



Date **5 September 2016**

Document **Position Statement - Clause 29 of the Children and Social Work Bill**

The MA is aware of the growing disquiet in relation to clause 29 of the Children and Social Work Bill, which is currently passing through parliament. Numerous children's charities, including those which specialise in working with looked after children, have expressed their concerns about the proposed power for ministers to exempt councils from children's social care legislation in order to achieve better outcomes, or achieve the same outcomes more efficiently.

Although it is unclear what implications, if any, the proposed section would have in family court, the MA note that any negative impact on the wider sector would ultimately affect cases coming before family magistrates.

The MA supports arguments put forward in the Lords that the broad powers expressed in clause 29 should only be implemented on the strongest evidence that such fundamental changes are necessary and will lead to better outcomes for children. We note that Lords have requested evidence of the 'blockages' in primary legislation that local authorities would seek exemption from in order to innovate.

The MA would also support proposals that a detailed impact assessment is required to ensure that there are no unintended consequences which could result in children's rights being restricted or their access to support being in any way disadvantaged. The MA echo the comments in the Lords that nothing can be more important than the safeguarding and protection of children, especially those who are at greatest risk or are the most vulnerable.