the number of section 97 inspections which are unable to reach a decision about whether a criminal offence is being committed (from roughly <10), by facilitating an entry into, and inspection of, a setting believed to be acting unlawfully and remove the deterrent for non-cooperation.
33	**Independent schools: registration of full-time settings** **<u>(Regulatory Provision)</u>**	Bring more settings into the regulatory regime found in Chapter 1 of Part 4 of the Education and Skills Act 2008. Among other things, this will require more settings to register with SoS and demonstrate compliance with prescribed standards.	• Regulate more full-time independent educational institutions, which cater for children. • Place the definition of "full time education" on to a statutory basis to assist proprietors of educational settings with determining whether they need to register with the Secretary of State.

[43] Our estimate is that we will consider using this power is 5 to 10 times per year across all c2450 registered independent schools.

	Measure[22]	**Description of preferred way forward,** to:	**Objective(s)**, to:
34	Independent schools: Ofsted Information Sharing	Make changes to the relationship between Ofsted and the Independent School Inspectorate (ISI) by permitting Ofsted to share information with ISI and changing the existing obligation on Ofsted to report annually on ISI's performance.	• Facilitate improved, quicker joint working between the two approved inspectorates of independent schools.
35	**Strengthening the Teacher Misconduct Regime <u>(Regulatory Provision)</u>**	Broaden the scope of the existing teacher misconduct regulatory regime to include more individuals and settings.	• Extend the regime to explicitly capture anyone who has ever been 'employed or engaged' in teaching work, to permit more people to be subject to the Teaching Regulation Agency ("TRA") for: i. referral, ii. investigation, and iii. prohibition. • Cover misconduct in a wider range of settings, by bringing the following settings into regulation: Further Education colleges, 120+ Special Post 16 Institutions, c1300 Independent Training Providers (ITPs), and an online education setting. • Allow departmental officials to make referrals to the TRA if relevant information is brought to their attention, where the misconduct is uncovered during their normal day to day duties.

2C. Driving high and rising standards for every child

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
36	School teachers' qualifications and induction	Ensure new teachers entering the classroom have, or are working towards, Qualified Teacher Status (QTS)[44], and an extension of statutory induction to academies.	• Ensure that new teachers employed in state funded primary and secondary settings in England have, or are working towards, QTS. • Once teachers achieve QTS, for teachers to undertake the statutory induction.
37	Curriculum	Introduce a requirement for academies to follow the national curriculum.	• To require all academies to teach the national curriculum, ensuring a core, high-quality curriculum across all state-funded schools. • The Curriculum and Assessment Review published its final report on 5 November 2025 and the government responded. We are working towards a revised national curriculum being published in spring 2027, for first teaching in 2028 for all schools, including academies. • Provide assurance and transparency to parents, who will know the details of what their child should be taught, regardless of the school they attend.
38	Academy schools: educational provision for improving behaviour	Extends statutory power to academy schools through section 29A of the Education Act 2002 to direct pupils off-site to another location (such as another education setting) to improve their behaviour.	• Remove ambiguity around an academy's power to use off-site direction and set a consistent standard of acceptable practice for directing pupils off-site between academy schools and maintained schools. • Ensure that pupils are treated fairly and consistently between academy schools and maintained schools when they are placed off-site to improve their behaviour.
39	Academies: power to secure performance of proprietor's duties etc	A power to direct academies which are not complying with legal duties or unreasonably exercising their legal powers.	• Ensure that academy trusts act in a way which complies with the law and is reasonable. • Increase the department's effectiveness as the principal regulator of academies.
40	Inspection and Intervention of Academy Trusts	Bring multi-academy trusts (MATs) into the inspection system and introduce new trust level intervention powers.	The overall objective is to raise standards in education, by holding trusts accountable for the quality of education they deliver. Sub-objectives: • Deliver independent, expert scrutiny of trust performance against acceptable standards, in support of a self-improving system. • Recognise trusts that fulfil wider sector responsibilities in improving provisions for children in their area. • Take a proportionate approach to action where acceptable standards are not met.

[44] Unqualified teachers will not require QTS to work in further education, 16-19 academies, university technical colleges, studio schools and non-maintained school early years settings.

	Measure[22]	Description of preferred way forward, to:	Objective(s), to:
41	Repeal of duty to make Academy order in relation to school causing concern	Conversion of the Secretary of State duty to issue an academy order to Inadequate maintained schools to a discretionary power, so the most appropriate intervention action is able to be taken for each school.	• Ensure the Secretary of State is better placed to take the most appropriate intervention action in each school's specific circumstances, which in many cases will still be to become a sponsored academy but might also be through a different intervention action or through providing targeted support to the school.
42	Pay and conditions of academy teachers	Introduce a power for the Secretary of State to determine minimum levels of pay through secondary legislation for academy schools and alternative provision academies, and a duty requiring them to have regard to the rest of the terms and conditions in the STPCD. Following Royal Assent, we are making changes, through secondary legislation, to the STPCD to spread innovation and best practice in all schools. It is only after we have made these changes will academies be required to have regard to the rest of the STPCD.	• Introduce a floor on teacher pay for all schools, and our subsequent reforms to the STPCD will ensure there is no ceiling for all schools to enable innovation beyond a core framework. This will provide a core pay offer for teachers, which is subject to scrutiny and consultation through the pay review process. • Recognise and encourage innovation and healthy competition in all schools to help them attract and retain the best teachers. • Establish a starting point for all schools by requiring academies to have regard to the STPCD, but giving academies confidence that existing or future changes that benefit teachers and pupils can continue. • Committing to making changes to the STPCD to enable innovation and best practice to spread in all schools.
43	School admissions: duties to co-operate regarding admissions and place planning	Introduce new duties on schools and LAs to cooperate regarding their respective admissions' functions and for schools to cooperate with local authorities regarding their place planning functions.	• Foster greater co-operation between local authorities and schools regarding admissions and place planning so that the system functions more effectively, and both parties better work together to deliver their statutory responsibilities and help meet their local communities' needs. • Ensure that where co-operation breaks down or fails, the Secretary of State can intervene and seek to ensure that admissions and place planning functions can be fulfilled.
44	School admissions: local authority (LA) direction powers	Enable LAs to direct the admission of an individual child into an academy, as they can currently do for maintained schools. This will include powers for LAs to direct admissions for vulnerable children, including previously looked after children and other groups, including those with special educational needs and disabilities (SEND) (but without education, health and care plans) to reduce/prevent children being left without a suitable placement.	• Ensure that LAs have the necessary levers to fulfil their statutory duties of ensuring appropriate education for all children in their area, in a timely manner. • Rationalise and streamline existing direction processes, to ensure that school places for unplaced and vulnerable children are secured more quickly and efficiently.

<table>
<tr><th></th><th>Measure[22]</th><th>Description of preferred way forward, to:</th><th>Objective(s), to:</th></tr>
<tr><td>45</td><td>School admissions: Published admission numbers (PANs) and objections to the Schools Adjudicator</td><td>Introduce a power for the Schools Adjudicator to determine school admission numbers as a result of upholding an objection or referral.</td><td>Support a change we intend to make in regulations to extend local authorities (LAs)' ability to object to the Adjudicator about PANs set by other admission authorities. This will:
Support all LAs to fulfil their statutory duty to secure sufficient school places in their area, where there is a capacity issue;
Support all LAs experiencing issues around surplus capacity to better manage this, and decrease the pressure it puts on school finances and, in the worst case, school failure.
Ensure that in taking a decision about a revised PAN, school quality and parental preference are central considerations, to ensure a choice of high-quality local provision.
Provide greater clarity, transparency and an independent arbiter to resolve disputes. Make clear to all parties the PAN that must be determined where an objection is upheld, to reduce bureaucracy and ensure that changes are made quickly.</td></tr>
<tr><td>46</td><td>Opening new schools</td><td>Change the legal framework that local authorities (LAs) follow when they have identified the need for a new school; removing the requirement that when a new school is needed a LA should first seek proposals to establish an academy.</td><td>Support 100% of LAs to better fulfil their statutory responsibility to secure sufficient school places, and by allowing a wider range of proposals to be considered, help ensure that good schools are opened when they are needed.</td></tr>
</table>

4. Options considered

73. This section of the Act-level Impact Assessment presents a summary of the types of options that were considered to solve the problems evidenced in Section 2 and achieve the SMART objectives identified in Section 3. Further detail about alternative options for each measure and their appraisals are included in Measure-level Impact Assessments published alongside this document.

74. Given this is an Impact Assessment for the Children's Wellbeing and Schools Act 2026, it follows that for all measures included in this Impact Assessment, we ultimately concluded that, on balance, primary legislation is the preferred option to deliver the policy objectives.

75. However, for a number of areas that do not appear in the Act, primary legislation was considered as an option but this was deemed unnecessary to achieve our objectives, and/or costs would have outweighed benefits, at this time. One such example is that further intervention was considered to support children in care, in the form of the Children's Social Care National Framework. On balance, the department did not think it was right to legislate for the National Framework at this stage, through this Act (e.g., through a "have regard to" requirement in primary legislation now), because we are working with local authorities to implement the statutory guidance following a year-long implementation period which ended in December 2024.

Instead, as set out in the recent Keeping Children Safe, Helping Families to Thrive policy paper, the department will prioritise investment in supporting outcomes the Framework sets out and continue to support local authorities through partnership working to improve how they deliver children's social care through our improvement and intervention work. This will require investment but not further primary legislation and is therefore not covered in the Act.

76. Across all Act measures we considered the following options:

    a. Do nothing (retain the status quo)
    b. Improve or increase communications, including of guidance
    c. Strengthen non-statutory guidance
    d. Increase funding
    e. Establish grant funding conditions
    f. Amend statutory guidance
    g. Amend academy trust funding agreements
    h. Primary legislation

77. We considered a 'do nothing' option for most measures, notwithstanding where retaining the status quo would not deliver a direct manifesto commitment (for example the school uniform limit) or risk a manifesto commitment being delivered inconsistently without legal requirements (for example ensuring breakfast clubs in every primary school). We also ruled out 'do nothing' options for measures considered critical to protecting the safety of children which required updates to the legislative framework.

78. In some cases, initiatives are already ongoing on a non-statutory basis and we considered an option to build on the status quo by supporting, or increasing support for, existing non-statutory provision. For example, we considered supporting local authorities to make provisions for VSHs to support children in need and those in kinship arrangements on a non-statutory basis. However, where we deemed that the risk of not intervening in the problems outlined in section 2 were too costly and outweighed by benefits of attempting to intervene, in this example's case to improve outcomes for children in need, we ruled such options out. As another example, we considered broadening the pilot of Staying Close sites in different areas of England on a non-statutory basis. However, our assessment was that while this option would allow for a further expansion of the service to care leavers nationally, it would not allow for it to become a requirement of all LAs to offer to the programme and therefore there could be a risk of gaps in provision that a statutory duty would prevent.

79. We did not consider options beyond 'do nothing' or 'primary legislation' for a small subset of measures in the group of measures titled, '2C. Driving high and rising standards for every child', specifically on school intervention and opening new schools. This is because these matters are highly technical such that other options or variations of a legislative option simply were not realistically available. Furthermore, whilst we considered alternative options for the measure 'conferring a power on the Secretary of State to make child employment regulations'. This is an example where alternative options (e.g. guidance, or 'doing nothing') were quickly ruled out from not meeting our policy aims because the existing legislation from 1933 which was since superseded by European Union legislation now has to be updated domestically.

80. Notwithstanding these points in paragraph 66, for a vast majority of measures we explored at least three options. This typically included primary legislation in a different way to the way we concluded as our preferred option. Our preferred options are those identified in column 3 of Table 1, Section 3, which were arrived at following option appraisals and cost-benefit analysis. As above, further detail about alternative options and appraisals are included in Measure-level Impact Assessments.

81. In summary, common reasons not to pursue alternative options across Act measures include: i. other primary legislative options not going far enough to meet SMART objectives to resolve problems (e.g., multi-agency child protection teams), ii. other ways to legislate being likely to result in disproportionate impacts (e.g., provider oversight), iii. estimated unintended consequences (e.g., profit cap), iv. high complexity, v. disproportionate burdens on LAs or other bodies e.g., courts (family group decision making), vi. avoiding duplicating existing statutory guidance, vii. providing less central control than needed to achieve desired outcomes (e.g., Staying Close).

2. Summary of the Act's Impacts

5. Policies and key impacts

82. Having outlined a summary of problems and rationales for intervention in Section 2, a description of the preferred way forward and objectives of intervention in Section 3, and options considered in Section 4, this section of the Act-level Impact Assessment summarises impacts (benefits and costs) of the chosen way forward for each of the Children's Wellbeing and Schools Act 2026's measures. This is presented in Table 2, below, following an explanation of the methodology we adopted for this analysis of impacts.

Methodology for analysis of impacts

83. As outlined in Sections 1 and 3, eleven measures are Regulatory Provisions (listed again below, 'a' to 'f'). For the eleven Regulatory Provisions, as per the Better Regulation Framework guidance, we have presented the Net Present Value (NPV), Equivalent Annual Net Direct Costs on Business (EANDCB), and Equivalent Annual Net Direct Costs on Households (EANDCH). This is shown for each measure in Table 2, and precedes an aggregate Act-level regulatory scorecard for Regulatory Provisions in Section 6. Further detail and analysis of impacts is provided in each Measure-level Impact Assessments published alongside this document.

    a. **Children's social care (CSC) Financial Oversight Scheme.** This measure directly impacts private and voluntary CSC providers.
    b. **CSC Provider Oversight Regime.** This measure directly impacts private and voluntary CSC providers.
    c. **CSC Profit Cap.** This measure directly impacts providers by tackling profiteering in the children's placements market.
    d. **Strengthening the Teacher Misconduct Regime.** This measure directly impacts a wide range of settings, some of which are private providers (a full list is provided in page 54).
    e. **Children Not in School.** This measure directly impacts out-of-school education providers and independent schools.
    f. **Strengthening regulation of independent education institutions:** All of the following measures directly impact independent education providers.
        i. Power of suspension
        ii. Material change approvals
        iii. Appeals against de-registration
        iv. Suitability of proprietors
        v. Inspectorate (Ofsted) powers
        vi. Registration of full-time settings

84. The remaining twenty-seven measures are not Regulatory Provisions. These measures either do not directly impact business activities (breakfast clubs and the uniform limit), or only impact public sector organisations and not businesses; in some cases only schools (e.g., national curriculum), in others local authorities too (e.g., admissions, agency workers). The Better Regulation Framework (BRF) guidance is clear that, "…the scope of the BRF is regulatory measures which impact on business, and so measures which only affect households are likely to be out of scope [of the BRF]". We have therefore not included an NSPV, EANDCB or EANDCH *(descriptions for acronyms in paragraph 70)* for these measures.

85. While these measures are out of scope of the BRF, the Guide to Making Legislation requests of all Act measures, "the likely costs and benefits and the associated risks of a proposal that might

have an impact on the public, a private or civil society organisation, the environment and wider society over the long term".[45] We have therefore provided descriptions of expected impacts on businesses and households where possible, although these are more so qualitative in comparison to the analysis of impacts of Regulatory Provisions. These are also summarised in Table 2, below, and more information is provided in Measure-level Impact Assessments.

86. Across both groups of measures, as per the general exemptions in the BRF guidance, this document does not detail impacts related to taxes, duties or levies, i.e., from the cost of measures in terms of total public expenditure. These are instead outlined in the Explanatory Notes 'Financial Implications' section and the Ministry of Housing, Communities and Local Government New Burdens Assessments process where there are cost impacts on local authorities (this document does also note where this is likely to be the case throughout Table 2).

87. A majority of measures in the Act require secondary legislation (20/38). This includes all eleven Regulatory Provisions. This subset of twenty measures can be thought of in three ways: i. while secondary legislation is required to help to operationalise the policy, the impacts that have been identified on businesses and other organisations derive entirely from primary legislation (i.e., while secondary legislation will be laid, the impacts could materialise without it); ii. measures where impacts are *wholly* dependent on secondary legislation before businesses and/or other organisations are affected (i.e., impacts will remain purely theoretical until secondary legislation is laid), iii. measures where impacts are *partially* dependent on secondary legislation before businesses and/or other organisations are affected (i.e., the size/extent of the impact(s) will be dependent on secondary legislation being laid).

88. The second and fourth columns of Table 2 (next page) identify, for each measure, which impacts derive from primary and/or secondary legislation (information about primary/secondary legislation is italicised). In the next section, Section 6, the split of the NPV and EANDCB/Hs attributable to primary and secondary legislation is shown. Beyond this Impact Assessment, as a next step, in accordance with BRF guidance, for each measure requiring primary and secondary legislation, we will keep under review where the assessment of impacts "evolve and develop as the requirements of both pieces of legislation are finalised and the underlying information and modelling is refined", and assess whether "appropriate IAs may be necessary for both primary and secondary legislation". Where necessary, we will produce or revise impact assessments to reflect changes to impacts once secondary legislation is further developed.

[45] As outlined in Section 8. For environment impacts we have also carried out Environment Principles Assessments.

Summary of impacts

Table 2. Expected Impacts of Children's Wellbeing and Schools Act 2026 measures

	Measure descriptors	**Impacts: benefits and costs (qualitative)**	**Evidence**[46]
1	**Family group decision making (FGDM)** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • positive impact on children on the edge of care (e.g. children with a Child Protection Plan, children with a Child in Need plan) – through likely increased support from the wider family network • benefits for parents who can draw on the support of their network to help meet the needs of their children • positive impact on children for whom it is no longer possible to stay with their parents - during the FGDM meeting, potential alternative carers from within the family network that could provide a home for the child could be identified • any reduction in care proceedings should alleviate some pressure on the courts and bring Public Law Outline closer to the recommended 26 weeks target, reducing the backlog of cases in family courts Costs: • a new burden for LAs in the short-term to set up or expand FGDM services and update systems - the department will continue to review funding for LAs to ensure that they receive sufficient funding to enable them to meet these duties (and we expect a positive impact on LAs in the long-term) • increased social worker workload as it will involve more family work throughout the process and an additional mandated offer of FGDM at pre-proceedings, however although more work is required at the pre-proceedings stage, if the FGDM measure is successful (as suggested by the Foundations evidence), in the longer term there will be fewer looked after children	Evidence from Foundations (What Works Centre for Children and Families) suggests the mandated offer of FGDM from the LA will see an estimated 67% families engaging in FGDM. -

[46] This is quantitative where available. Where measures are Regulatory Provisions, this column includes the NPV, EANDCB, and EANDCH (descriptions for acronyms are in paragraph 70 of the main body). Where measures are Non-Regulatory Provisions, this column includes facts and figures that support the benefit/cost impacts. All calculated NPV and EANDCB/H figures use financial year 2024/25 as the base and price year, and cover a 10-year appraisal period.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
2	**Strengthen the role of education in safeguarding** (inclusion of childcare and education agencies in local safeguarding arrangements) *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits • a more effective safeguarding system for professionals and children and families • positive impact on safeguarding partners because stronger involvement of education will mean a more effective system, enabling better decision making Costs • possible costs and time implications on LAs to set up new infrastructure, depending on how well involved and represented they are already - the department will continue to review funding for LAs to ensure that they receive sufficient funding to enable them to meet these duties • time implications on some education leaders to engage with systems that they may not have previously been involved in to ensure their inclusion, which is part of their responsibilities to safeguard the children in their settings	- *All benefits and costs could be applicable to more safeguarding partners in future, due to secondary legislation which provides a power for the Secretary of State to make regulations designating additional childcare or education relevant agencies.*
3	**Multi-agency child protection teams (MACPTs)** *This is one of several measures that does include secondary legislation on introduction. Impacts are wholly dependent on secondary legislation.*	Benefits • positive effect on multi-agency child protection assessment, decision-making and service provision to improve the outcomes of children where there is a likelihood of or actual significant harm • more control for LAs in meeting their child protection duties and sharing the balance of responsibility across a wider partnership approach Costs • Safeguarding partners already have a joint and equal duty to work together to safeguard and promote the welfare of children in their area. Partnership funding should therefore be equitable between the three safeguarding partner organisations. • To support implementation and national roll out of the Families First Partnership Programme – which includes multi-agency child protection teams – government has committed £2.4 billion over the next 3 years. This funds preventative support and services including for child protection activity, rebalancing spending away from accommodating children in care.	- *Benefits and costs depend on secondary legislation, which include regulations about how MACPTs will operate, therefore enabling the impacts, e.g., powers in relation to the support provided by MACPTs and requirements for members of MACPTs.*

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
4	**Information Sharing Duty and Single Unique Identifier for children** (Information Sharing and Consistent Identifiers) *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • greater consistency from a single clear legal basis on which to share information for the purposes of safeguarding or promoting the welfare of children • strengthened information sharing practices that are more accurate, cost effective, and support more seamless and collaborative working between agencies with a duty to safeguard and promote the welfare of children Costs • likely behavioural change for professionals in routine contact with children across health, education and justice • likely impact on operational activities and resource in agencies and, for departments in routine contact with children, their operational activities will also change	- *For the consistent identifier only (i.e., not the information sharing duty), estimated impacts will entirely follow secondary legislation – which includes a power to specify the description of the consistent identifier and persons required to use it – and assume that changes are implemented successfully across all relevant agencies and that the information sharing duty is being met.*
5	**Confer a power on the Secretary of State, Welsh Ministers and Scottish Ministers to make regulations in relation to child employment** and other changes to the regulation of child employment. *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • removal of the current restriction on Sunday working which could be a possible savings for sectors that currently get permits for multiple children to work on a Sunday to cover their needs • allow children to work for an hour before school and for an hour later in the evening which could allow more children and young people to be able to work subject to detailed legislation and regulations; and balanced with a child's right to education, their desires to take up hobbies, pursue interests and to be a child Costs • resource implications from our expectation that public sector organisations will want to update any advice or guidance they already have on child employment	- *Impacts from primary legislation will ensure that children are not exploited by employers, but detailed guidance and restrictions on the types of employment will be set out in regulations as well as on the face of the bill. The regulations will deal with the technical implementation of the policy.*
6	**Kinship local offer requirement** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits • likely positive impact on current kinship carers and those considering taking on the role, through improved understanding and awareness of what becoming a kinship carer may entail • enhance the well-being and stability of children who cannot live with their birth parents Costs • Local authority time, however we think it is a low impact as a similar requirement has been set out in statutory guidance since 2011	- -

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
7	**Virtual School Heads (VSH)** ('promoting educational achievement') *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • a more holistic approach to the child's wellbeing, combining education and social care support • kinship carers will have better access to, and understanding of educational resources and support available, helping them to provide a stable and supportive environment for the children in their care Costs: • The department will continue to review funding for LAs to ensure that they receive sufficient funding to enable them to meet duties	The department has paid grant funding of £16.6 million per year to enable LAs to meet their non-statutory duty towards children with a social worker since the role came into effect in 2021, and a further £3.8 million since September 2024. -
8	**Staying Close** ('provision of advice and other support) *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • better supported transition to adulthood for eligible care leavers • improved outcomes in accommodation stability, wellbeing, education, employment and training, strong relationships, networks and independent living skills • decreased cost pressure on wider public services e.g. save LAs funding on crisis housing Costs: • A new burden for LAs, by requiring ongoing funding to pay for advisers to support eligible care leavers - the department will continue to review funding for LAs to ensure that they receive sufficient funding to enable them to meet these duties	Evidence from pilot sites: - Suffolk has seen 90% sustained tenancies/increased placement stability /prevention of homelessness. - NE Lincs has seen 80%; North Tyneside has seen a 55% reduction of NEET. - Portsmouth found that most 71%, care leavers involved with Staying Close were in EET, compared with 52% of care leavers nationally. - NE Lincs has seen a 76% increase in health and well-being.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
9	**Local offer for care leavers** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • reducing the 'cliff edge' of support for care leavers turning age 18 to better support them Costs • LAs should have these offers in place already; the firming up of these expectations will only significantly impact those who do not as they will need to create those offers and plans • possible additional governance but this should be manageable within current arrangements We do not believe there will be an impact on housing providers. Care leavers will continue, as they do now, to source accommodation from what is available in the local areas, through a variety of ways: via the LA (social housing or specialist housing), housing associations, and private landlords (we do not hold data on this). This measure will not change any forms of tenancy agreements.	More evidence is in the Measure-level IA, for example: - The latest Children Looked After in England data for 2022-23 showed that 38% of care leavers aged 19-21 are Not in Education, Employment and Training, compared to 13% of young people in the general population; only 6% are in higher education and only 2% are on apprenticeships compared to 47% in HE based on all other pupils. - Research has shown that care leavers are over-represented in the adult prison population and in homelessness / rough sleeping data. They are also more likely to experience loneliness and poor emotional health and well-being.
10	**Corporate parenting** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • policies and services across the key public services that impact on the lives of care experienced young people, that better take account of the needs of children in care and care leavers • possible contribution to various cross-government aims and objectives, such as improved health and wellbeing, decreased homelessness and lower numbers of young people not in education, employment or training Costs • The corporate parents will be impacted as the duty will apply to them. The broad duties can be implemented in a way that reflects the nature and circumstances of the individual corporate parent. We propose to contract a Third Sector organisation to support corporate parents to implement their responsibilities.	Since the corporate parenting principles were applied to local authorities, improvements have been seen in the breadth and depth of their local offers of help and support for this cohort. The introduction of corporate parenting legislation in Scotland has also had a range of positive impacts.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
11	**Intentional homelessness** *On introduction of the Bill, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • In-scope care leavers will receive the additional support necessary to successfully transition to adulthood. Costs: • Additional costs to local government. MHCLG are working closely with the Local Government Association (LGA) and local authorities on the new burdens assessment. • Possible negative impacts on the support children's services provide to care leavers who are struggling to maintain a tenancy or live in temporary accommodation. MHCLG will work closely with DfE, LAs and other key stakeholder groups to develop mitigations.	Due to the relatively low numbers of care leavers who were found to be intentionally homeless in 23/24, we do not expect additional costs to be significant.
12	**Sibling contact** *This measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • A positive impact on children in the care of the local authority, and outcomes for this group. • Children in care to have strong, enduring relationships with their siblings, as we expect for children living with their birth families. Costs: • Some impact on the time and resource required from practitioners to support this contact (however, LAs should already endeavour to promote contact between looked after children and their siblings).	The 2022 Coram Voice report, Staying Connected[47], found that 22% of 8- to 10-year-olds and 31% of 11- to 18-year-olds felt that they saw their siblings too little, of looked after children and young people surveyed by local authorities.

[47] 2309-Staying-connected-Research-Report-0522-2.pdf

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
13	**Temporary accommodation notifications** *This measure does include secondary legislation, but only to extend which bodies receive the notifications to Welsh and Scottish bodies in future, if desire/agreed. All impacts as it stands therefore derive from primary legislation.*	Benefits: • Children will be positively impacted as educational establishments and health providers will be better aware of their individual circumstances and can, as far as reasonably possible, put support in place to reduce barriers to education/healthcare. Costs: • Local housing authorities will be impacted by the new duty to obtain consent to notify and, where that is provided, make a notification, which is being captured in a new burdens assessment. • There are likely to be new operational tasks for relevant educational institutions and health providers, although not new duties introduced on them.	There are record numbers of children in temporary accommodation.[48] There is extensive evidence of issues facing children, and families, living in temporary accommodation.[49]
14	**Accommodation to deprive children of liberty** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits • better support for children with multiple, complex needs, recognised to be a response to complex and ongoing trauma • placements better suited to children's needs and that maintain their community ties, which will deliver better outcomes for these children • parents and guardians of children will benefit from a clearer, statutory, system • impacts on children's home providers are expected to be positive. In Secure Children's Homes, we expect waiting lists may decrease due to the creation and expansion of other registered provision where children can be legally deprived of their liberty. In Open Children's Homes, the complex legal situation of the current approach of placing a child under a DOLO will lessen. More information is provided in the measure-level IA Costs: • Usage of unregistered provision will decrease. As unregistered placements are operating unlawfully, we believe this to be justifiable and beneficial to children's outcomes	A survey of councils by the Local Government Association[50] showed that the number of children's social care placements costing £10,000 or more per week has risen in from approximately 120 placements in 2018/19 to over 1,500 in 2022/23. The highest cost placement was £63,000 a week and for most councils the highest cost is between £9,600 and £32,500. *The section includes a regulation making power to extend existing powers to more 'relevant accommodation', so some of the same impacts in column 3 will apply to different types of accommodation after/if this is exercised.*

48 Another record number of children homeless in temporary accommodation after 12% increase in a year - Shelter England
49 England's Homeless Children: The crisis in temporary accommodation
50 High-cost children's social care placements survey | Local Government Association

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
15	**Ofsted powers for breaches of the Care Standards Act and linked Regulations** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • Ofsted will have greater powers to act swiftly for breaches of the law, and can ensure the quality of services and suitability of those delivering services • Ofsted will have a greater deterrent against the provision of unregistered settings, increasing the oversight and quality of care children and young people receive Costs: • some stakeholders have suggested that action against unregistered providers would result in increased prices (i.e. from increasing prices because of the threat of fine), or them leaving the market (and pushing up prices of registered places), however this practice is unlawful and should not be happening	- *Impacts from primary and secondary legislation, to set out the framework for the issuing of civil (monetary) penalties.*
16	**Children's social care agency workers** *This is one of several measures that does include secondary legislation on introduction. Impacts are wholly dependent on secondary legislation.*	Benefits: • reduction in the spend on temporary workforce, reduces the 'agency premium' paid by LAs, allowing re-investment in permanent workforce • some workers likely to move from temporary work into permanent LA employment; those who wish to continue to work via an employment business can still do so Costs: • LAs may have a reduced pool of workers for CSC, if agency workers choose to leave the workforce rather than move to permanent employment	Research by Kantar published in 2020 on behalf of the department estimated the 'agency premium' – the additional cost of employing an agency social worker – as approximately 53% of the average social worker salary. *The section includes a power to make regulations in respect of individuals who are agency workers, which is a key step before impacts on their reduced use materialise.*

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
17	**Legal protection for children aged 16 and 17 from ill-treatment or wilful neglect** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • positive impact on children aged 16 or 17 who will have additional legal protection from low level abuse (ill treatment or wilful neglect) Costs: • possible perception by workers of being at increased risk of criminalisation, however legal protections for 16-17-year-olds against ill treatment or wilful neglect outweighs this cost	- Under section 20 of the Criminal Justice and Courts Act 2015, an offence involving "social care" can only be applied where the victim is 18 years or older. In respect of children under 18, sections 20 and 21 can only be applied for persons where "health care" is being provided. - The Children and Young Persons Act 1933 protects against cruelty to all children under 16, including wilful assault, ill-treatment (whether physically or otherwise) and neglect by persons 16 years or older.
18	**Regional Care Cooperatives (RCCs)** ('regional co-operation arrangements') *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • Reduced LA spending on accommodation for looked after children, through harnessing LAs' collective buying power, achieving efficiencies and economies of scale • Increased sufficiency of placements, contributing to better outcomes for children (being placed closer to home, reduced placement breakdown) • Develop expertise in areas such as data analysis and forecasting, as well as targeted marketing, training, and support for foster carers, allowing greater innovation so that local areas are better able to deliver services for children in care Costs: • Initial set-up costs. Where the Secretary of State has directed local authorities to set up an RCC, the department would expect to fund these costs[22] • Ongoing running costs of RCCs: since RCCs will be carrying out existing local authority functions on behalf of the local authorities in its region, we expect those local authorities collectively will meet the RCC running costs	Initial costs to set up an RCC have been estimated at approximately £1.5m per region. *Regulations include a power to add to the strategic accommodation functions that can be exercised by two or more local authorities in regional co-operation arrangements. More or fewer functions would affect the size of impacts identified in column 3.*

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
19	**Children's social care Provider Oversight Regime (Regulatory Provision)** *This is one of several measures that does include secondary legislation on introduction. Impacts are wholly dependent on secondary legislation.*	Benefits: • help to identify systemic issues across provider groups, as well as driving improvement in settings and agencies • contribute to high-quality placements for looked after children, which will support positive wellbeing and educational outcomes Costs: • direct costs to providers for familiarising themselves with the regime requirements • direct compliance costs to providers (e.g. time and resource to supply information to Ofsted and resolve issues) • administration costs to Ofsted for scheme operation	NPV: -£1.2m[51] (monetised costs only) EANDCB: £0.07m EANDCH: n/a[52] *As outlined in the measure-level impact assessment; these impacts will derive from secondary legislation, with no impacts from Primary Legislation.*
20	**Financial Oversight Scheme: Children's Social Care (Regulatory Provision)** *This is one of several measures that does include secondary legislation on introduction. Impacts are wholly dependent on secondary legislation.*	Benefits: • prevent disruption and instability to children's placements, which can lead to poorer wellbeing and educational outcomes • avoid costs to LAs from having to secure emergency placements in the event of sudden provider failure Costs: • direct costs to providers from familiarising themselves with the scheme's requirements • direct compliance costs for participating businesses (e.g. administration costs, fee for IBR) • administration costs to the department for scheme operation	NPV: -£13.4m[53] (monetised costs only) EANDCB: £0.6m EANDCH: n/a[54] *The section includes a power to prescribe in regulations a set of conditions which, if met, may subject a registered provider of children's homes or independent fostering agencies, or their corporate owners, to the Financial Oversight Scheme. Therefore, impacts derive from secondary legislation, following the primary legislation.*

[51] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[52] No household costs and benefits identified/ calculated.
[53] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[54] No household costs and benefits identified/ calculated.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
21	**Future children's social care profit cap (<u>Regulatory Provision</u>)** *This is one of several measures that does include secondary legislation on introduction. Impacts are wholly dependent on secondary legislation.*	Benefits: • if enacted in future, expected estimates are set out in the measure-level impact assessment in Annex B; in summary, we might expect that as profit margins are limited, the quality of provision would increase and/or the costs to LAs would reduce Costs: • the level at which the profit cap would be set, and therefore its impact, would be determined at a later date in regulations. This will depend on a number of factors, including the level of profiteering at the time	- *There will not be any immediate impact from primary legislation. Any impact on providers would only be felt by enacting the cap through secondary legislation. This will be a last resort if profiteering is not reduced by the other market intervention measures.*
22	**Breakfast clubs** *On introduction of the Act, this measure does not include secondary legislation which affect the impacts in column 3. (Nb, the measure does include a requirement for schools to have regard to statutory guidance and a power to designate a school as one to which the duty does not apply, but both have no parliamentary procedure).*	Benefits: • improve children's opportunities to achieve at school • reduce the financial burden on families by lowering the cost of food and before-school childcare[55] • improve pupils' wellbeing • help increase household incomes and support more parents in entering or staying in the workforce, by allowing parents greater flexibility to seek employment or increase their working hours[56] Costs: • the policy involves government funding, with exact costs being finalised and agreed - the costs will then fall to schools	Prior breakfast club programmes have been found to lead to an estimated 2 months' additional progress in maths, reading, and writing for Key Stage 1 (KS1) pupils.[57] the NSPB survey of headteachers (2023) found that almost all (97%) respondents reported an improvement in pupils' wellbeing.[58] *All impacts expected after primary legislation and full national rollout.*

[55] A Kellogg's report using YouGov survey data found that on average, families can save up to £35.20 per week on childcare costs by utilising breakfast clubs.
[56] The same survey ([6]) found that breakfast clubs enabled parents to do 97.5 additional hours of employed work annually.
[57] Education Endowment Foundation (2019) Magic Breakfast: Evaluation Report.
[58] NSBP (2023) Headteacher Survey Report.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
23	**Expansion of free school meals** *On introduction of the Act, this measure does not include secondary legislation that affect impacts here, all of which derive from primary legislation.*	Benefits: • 500,000 more children will be able to access a free hot lunch during the school day. • Positive effect on attainment, behaviour, health and a pupil's sense of belonging and wellbeing. • Savings to eligible parents of approximately £500 per child per year. Costs: • Government has set aside over £1 billion in funding over the multiyear spending review period to cover additional meal costs. Additional funding for school-based nurseries, sixth forms and further education colleges will be provided on top of that.	The announcement made by the Government to expand free school eligibility in June 2025 has been scrutinised, including by the Institute of Fiscal Studies, who published information about the benefits and costs of expanding FSM.
24	**Uniform limit** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • our estimated aggregate savings to parents with children in primary school is around £21m per year, and for those with children in secondary school is around £52m per year Costs • While not a direct regulation on businesses, we have tried to quantify the level of impact we think the uniform limit will have on the sector from available evidence. We currently estimate there are in the region of one to two thousand 'schoolwear' businesses operating in England (mostly microbusinesses <10 employees; <£2m turnover). We do not have information on which to determine the proportion of their business represented by branded schoolwear and the proportion represented by branded clothing/uniforms for other groups/sectors or businesses. The exact impact of the measure on these businesses is therefore uncertain and will also not be equally distributed. It will depend on factors outlined in the measure-level Impact Assessment. Nb, the limit will not apply to the independent schools sector so uniform sales associated with them will not be impacted (hence why this measure was not considered a Regulatory Provision).	Our estimates are that just over a third of primary schools (35%) will have to make changes to their uniform policy, with 18% needing to remove 1-2 branded items, 7% needing to remove 3-4 items and 10% needing to remove 5 or more. Our estimates are that 71% of secondary schools will have to remove branded items, with 30% needing to remove 1-2 items, 22% needing to remove 2-4 items and 19% needing to remove 5 or more. -

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
25	**Mobile phones in schools** *All impacts derive from primary legislation.*	Benefits: • reduce the level of disruption caused by mobile phones to pupils in the classroom • greater clarity and awareness of the guidance • support by and understanding of parents Costs: • potential implementation costs. There are a number of ways in which schools can ensure that they are mobile phone-free, and it is for school leaders to decide how best to achieve this within their own unique contexts.	The evidence suggests that having a smartphone available to pupils in class has negative impacts on children's learning by creating a constant distraction[59] and that having smartphones in schools also has a negative effect on pupil wellbeing and social development[60]. Further evidence is outlined in the non-regulatory impact assessment.
26	**Allergy safety policy in schools**	Benefits: • Improved safety and reduced anxiety for pupils and families. • For schools, greater clarity of roles, responsibilities and procedures and improved preparedness and confidence in responding to allergic emergencies. Costs: • Minimal - potential need for engagement with schools to inform policy reviews, care planning or individual health arrangements. • Modest costs associated with emergency preparedness, including maintaining access to "spare" adrenaline devices.	Evidence, including serious incidents, including fatal and near fatal cases of anaphylaxis, occurring in educational settings indicates that guidance alone has not delivered consistent or adequate protection. A light touch statutory requirement is considered proportionate, targeted, and necessary to ensure minimum standards nationally.

[59] The effects of mobile phone use on academic performance: A meta-analysis - ScienceDirect
[60] To Ban or Not to Ban? A Rapid Review on the Impact of Smartphone Bans in Schools on Social Well-Being and Academic Performance

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
27	**Children Not in School <u>(Regulatory Provision) (Applicable to England and Wales)</u>** *This measure includes 15 delegated powers in secondary legislation (all outlined in the Act's Delegated Powers Memorandum), which means this is one of several measures that does include secondary legislation on introduction.*	Benefits (England and Wales): • improved identification and safeguarding of children, including those currently at school whose parents wish to withdraw them for home education • improved ability to ensure children not in school are receiving suitable education, and associated attainment benefits • better identification/ support for some electively home-educating households Costs: • familiarisation costs for households, schools and out-of-school education providers • costs to out-of-school education providers (e.g. tutors, tuition centres, etc.) from having to collect, store and, if necessary, provide information for the Children Not in School registers • time costs to households providing information for the registers or for a home education consent decision, or time costs for attending a mandatory meeting before school withdrawal if living in a pilot area • time costs to schools providing information for a consent decision or attending a mandatory meeting if they are in a pilot area and the parent requests their attendance • a new burden for LAs - the department will continue to review funding for LAs to ensure that they receive sufficient funding to enable them to meet these duties.[61] Within Wales the WG already provides LAs with additional funding to enhance their capacity which supports LAs in undertaking their statutory duties in relation to EHE and CME and also provides an amount of funding in relation to EHE numbers for LAs to provide a local offer of support.	NPV England: -£56m[62] NPV Wales: -£1.9m NPV total: -£57.9m (monetised costs only) EANDCB: £1.2m EANDCH: £1.7m[63] *The secondary legislation will help to operationalise the policy but the powers in primary legislation will lead to the impacts above. We will revisit and revise these figures if necessary, ahead of the introduction of the secondary legislation.* *The Welsh government will undertake its own assessment of the likely costs based on WG figures. See section 6: Regulatory Scorecard for breakdown on figures for England and Wales.*

[61] As per the new burdens doctrine, the department will submit new burdens assessments to MHCLG.
[62] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[63] Benefits to households have not been monetised.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
28	**IESS - Power of suspension for independent schools <u>(Regulatory Provision)</u>** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • reduction of safeguarding risks Costs: • costs to all independent schools from familiarising themselves with new legislation • disruption costs to households with children in suspended schools • costs to LAs from duty to provide board to students displaced from suspended boarding schools	NPV: -£6.9m[64] (monetised costs only) EANDCB: £0.0m[65] EANDCH: n/a[66] *Impacts from primary legislation only.*
29	**IESS - Material Changes <u>(Regulatory Provision)</u>** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • reduction of education and safeguarding risks Costs: • direct costs to all independent schools from familiarising themselves with new legislation • compliance costs in the form of new administrative costs for schools required to seek Secretary of State approval	NPV: -£0.6m[67] (monetised costs only) EANDCB: £0.1m EANDCH: n/a[68] Roughly 50% of these costs will be derived from primary legislation and 50% from secondary legislation, as half of the familiarisation time/costs will be expended on changes from primary only (reporting additional use of premises changes) and half on changes requiring secondary legislation (reporting SEND provision changes).
30	**IESS - enforcement powers: appeals <u>(Regulatory Provision)</u>** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • improved educational outcomes for children • reduction of safeguarding risks Costs: • costs to all independent schools from familiarising themselves with new legislation • disruption costs to teachers employed at deregistered schools • disruption costs to households with children in deregistered schools	NPV: -£18.1[69] (monetised costs only) EANDCB: £0.0m EANDCH: £2.1m[70] *Impacts from primary legislation only.*

[64] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[65] The EANDCB figure for this measure rounds to zero in the IA calculator.
[66] It has not been possible to monetise household costs and benefits.
[67] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[68] Household costs and benefits have not been monetised.
[69] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[70] Household benefits have not been monetised at this stage.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
31	**IESS - due diligence and standard setting (fit and proper person test) <u>(Regulatory Provision)</u>** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • reduction of education and safeguarding risks Costs: • familiarisation costs to prospective independent school proprietors subject to the test	NPV: -£0.9m[71] (monetised costs only) EANDCB: £0.1m EANDCH: n/a[72] *The secondary legislation will help to operationalise the policy but the powers in primary legislation will lead to the impacts above. We will revisit and revise these figures if necessary, ahead of the introduction of the secondary legislation*
32	**IESS - Changes in Ofsted's powers with regards to investigating criminal activity <u>(Regulatory Provision)</u>** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • reduction of education and safeguarding risks Costs: • indirect costs to currently unlawful settings now having to allow inspections and potentially having to register and meet ISS, or to close • disruption costs to teachers employed at unlawfully operating schools required to close following investigation • disruption costs to households with children in impacted schools • additional inspection and associated costs to Ofsted	NPV: -£2.0m[73] (monetised costs only) EANDCB: £0.0m EANDCH: n/a[74] *Impacts from primary legislation only.*

[71] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[72] Household costs and benefits have not been monetised.
[73] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[74] Household costs and benefits have not been monetised.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
33	**IESS - Registration Requirements <u>(Regulatory Provision)</u>** *This is one of several measures that does include secondary legislation on introduction. Impacts are not dependent on secondary legislation, which will only be required if needed.*	Benefits: • improved educational outcomes for children • reduction of safeguarding risks Costs: • familiarisation costs for impacted independent schools • compliance costs for more settings now having to register and demonstrate compliance with prescribed standards or having to adjust their business model to comply with the new regulation (e.g. by changing to part-time provision) • disruption costs to households with children in impacted schools	NPV: £0.0m[75] EANDCB: £0.0m[76] EANDCH: n/a[77] *Impacts from primary legislation only in the first instance. If secondary legislation is required we will revise this going forward.*
34	**IESS - Ofsted information sharing** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • more efficient information sharing between Ofsted and the Independent School Inspectorate	- *Impacts from primary legislation only.*
35	**Strengthening the Teacher Misconduct Regime <u>(Regulatory Provision)</u>** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • reduced safeguarding risks to children and young people • maintain public confidence in the teaching profession • uphold standards of conduct Costs: • familiarisation costs for settings brought in scope and not already complying (i.e. FE colleges, Special Post 16 Institutions, Independent Training Providers, and online education settings • additional compliance costs for settings (e.g. from performing checks when hiring)	NPV: -£0.4m[78] (monetised costs only) Equivalent Annual Net Direct Cost to Business (EANDCB): £0.0m[79] Equivalent Annual Net Direct Cost to Households (EANDCH): n/a[80] *Impacts from primary legislation only in the first instance. If secondary legislation is required, we will revise this going forward.*

[75] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[76] The EANDCB figure for this measure rounds to zero in the IA calculator.
[77] Household costs and benefits have not been monetised.
[78] This NPV figure is negative because it has not been possible to monetise the benefits at this stage.
[79] The EANDCB figure for this measure rounds to zero in the IA calculator.
[80] No additional costs to households are anticipated.

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
36	**School teachers' qualifications and induction** *This is one of several measures that does include secondary legislation on introduction. Impacts are wholly dependent on secondary legislation.*	Benefits: • parents and pupils likely to benefit from the rising standards of having more qualified teachers who have successfully completed statutory induction in the classroom • more transparency to the training that teachers have had Costs: • for schools that appoint a teacher who is working towards QTS, costs associated with training and time off timetable for the trainee and their mentor(s) – the department provides grant funding to support this and if the teacher is training through an apprenticeship route, the school is able to access the apprenticeship levy Given that most academies already choose to offer induction, the overall impact of this element of the measure is considered to be neutral	Analysis of 2022 and 2023 data suggests that this change could affect around 700-1,250 potential entrants to teaching profession per annum. We estimate that between 500 and 850 of these entrants could enter as unqualified entrants with a degree and would be eligible to undertake either assessment only (AO) or a postgraduate (PG) ITT route to gain QTS. AO typically takes 12 weeks to complete once accepted and a typical PGITT route, is around 9 months-1 year. We assume a minority would take a post graduate student fee-based ITT course. *The section extends existing delegated powers, so that requirements that apply to maintained schools about teachers' qualifications and induction can be made in respect of specified primary and secondary academies.*

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
37	**Curriculum** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • pupils and parents may benefit from greater consistency, clarity and assurance of core curriculum content across different schools • reduce inconsistencies in education standards and opportunities Costs: • some academies may be particularly affected if their current curriculum differs significantly from the new national curriculum, but many already follow the current national curriculum; where they do not, we anticipate small additional costs • additional or specialised training to deliver the curriculum in affected academies • possible adjustments to resources, materials and facilities in affected academies, and recruitment of additional staff	n/a *This section expands the existing regulation-making power that allows for the Secretary of State to make assessment arrangements for national curriculum foundation subjects in respect of Key Stages 1-3. This will ensure the national curriculum assessment arrangements operate in the same way for academies as they do for maintained schools, so the extent of impacts are dependent on this. Ministers will consider evidence of impacts when they make decisions on changes to the national curriculum in the light of recommendations from the Curriculum and Assessment Review.*

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
38	**Academy schools: educational provision for improving behaviour** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • consistency for affected pupils and parents, carers and guardians, through academy schools being subject to the same statutory requirements as maintained schools in their use of off-site direction	According to the AP School Census collection, as of January 2024, 55.3% of placements (14,587 out of 26,400 pupils) in school arranged AP were due to off-site placements for behavioural support. *Neutral impacts expected after primary legislation, on maintained schools, academy schools, alternative provision (AP) providers (this includes independent and unregistered AP) whether they are commissioning placements or receiving pupils on placements to improve their behaviour. This is because academy schools can already arrange off-site provision under their general powers.*
39	**Academy intervention / direction making power** *This measure confers on the Secretary of State the power to issue a direction to an academy trust when the academy trust is not complying with a legal duty or complying with a duty in an unreasonable way or exercising a power in an unreasonable way. This, as normal, is not subject to parliamentary procedure, so all impacts derive from the primary legislation power.*	Benefits: • allow the Secretary of State to be able to enforce a number of other measures in the Children's Wellbeing and Schools Act 2026, for example admissions, the curriculum, or teachers in academies to have qualified teacher status (nb, the Secretary of State already has the power to give directions to a LA or the governing body of a maintained school) Costs: • possible impact on trustees and trust boards - in the most extreme circumstances of non-compliance the Secretary of State will be able to apply to a court for a mandatory order enforcing a direction (the Secretary of State already has a similar power in respect of maintained schools, set out in s496 Education Act 1996, which has been used extremely rarely)	n/a *Impacts from primary legislation.*

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
40	**Inspection and intervention of academy trusts** *There are a number of important regulation-making powers in this section, including the frequency of inspections, so impacts will derive from primary and secondary legislation.*	Benefits: • Expected improved school-level provision, by incentivising trusts to best support their academies and by holding them accountable. • Expected positive impact for pupils with special educational needs and disabilities (SEND), given a trust's approach to inclusion will be factored in. • Positive impact expected on parents and carers, through more information. Costs: • The fuller impact assessment available on gov.uk ('Schools non-regulatory IA') outlines our awareness and mitigation of pressures for school staff from inspections.	There is extensive evidence in the public about the role of multi-academy trusts, including in a House of Commons Library briefing.[81]
41	**Duty to issue Academy Orders** *This measure expands an existing discretionary power to make an academy order in respect of schools that are 'eligible for intervention' to include schools in a 'category causing concern'. This is an administrative procedure, so all impacts derive from the primary legislation power.*	Benefits: • more flexibility to improve schools' educational performance • complementary to the introduction of Regional Improvement Teams (RITs), to support schools to improve under their existing management and leadership (where it has capacity) Costs: • possible extra burden on LAs (financial and administrative) to support struggling schools who would previously have joined an academy trust – the department will continue to review funding for LAs to ensure that they receive sufficient funding to enable them to meet duties • impacts on academy trusts if fewer maintained schools convert into sponsored academies, however it would not impact on trusts' current operations and being sponsored by a high quality MAT will continue to be an appropriate option for some underperforming schools	There were 35 LA maintained schools that were judged Inadequate and were issued with a directive Academy Order in the academic year 2023/24. 28 of these schools were in Special Measures, with 7 having Serious Weaknesses. *Impacts from primary legislation.*

[81] School inspections in England: Ofsted - House of Commons Library

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
42	**Pay and conditions of academy teachers** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • a core and guaranteed pay offer for teachers through the STPCD • spreading good practice and innovation to all schools by remitting the School Teachers' Review Body to consider changes to the STPCD to enable healthy competition and innovation for <u>all</u> schools. • prevents academies from offering worse pay, due to the introduction of a floor on pay, and the requirement to have regard to the STPCD will mean academies can only diverge where they have good reason to do so. Costs: • possible resource for some academy trusts and larger multi-academy trusts who divert from the STPCD to show they have had regard to it.	*Impacts expected after primary legislation and secondary legislation (as remuneration and other conditions set out in regulations).*
43	**School admissions: duties to co-operate regarding admissions and place planning** *On introduction of the Act, this measure does not include secondary legislation. All impacts derive from primary legislation.*	Benefits: • children and parents are likely to benefit from improved co-operation between schools and LAs regarding admissions and place planning Costs: • time spent by LAs and schools to act in a co-operative way, e.g. engaging each other earlier in decision-making and sharing information	n/a
44	**School admissions: LA direction powers** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • likely positive impact on children and families, especially those with a vulnerability or additional need or who cannot secure a school place for other reasons, e.g. a shortage of local school places • more streamlined and transparent direction process • easier for LAs to fulfil their duties and to support children effectively Costs • This might result in a small increase in Adjudicator workload and therefore resource, as it will involve Adjudicators receiving appeals against direction decisions from both maintained schools and academies. However, this is likely to be offset by the reduction in advice cases the Adjudicators currently receive from the Secretary of State (Schools Adjudicators currently provide advice to the Secretary of State on all direction requests from LAs before deciding whether or not to issue a direction to academy).	n/a

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
45	**School admissions: published admission numbers (PANs) and objections to the Schools Adjudicator** *This is one of several measures that does include secondary legislation on introduction. Impacts are partially dependent on secondary legislation.*	Benefits: • the needs of parents and pupils in terms of being able to secure and maintain access to high quality and local educational provision will be better accounted for across an area • help LAs to better manage the school estate and meet their sufficiency duty, potentially including cost savings from reducing unnecessary building work if schools do have capacity to admit more pupils, with a central focus on the consideration of the quality of provision to support value for money and maximise educational benefits • a more holistic approach to setting school PANs will contribute to financial health of schools and quality of the education they provide, especially in areas of excessive surplus, as well as maintaining the quality of available provision across an area where overall capacity is reduced • determinations following upheld objections to the Schools Adjudicator result in clear decisions, avoiding prolonged and burdensome negotiations Costs: • schools may feel their determined PANs do not reflect their preferred arrangements (i.e. they may desire to expand, or to take fewer pupils)	n/a

	Measure descriptors	Impacts: benefits and costs (qualitative)	Evidence[46]
46	**Opening new schools** *This is one of several measures that does include powers to make secondary legislation. Impacts are partially dependent on secondary legislation.*	Benefits: • better aligns LAs' powers and responsibilities to ensure there are enough school places • allows wider range of proposals to be considered, helping to ensure good schools are opened when they are needed Costs: • we do not expect there to be any additional costs to LAs – it will be each LA's choice whether to put forward their own proposals and we expect the costs of developing proposals to be manageable from within existing administrative resources • LAs will continue to receive funding via the Basic Need capital grant and via the Local Government Finance Settlement for administration costs • possible concern among academy trusts that there will be fewer opportunities for growth but proposals for new academies will continue to be invited and considered; in many areas we would expect proposers to be predominantly – or even exclusively – high-quality academy trusts	Most of the last decade saw demographic pressure on school places overall. Between 2009 and 2019, the primary population grew by 17%. However, it has since fallen and by 2025 it was 3% lower than it was in 2019. This is primarily due to continued reductions in birth numbers since 2013. Between 2015 and 2025 the secondary population grew by 18%. Projections data indicate that the secondary school population is likely to have plateaued between 2024 and 2025, and will remain at a similar level until 2026, then slowly decline. This suggests there will not be a need for a significant number of new schools in the near-term, however we expect pupil growth to continue (and therefore need for new schools) in some parts of the country.

6. Regulatory scorecard for the Act[82]

Part A: Overall and stakeholder impacts

(1) Overall impacts on total welfare		Directional rating
Description of overall expected impact	We anticipate the overall impact on society to be positive. The relatively small additional costs to business and households from the provisions within the Act are anticipated to be offset by the positive safety, wellbeing, education and financial benefits to children and families.	**Positive** **Based on all impacts (incl. non-monetised)**

[82] **Acronyms** used throughout the regulatory scorecard include: Net Present Value (NPV) and Net Present Social Value (NPSV), Equivalent Annual Net Direct Costs on Business (EANDCB), and Equivalent Annual Net Direct Costs on Households (EANDCH).

<table>
<tr><th colspan="2">(1) Overall impacts on total welfare</th><th>Directional rating</th></tr>
<tr><td>Monetised impacts</td><td>
The total NPSV for all Regulatory Provisions within the Act is:

£-101.4m (-£249.0m to -£40.4m)

It should be noted that NPV is negative because of substantial unmonetised benefits, discussed below.

The breakdown of this NPSV is:
<table>
<tr><th>All figures £millions</th><th>Central scenario</th><th>Low</th><th>High</th></tr>
<tr><td>Financial oversight</td><td>-13.4</td><td>-</td><td>-</td></tr>
<tr><td>Provider oversight</td><td>-1.2</td><td>-</td><td>-</td></tr>
<tr><td>Profit cap</td><td>n/a</td><td>n/a</td><td>n/a</td></tr>
<tr><td>CNIS</td><td>-56.0</td><td>-142.2</td><td>-33.7</td></tr>
<tr><td>IESS</td><td>-28.52</td><td>-93.7</td><td>-2.0</td></tr>
<tr><td>Teacher misconduct</td><td>-0.4</td><td>-8.1</td><td>-0.2</td></tr>
<tr><td>Total</td><td>-99.5</td><td>-160.8</td><td>-4.7</td></tr>
<tr><td>Wales CNIS</td><td>-1.9</td><td>-5</td><td>0</td></tr>
<tr><td>Total incl Wales CNIS</td><td>-101.4</td><td>-249.0</td><td>-40.4</td></tr>
</table>
</td><td>Negative

Based on likely £NPSV</td></tr>
<tr><td>Non-monetised impacts</td><td>
This section covers key unmonetised benefits and costs. We have rated the balance between unmonetised benefits and costs as positive.

Benefits

The Act is expected to deliver a broad range of benefits at primary legislation and secondary legislation stage which are either non-monetisable or have not been monetised at this stage. These include:

Reductions in children starting their school day hungry, which will equip students, especially those from low-income families, with the tools they need to thrive academically and socially
Ensuring a consistent, high-standard curriculum across all state-funded schools, leading to more consistent opportunities and outcomes for students across different types of state-funded schools
Upholding of trust, standards and confidence in the teaching profession
Improved safeguarding in educational settings, leading to reduced child maltreatment risk

</td><td>Positive</td></tr>
</table>

(1) Overall impacts on total welfare		Directional rating
	• Better support for LAs to meet their school and children's social care sufficiency duties, ensuring children have access to the right placement for their needs • Reduced frictions in school system operations • Introduction of a core pay offer for all state school teachers and enabling all schools to innovate to recruit and retain the teachers they need. • Improved quality and stability in placements for looked after children, leading to better wellbeing and educational outcomes • Improved functioning of the market for children's social care placements • Improved strategic oversight and join-up in operational child protection and safeguarding, leading to reduced child maltreatment and harm and improved intervention to tackle child maltreatment and harm **Costs** The Act will also entail some additional unmonetised costs for businesses, households and publicly funded organisations. Business and household costs are discussed in the relevant scorecard section below. Some costs are non-monetisable. Other costs will be developed as specific measures move through secondary legislation to implementation. Key unmonetised costs include: • Additional costs to the department and Ofsted for enhanced regulation duties in respect of educational and CSC settings. We are working closely with Ofsted on impacts of the Act • Marginal costs to academies subjected to a LA direction to admit a child • Time costs to LAs and schools from enhanced cooperation duties	

(1) Overall impacts on total welfare		Directional rating
Any significant or adverse distributional impacts?	No. We do not anticipate adverse distributional impacts beyond those discussed in the business and household sections of the scorecard below. We have rated this element of the scorecard as neutral for the following reasons: • Some of the measures in the Act are anticipated to impact positively on income distribution • Any adverse distributional effects are likely to be offset to an extent by the overall benefits to society from the Act • The department will, where feasible and appropriate to do so, endeavour to mitigate any adverse distributional impacts	**Neutral**

(2) Expected impacts on businesses		
Description of overall business impact	The regulatory provisions within the Act, as well as the overall Act, are expected to directly impact some businesses in the following sectors: • Private providers of Children's Social Care foster, supported accommodation and residential placements • Independent education institutions • Out-of-school education providers, e.g. private tutors • Further Education Colleges (impacted by changes to the teacher misconduct regime only) • Special post-16 institutions (impacted by changes to the teacher misconduct regime only) • Independent Training Providers (impacted by changes to the teacher misconduct regime and provider duty for children not in school registers) • Online educational settings (impacted by changes to the teacher misconduct regime and provider duty for children not in school registers) Impacted businesses will incur the following broad types of direct costs (noting that these will differ across measures, with the detail for each individual IA is provided in the annexes): • In-scope businesses will incur costs from familiarising themselves with requirements • Impacted businesses will also face a range of additional costs related to ensuring compliance with the new regulations. These vary across the measures, but key examples include: performing additional checks when hiring staff; collecting, storing and providing additional information on children in their care; costs associated with registering for inspection and meeting prescribed Standards for the first time; costs from mandatory participation in a new oversight scheme.	**Negative**

(2) Expected impacts on businesses

Monetised impacts

The regulatory provisions within the Act have been calculated as having the following business impacts.

Total EANDCB £2.1m (£0.8m to £5.1m)

The breakdown of this EANDCB is:

All figures £millions	**Central scenario**	**Low**	**High**
Financial oversight	0.6	-	-
Provider oversight	0.1	-	-
Profit cap	n/a	n/a	n/a
CNIS	1.2	0.8	4.0
IESS	0.2	0.0	0.7
Teacher misconduct	0.0	0.0	0.4
Total	**2.1**	**0.8**	**5.1**

There may be pass through[83] to households from some of the measures in the Act, particularly those that incur costs for independent schools and education providers, but these pass-through costs have not been estimated or deducted from the EANDCB figures.

Negative

Based on likely business £NPV

Non-monetised impacts

This section covers key examples of unmonetised benefits and costs to businesses. We have rated the balance between unmonetised benefits and costs as uncertain. Where it is possible to do so, we will look to improve estimates as the measures move through secondary legislation and/or path to implementation.

Benefits

- Marketing benefits to businesses newly in scope of the teaching regulatory body

Costs

- Costs to independent schools from deregistration not already monetised (e.g. redundancies for staff or contract exit costs)

Uncertain

[83] Where costs are passed to households by businesses in the form of e.g., higher prices.

(2) Expected impacts on businesses		
Any significant or adverse distributional impacts?	We have identified one possible adverse distributional impact. Based on our current understanding, the Independent Schools Standards: Registration Requirements measure is expected to disproportionately impact some religious or faith-based schools. Where in scope of the new regulation, these schools may have to meet the standards to be prescribed subsequently, which may entail costs.	**Negative**

(3) Expected impacts on households		
Description of overall household impact	We anticipate the overall impact on households to be positive. The relatively small additional costs to households from the provisions within the Act are anticipated to be more than offset by the positive safety, wellbeing, education and financial benefits to children and families.	**Positive**
Monetised impacts	The regulatory provisions within the Act have been calculated as having the following monetisable household impacts; significant benefits exist and have been described but we have been unable to monetise them at this stage. Total EANDCH £3.9m (£0.4m to £11.1m) The breakdown of this EANDCH is:	**Negative** **Based on likely household £NPV**

All figures £millions	**Central scenario**	**Low**	**High**
Financial oversight	0.0	-	-
Provider oversight	0.1	-	-
Profit cap	n/a	n/a	n/a
CNIS	1.7	0.4	6.8
IESS	2.1	0.0	4.2
Teacher misconduct	0.0	-	0.4
Total	**3.9**	**0.4**	**11.1**

(3) Expected impacts on households		
Non-monetised impacts	Alongside the child wellbeing, safeguarding and educational benefits set out in Section A1 (Overall impacts on total welfare), listed below are key unmonetised benefits and costs to households. We have rated the balance between unmonetised benefits and costs as positive, reflecting broadly an offsetting effect between costs and benefits. Benefits • [CNIS] Fewer children in unsafe or unsuitable home education environments • [CNIS] Greater LA oversight of vulnerable children not in school, informing improved multi-agency support and protection wherever needed. • [CNIS] Better information on home-educated children and families to support future policy development • [Teacher Misconduct] Greater confidence for households from improved regulation of teachers and educational settings. • [CSC Financial Oversight] Advance warning to LAs (as corporate parents of looked after children) of likely financial distress/ failure and cessation of service of placement providers Costs • Where Powers of Suspension or Deregistration appeals lead to temporary or permanent school closure, this may result in disruption costs to affected households (e.g. parents requiring time off work)	**Positive**

(3) Expected impacts on households		
Any significant or adverse distributional impacts?	We have identified one potential, positive distributional household impact from the Children Not in Schools Register (CNIS) measure. It includes a duty on LAs to offer support to home-educating families. The support duty may be more likely to benefit middle and lower income families. Parents who choose to home educate bear the financial responsibility for doing so since a state school place (or state-funded place) is available for their child. Middle and lower income families may find this financial responsibility more burdensome than those in higher income brackets. Therefore, the new requirement on local authorities to provide advice and information to assist with home education may support middle and lower income families to access resources and information that they would otherwise be unable to due to their financial situation (for example, where families may currently not have the funds to get access to information that is only available through subscriptions to third-party websites or resource hubs). The position in Wales is that there is already an agreed package of support for home educators which comprises statutory and non-statutory elements and the above measure would complement and enhance this.	**Positive**

Part B: Impacts on wider government priorities

Category	Description of impact	Directional rating
Business environment: **Does the measure impact on the ease of doing business in the UK?**	Overall we expect a neutral impact on this domain. Some of the measures in the Act will entail additional costs for businesses, but this is offset by positive business or market impacts alongside benefits to children and families.	**Neutral**
International Considerations: **Does the measure support international trade and investment?**	N/A	**Neutral**

Category	Description of impact	Directional rating
Natural capital and Decarbonisation: **Does the measure support commitments to improve the environment and decarbonise?**	N/A	**Neutral**

7. Small and micro business impacts

89. Of the 38 measures in this Act, we anticipate that eight may result in direct costs to small and medium businesses (SMBs), with any impacts likely to occur following primary legislation. For these eight measures, where available[84], a high-level account of SMB impacts is provided in the bullet points below, with further detail in the annexes.

90. **Children Not in School Registers:** it is anticipated that the majority of out-of-school education providers potentially impacted by this measure will be small and micro businesses, with the remainder medium-sized businesses. Therefore, virtually all the estimated £0.1m EANDCB for this measure applies to SMBs. Overall, the impact of this measure is anticipated to be small and outweighed by safeguarding benefits. We have tested the impact of the CNIS measures on out-of-school representatives through the department's Out-of-School Steering Group. There will be a public consultation prior to implementation to establish the most appropriate level to set the threshold at that brings a provider into scope of the duty, which will keep the number of businesses affected at the most appropriate level.

91. **Strengthening the Teacher Misconduct Regime:** the changes under this measure may impose greater costs on small and micro settings, which may have limited pre-existing HR and hiring practices. However, while there are costs to businesses from this change, these are minimal administrative costs and, in the main, these costs will already be absorbed by impacted businesses under pre-existing funding agreements with the department. Furthermore, the revised regulatory regime this legislative change will apply to all teachers in England who are in jurisdiction of the TRA's regime; it is not possible to quantify impacts on different size organisations because evidence does not exist to be able to estimate which teachers, in which locations, will in future commit serious misconduct and receive regulatory action as a result of these changes.

92. **IESS: Power of suspension for independent schools:** these powers are expected to be used very infrequently; the central estimate is that they will affect 5 schools per year. Some of these may be SMBs but it is not possible to quantify this because the department does not collect data on size of independent educational institutions or the size of those that have faced suspension regulation before, and if we did it would not be possible to extrapolate from those that have faced suspension regulation before because the threshold for this regulation is markedly different to the existing approach (hence the need for intervention). The Measure-level Impact Assessment outlines this in more detail.

[84] In determining proportionality in assessing impact, the department has drawn on the document Regulatory Policy Committee (undated) *Proportionality guidance for departments and regulators.*

93. **IESS: material change regime:** the impact estimates assume that a total of 400-500 schools per year will be impacted by this measure, and that impacts will be relatively low cost. It has not been possible to estimate the administrative burden placed specifically on SMBs due to proportionality considerations and resource constraints.

94. **IESS: enforcement powers: appeals:** similarly to Powers of Suspension, these powers are expected to be used very infrequently; with a central estimate of 5 schools per year affected. Again, whilst some of the impacted schools may be SMBs it has not been possible to develop separate impact estimates for SMBs.

95. **IESS: due diligence and standard setting:** as before, these powers are expected to impact a limited number of schools/proprietors overall (our central estimate based on existing number of proprietor applications is 400). Whilst some of the impacted schools may be SMBs it has not been possible to develop separate impact estimates for SMBs.

96. **IESS: Changes in Ofsted's powers with regards to investigating criminal activity**: the overall costs of this measure are estimated to be very low (EANDCB of £0.0m when rounded down to the nearest hundred thousand) and separate estimates have not been developed for SMBs due to resource constraints and proportionality considerations.

97. **IESS: registration of full-time settings:** the central estimate is that fewer than 20 settings will be impacted by this measure. It is likely that some of these will be SMBs but it has not been possible to develop a separate impact estimate for this group.

98. Across all eight IESS measures, it has been deemed inappropriate to exempt SMBs from the regulations, either because the new burdens are relatively limited (e.g. it is likely that businesses already collect and hold the information) and/ or because exempting SMEs would run contrary to the safeguarding objectives of the measures.

8. Wider Impacts

99. This section outlines wider impacts of the Act's measures. An Equalities Impact Assessment will be published alongside this document on the Act's introduction. Where required for each measure, we have also carried out Environment Principles Assessments, New Burdens Assessments, Data Protection Impact Assessments including Article 36, Child's Right Impact Assessments, the Justice Impact Test, and The Family Test.

100. For measures that aim to keep families together and children safe:

   a. The Family Group Decision Making measure is also anticipated to have a positive impact on courts. Impact evidence from the randomised control trial by Foundations[85] has shown that when families were offered Family Group Conferences (FGCs), children were less likely to have care proceedings issued compared to those who were not offered FGCs. A reduction in care proceedings should alleviate some pressure on the courts and bring Public Law Outline closer to the recommended 26 weeks target, reducing the backlog of cases in family courts.[86] The families that will be engaging with FGDM can sometimes have certain characteristics overrepresented. For example, while we do not have data on families at pre-proceedings, we understand that black children are more likely to be looked-after than

[85] Family Group Conferencing at pre-proceedings stage - Foundations
[86] Family Court Statistics Quarterly: October to December 2023 - GOV.UK (www.gov.uk)

children of other ethnicities.[87] Due to the family-led and co-operative approach of FGDM, we believe that there will be a positive impact on fostering good relations between people with protected characteristics and these key stakeholders involved in the children's social care system. Further details on overrepresented characteristics in this cohort, and the equalities impact on the people with certain protected characteristics, are set out in the accompanying Equalities Impact Assessment.

b. Strengthening the role of education in multi-agency safeguarding arrangements will result in better join-up between education, children's social care, police, and health services and will also contribute to better information sharing practice and agreements, and better responses to serious incidents.
c. In the ten multi-agency child protection team pathfinder areas, multi-agency front-line child protection practitioners from the LA, police and health and other relevant agencies are working together in a much more integrated way with day-to-day responsibility for protecting children from harm.
d. Improved information sharing and the single unique identifier (known as a consistent identifier in legislation) is intended to support the sharing of information across all agencies with functions relating to safeguarding and promoting the welfare of children. This is expected to have the benefit of removing the need for children and families to have to re-tell their stories and improved relationships with children and families.

88. Many of the measures that aim to support children with care experience to thrive are likely to result in benefits to other public sector bodies that safeguard and promote the welfare of children.

a. The requirement on LAs to have a kinship local offer will promote transparency to ensure kinship families are informed about their rights and the resources available to them. Ultimately, by supporting kinship carers, this measure aims to improve the overall wellbeing and stability of children who cannot live with their parents.
b. Based on existing trial evidence, the Virtual School Heads measure is expected to give rise to benefits including: improved attendance, reduction in children not in education, employment or training and reduction in suspensions and permanent exclusions, and improved wellbeing and resilience. This is likely to have positive knock-on effects on the available workforce and public sector expenditure.
c. Regarding care leavers, we know that care leavers are overrepresented in the homelessness system. 10% of care leavers aged 17-20 and 8% of those aged 21+1 are homeless. Combined Homelessness and Information Network (CHAIN) data for Q3 2020 show that 11% of all rough sleepers aged 25 and under in London are care leavers. Based on existing evidence, measures such as Staying Close and protocol on support for care leavers when they transition to independent living are likely to result in improved outcomes in accommodation stability, wellbeing, EET, strong relationships and support network and independent living skills. This will then have a subsequent decreased cost pressure on wider public services. These cost savings will mainly come from reductions in the costs of homelessness, unemployment and mental health needs. For example, from the existing Staying Close grant funding scheme, Suffolk has seen 90% sustained tenancies/increased placement stability /prevention of homelessness. This will also benefit tenancy and stable accommodation providers who will see a decline in rent arears and the need for evictions.

89. For measures that aim to make the care system child-centred:

[87] What Works Centre, 2022 report - Understanding Formal Kinship Care Arrangements in England (whatworks-csc.org.uk)

a. There will be impacts of the introduction of a statutory framework for depriving children of their liberty in settings other than a Secure Children's Home for Deprivation of Liberty Orders (DOLOs) via the High Court. DOLOs via the High Court's Inherent Jurisdiction are a last resort option and do not offer the safeguards that a statutory scheme will through mandated regular review points and a clear legal framework. Legislation will return High Court Deprivation of Liberty Orders back to their intended purpose.
b. Ofsted will acquire oversight of group providers of children's social care services through a system of enforcement against those individuals or agencies who fail to comply with requirements to engage or develop plans to improve quality.

90. Of the measures that aim to remove barriers to opportunity in schools:

a. Beyond the classroom, Breakfast Clubs can create an opportunity for children to socialise in a relaxed setting before lessons begin, helping to develop social skills and a sense of community enabling them to achieve their full potential from the start of the school day. Furthermore, as outlined in Section 5, this can support parents' working hours with possible knock-on economic benefits from increased working, income and output.
b. A possible impact of the school uniform limit is increased donations to second hand school uniform schemes, so schools should continue to ensure that parents can acquire second-hand uniforms.

91. For the measures that aim to drive high and rising standards for every child:

a. The three admissions measures are likely to have economic benefits for the LA, especially in areas where they are struggling to provide enough places, as Adjudicator decisions will result in a clear outcome without room for negotiation and dispute; a strong focus on the quality of educational provision in these decisions will have value for money / longer term benefits. We intend to make a package of changes to secondary legislation to provide a robust framework for decisions on PAN, following Royal Assent, including changes to extend the ability for LAs to object to the Adjudicator. Where admission authorities are setting their PAN below their capacity this may support LAs to open up places in existing high performing schools with capacity by objecting to the Adjudicator and receiving a clear outcome about the number of places that school must offer, rather than having to create new capacity. Likewise, if surplus space could be more effectively managed it could be used to increase nursery provision or SEND inclusion bases, supporting wider departmental priorities. Requirements for the quality of education and parental preference in these decisions on PAN will help maintain the quality of provision in an area, even where the number of available places is changing, supporting value for money and longer-term economic benefits. Children with additional needs and vulnerable children may particularly benefit from the admissions and place planning co-operation duties as they can be disproportionately affected by poor co-operation e.g. related to in-year admission – this is outlined in greater detail in the Equalities Impact Assessment.
b. There could be impacts on apprenticeships from the mandatory QTS measure, if schools appoint a teacher who is working towards QTS and if the teacher is training through an apprenticeship route.
c. From the national curriculum change, trusts may need to hire additional or specialist teachers for any subjects not currently delivered or underrepresented in existing curricula.

3. Monitoring and Administrative/Compliance Costs

9. Monitoring and evaluation

92. As required in the Guide to Making Legislation, we will conduct a post-implementation review to capture the actual impact of the implemented policy and assess any modifications to the policy objectives or its implementation recommended as a result of the review. The outcome of this review will be published on legislation.gov.uk.

93. Bespoke reviews of policies will likely be conducted at a Measure-level or grouped Measure-level, depending on which is most appropriate for each measure given their different objectives, metrics. We expect that this evaluation will be carried out within the first five years of the legislation coming into force.

94. Details about how we will assess impacts of measures are outlined in the individual impact assessments annexed to this document. We will continue to develop and, where necessary, adjust our plans during the Act's passage. We have also provided a high-level summary of planned monitoring and evaluation arrangements for each of the regulatory provisions, and then non-regulatory provisions, within the Act below.

    a. **Children's Social Care Financial Oversight Scheme:** the scheme will not have a trial or experimentation period; however, legislation will allow for periods of review and any necessary amendments to be made to the scheme, e.g. so it can remain fit for purpose in line with any changes in the market.
    b. **CSC Provider Oversight:** we expect provider oversight to be implemented by Ofsted from January 2027, subject to parliamentary process and the Act receiving Royal Assent. Impact will be monitored through the collection of data by Ofsted, which will track the volume of enforcement activity at provider level, demonstrating how many services this action has the potential to influence.
    c. **Children Not in School:** a post-implementation review will be undertaken once the first years' worth of data from the CNIS registers has been returned to the department by local authorities and analysed. The review of the pilots of mandatory meetings will take place at least two years after the pilots begin running. The Welsh government have already commissioned a review of their EHE statutory guidance and an evaluation of their Children Missing Education database proposals. There would be potential to include a post implementation review of the CNIS registers in Wales within this commissioned research.
    d. **Strengthening the Teacher Misconduct Regime:** the TRA and the department will work together to monitor whether the policy change has had a disproportionate impact on types of settings or groups of individuals.
    e. **IESS: Power of suspension for independent schools:** the expectation is that this power will be used very infrequently. Currently, we routinely evaluate and internally review the adequacy of our approach following each use of our existing power under s120 of the Education and Skills Act 2008 and will do so following each use of our new power.
    f. **IESS: enforcement powers: appeals:** the expectation is that this power will be used very infrequently. Currently, we routinely evaluate and internally review the adequacy of our approach following each use of our existing power under s120 of the Education and Skills Act 2008 and will do so following each use of this new power. Reviews are informed by, among others, views of legal counsel often hired to assist in preparing cases to the appeal Tribunal.

g. **IESS: registration of full-time settings:** impact will be monitored via informal consultation with stakeholder groups in impacted communities alongside the relevant LAs.

h. **IESS: material change regime:** current arrangements, whereby we review the working of our regulatory regime following high-profile or complex cases, will continue once the legislative change is made. This will be supplemented with informal consultation with independent schools' representative bodies.

i. **IESS: due diligence and standard setting:** as currently, we will continue to monitor applications and due diligence checks. Post-implementation, this monitoring will help identify numbers failing to meet the new test, and whether the thresholds we set are adequate.

j. **IESS: Changes in Ofsted's powers with regards to investigating criminal activity:** we will use pre-existing monitoring arrangements with Ofsted to monitor the impact of these proposals and test our assumptions that (a) they will lead in all cases to a determination about whether unlawful activity is being undertaken and (b) these powers will be actually used infrequently since in most cases those subject to inspection cooperate with inspectors. Inspections of independent schools believed to be acting unlawfully are sufficiently rare to justify a review of our process in each case.

k. **Strengthening the Teacher Misconduct Regime:** the TRA and the department will work together to monitor whether the policy change has had a disproportionate impact on types of settings or groups of individuals.

95. For measures that aim to keep families together and children safe, we will continue ongoing review and learning to determine if changes effectively address issues or if further action is needed.
    a. On Family Group Decision Making, Foundations (What Works Centre for Children and Families) are an organisation funded by DfE and run a programme of work to promote the evidence on Family Group Conferences.
    b. To strengthen the role of education in multi-agency safeguarding arrangements, we expect each local area to tailor their multi-agency response according to their specific safeguarding needs and continue to monitor whether children and families are receiving the right support at the right time.
    c. Regarding multi-agency child protection teams, we expect the statutory safeguarding partners to review and monitor the effectiveness of multi-agency child protection teams through their multi-agency safeguarding arrangements (MASAs). The National Child Safeguarding Practice Review Panel also has a role in this through their oversight of MASAs and in reviewing local child safeguarding practice reviews. Safeguarding partners are inspected by their respective inspectorate bodies (Ofsted, the Care Quality Commission and HM Inspectorate of Constabulary, Fire and Rescue Services) and jointly through Joint Targeted Area Inspections (JTAIs). Therefore, we are not proposing to make any changes to accountability and monitoring.
    d. Regarding Information Sharing and the Single Unique Identifier, we will carry out further policy development to address barriers to information sharing.

96. We will also monitor the impact of the Virtual School Head extension through the continued evaluation and against the longer-term anticipated outcomes from the Theory of Change, which are anticipated to be evidenced by the end of 2024/25. Furthermore, the department currently operates Staying Close as a grant funding scheme which began as a pilot in 2018 with 8 initiatives and has now expanded to 47 LAs. We are currently undertaking an evaluation to further assess the existing Staying Close grant funding scheme's impact, and we will use these findings to support LAs in complying with these new duties.

97. For measures that aim to make the care system child-centred, we will further increase our understanding of the issues around designing, commissioning and delivering suitable provision

for these children, including through independent research. We will publish a CSC Dashboard with indicators linked to the outcomes to support LAs to understand their progress towards achieving the transformation needed, and for evaluation purposes. Lastly, we will develop and pilot evidence-based models of commissioning safe, therapeutic care that delivers integrated, consistent, and collaborative practices for relevant children and young people.

98. For measures that tackle profiteering in children's social care, we are committed to curbing profiteering and will monitor the impact of the other children's social care market intervention measures to inform whether the profit cap needs to be implemented as a last resort if other measures are not proving effective enough in curbing profiteering on their own. We have already set up an evaluation programme for Regional Care Co-operatives, which will aim to collect robust and reliable evidence to understand both the impact and the causes of any impact on the care placements system e.g., sufficiency needs, planning, forecasting, and commissioning of placements. Potential metrics for RCCs will include reduction in cost of placements to LAs, increased sufficiency of placements within region, reduction in use of out of area placements. On the agency workers measure, we are introducing a new quarterly data collection under section 83 of the Children Act 1989 and section 251(1)(b) of the Apprenticeships, Skills, Children and Learning Act 2009. The quarterly collection of data will provide a consistent evidence base of agency use and costs in relation to social workers, to support LAs with workforce planning and bolster the development of regional and national workforce strategies. This will allow the department to monitor compliance with the current statutory guidance and any subsequent regulations to enable the development and implementation of support and/or enforcement measures.

99. For the two measures that aim to remove barriers to opportunity in schools, we worked with 750 early adopter schools of breakfast clubs from April 2025 to better understand capacity and likely take up of a free breakfast club offer. National roll out will take place in phases from April 2026 to ensure that every school joining the scheme is fully supported, and so that we can continue to learn from delivery. The uniform limit is expected to come into effect from September 2026, so we will plan how to continue to analyse the macro impact before then, although it will be difficult to quantify the impact on individual schools because we do not collect information on individual school's commercial contracts.

100. For the high and rising education standards measures, we will continue to monitor the extent to which the policies are achieving their intended objectives through targeted stakeholder engagement, including localised engagement with a sample of school and trust leaders that are most likely to be impacted. We believe the new checks and balances included with the new LA direction powers will help reassure those who have such concerns that it will be an appropriate power with little room for it to be misused, but we will continue to monitor this. In relation to the QTS measure, we will continue to assess the impact on accredited Initial Teacher Training (ITT) providers and providers of Early Career Framework-based induction training also needing to be aware. Monitoring changes from the national curriculum measure will be aligned with implementation of the new national curriculum, which is due to be published in spring 2027, for first teaching in 2028. On the duty to academy order, we will conduct local engagement to ensure all key stakeholders are made aware of the direct support that is being offered to the school, and why this is the better option in the circumstances. Lastly, in relation to the measure for opening new schools, we will continue to monitor data on new schools, as illustrated in the respective Measure-level IA in Annex B.

10. Minimising administrative and compliance costs for preferred option

101. We will minimise the administrative burdens of complying with CSC measures in the following ways:

a. We have delayed commencement of the multi-agency child protection teams measure to 2027, so that the teams are informed by findings from the evaluation of the Families First for Children Pathfinder programme, and areas have time to prepare. We will also use this time to engage extensively with all sectors we intend to be part of the multi-agency child protection teams.
b. The Single Unique Identifier ('consistent identifier' in the legislation) regulation will be delayed until conclusion of the SUI pilots that aim to better understand the impact of using a unique identifier and other operational requirements needed to implement it successfully.
c. We have made sure that the legislative changes on child employment are straight-forward and minimal, so the impact on charities and other third-party organisations is expected to be negligible.
d. Regarding Virtual School Heads, various guidance documents are likely to be amalgamated into a single document.
e. We will work collaboratively with MHCLG on statutory guidance that will need to be amended to support LAs with the delivery of the care leavers changes, as it is closely interlinked with housing teams in LAs.
f. We intend to appoint an expert external provider to assist corporate parents to meet their duties further minimising the risk of new burdens, by providing support for agencies including training materials, and enabling consultation with CEYP, all to help the proposed corporate parents to successfully implement the proposals.
g. New enforcement powers for Ofsted to tackle breaches of the Care Standards Act will allow Ofsted to better tackle noncompliance, including against unregistered settings in a proportionate, effective and efficient manner, reducing compliance and administrative costs, as opposed to prosecution which is very resource intensive.
h. The agency workers measure will increase compliance as LAs will not be able to depart from regulations and Ofsted will look at compliance with regulations during inspections. However, this is far outweighed by the costs of the 'do nothing' option, which would otherwise likely continue to rise, restricting LAs' ability to invest in permanent workforce and stabilise the CSC system.
i. Regarding Regional Care Co-operatives, we are working with two pathfinder areas, in Greater Manchester and the South East to test our approach. This has already informed the scope of the strategic accommodation functions that are defined in the Act. Lessons will be applied to minimise administrative and compliance impacts.
j. We will consult publicly before a profit cap is implemented, if the cap is deemed necessary in the future. This would include specific questions about implementation.

102. We intend to minimise the administrative burdens of complying with the measures in the first three groups affecting schools and children in the following ways:

a. We worked with 750 early adopter of breakfast clubs from April 2025 to March 2026. National roll out will take place in phases from April 2026 to ensure that every school joining the scheme is fully supported, and so that we can continue to learn from delivery. The uniform cap until the academic year 2026/27, in both cases to give a lead-in time for stakeholders to understand and prepare for the changes.
b. The measure on allergy safety policies in schools is not expected to constitute a significant new burden, as it formalises existing expectations and does not mandate new services, staffing, or medical provision beyond current guidance. Burdens will be mitigated through

guidance and non-statutory support mechanisms, including, for example, updated, clear statutory guidance on allergy management in schools, including practical expectations for emergency preparedness and clear communications and support to help schools access, store and use adrenaline devices safely and confidently, in line with guidance rather than through additional regulatory requirements.

c. The Curriculum and Assessment Review sought to ensure that the curriculum and assessment system does not place undue burdens on education staff and, wherever possible, supports manageable and sustainable workloads for teachers, lecturers, support staff and leaders. The government is committed to supporting all schools through the transition period, ensuring sufficient lead-in time to implement the changes effectively.
d. Regarding the duty to academy order measure, structural intervention can be complex, expensive and disruptive for pupils, parents and staff. Permitting alternate interventions may support in reducing this.
e. Regarding the teacher pay measure, the government will introduce a new power for the Secretary of State to determine minimum levels of pay for teachers in academy schools and alternative provision academies. These academies will also be required to have regard to the rest of the STPCD once we have made changes to it, through secondary legislation, to encourage innovation and healthy competition for all schools. These changes will build in more flexibility for all schools ensuring compliance is only required after these reforms, therefore it will reduce the risk of nugatory administrative costs for academy schools and alternative provision academies.
f. The opening new schools measure will better align LAs' ability to open new schools with their responsibility to secure sufficient school places in their area. We do not expect there to be additional costs for LAs. There may be some minimal resource implications if they decide to put forward proposals themselves for a new school but whether to do so will be the LA's choice and LAs will continue to receive funding to create new places via the Basic Need capital grant and via the Local Government Finance Settlement for administration costs.

Declaration

Department:

Department for Education

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Minister responsible:

Minister Bailey

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed: Olivia Bailey

Date: 11/06/2026