

|  |
| --- |
| **Consultation Response Form****Consultation closing date: 28 February 2013****Your comments must reach us by that date.** |
| Consultation on Changes to the Delegation and Inspection of Functions for Looked After Children and Care Leavers: Consultation Response Form |

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes, primarily the Freedom of Information Act 2000 and the Data Protection Act 1998.

If you want all, or any part, of your response to be treated as confidential, please explain why you consider it to be confidential.

If a request for disclosure of the information you have provided is received, your explanation about why you consider it to be confidential will be taken into account, but no assurance can be given that confidentiality can be maintained. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data (name and address and any other identifying material) in accordance with the Data Protection Act 1998, and in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

|  |  |
| --- | --- |
| **Please tick if you want us to keep your response confidential.** | Description: Confidential |
| Reason for confidentiality: |
|

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: Please specify |   |

 |

 |

|  |  |
| --- | --- |
| Name | Description: Name |
| Organisation (if applicable) | Description: Organisation |
| Address: | Description: Address |

If you have a query relating to the consultation process you can contact the CYPFD Team by telephone: 0370 000 2288 or via the Department's 'Contact Us' page.

Please mark the category which best describes you as a respondent

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Local authority | Local authority | Description: Local authority representative body | Local authority representative body | Description: (Potential) Providers of social work services e.g.adoption and fostering agencies | (Potential) Providers of social work services e.g.adoption and fostering agencies |
| Description: Social worker | Social worker | Description: Social work representative organisation | Social work representative organisation | Description: Child in care/care leaver | Child in care/care leaver |
| Description: Children in care/care leavers representative organisation | Children in care/care leavers representative organisation | Description: Ofsted | Ofsted | Description: Other (please specify) | Other (please specify) |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Please Specify: |

 |

Proposal 1: The Government proposes to allow all local authorities in England to delegate relevant care functions to providers of social work services. This will avoid disruption where such arrangements are currently in place as part of the Social Work Practices pilot, and extend flexibility to other local authorities.

1 **Do you agree that proposal 1 will help prevent disruption in areas where delegation arrangements are already in place?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

2 **Do you agree that proposal 1 will give local authorities additional flexibility in considering how best to discharge their functions?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

3 **Do you agree with proposal 1 to commence part 1 of the CYPA, allowing all local authorities to delegate relevant care functions?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

**Please note – the remaining questions in this consultation document all refer to proposal 2. Our intention is to introduce this proposal by way of a Legislative Reform Order.**

**There are particular arrangements regarding disclosure of representations in regard of a consultation on a proposed Legislative Reform Order. Under Section 14(3) of the LRRA, the name of a person who has made a representation must always be disclosed to Parliament.**

**You can ask for the content of your representation not to be disclosed, in which case the Minister should not disclose it without your express consent and, if the representation relates to a third party, their consent too. Alternatively, the Minister may disclose the content of the representation in such a way as to preserve your anonymity and that of any third party involved.**

**If you give information about a third party which the Minister believes may be damaging to the interests of that third party, the Minister does not have to pass on such information to Parliament if he does not believe it is true or he is unable to obtain the consent of the third party to disclose. This applies whether or not you ask for your representation not to be disclosed.**

**In all cases, however, the Parliamentary Scrutiny Committees may be given access on request to all representations as originally submitted, as a safeguard against improper influence being brought to bear on Ministers in their formulation of legislative reform orders.**

4 **Are you happy for the content of your representation to be disclosed to the Parliamentary Scrutiny Committees?**

|  |  |  |  |
| --- | --- | --- | --- |
| Description: Yes | Yes | Description: No (please provide details/explanation below) | No (please provide details/explanation below) |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

**Proposal 2: The Government proposes to remove requirements for separate registration and inspection of providers of social work services. The experiences and outcomes of children looked after under such arrangements will be evaluated through Ofsted's framework for the inspection of LA services for children looked after and care leavers, but not also through a system of separate registration and inspection requirements as envisaged in the CYPA.**

5 **Do you agree that proposal 2 will avoid burdens?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

6 **Do you agree that proposal 2 avoids the risks of duplication of effort in inspection arrangements for LA services and separate arrangements for providers of social work services?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

7 **Do you agree that necessary protections are retained through Ofsted's proposed framework for the inspection of services for children looked after and care leavers, without the need for separate registration and inspection?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

8 **Do you agree with proposal 2 to remove the requirement for separate registration with and inspection by Ofsted?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

**Proposed procedure for LRO**

9 **Do you agree that the affirmative resolution procedure is appropriate for the proposed legislative reform order?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

**Analysis against requirements of the legislative and regulatory reform act 2006 - these questions apply to proposal 2 only**

10 **Are there any non-legislative means that would remedy the difficulty this proposal intends to address?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

11 **Do you agree that the proposal is proportionate to the policy objective?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

12 **Does the proposal strike a fair balance between the public interest and adverse impact on any party?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

13  **Do you believe the proposal removes any necessary protections?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

14 **Does the proposal prevent anyone from continuing to exercise an existing right or freedom? If so, please provide details?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

15 **Do you consider the proposal to be constitutionally significant?**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Description: Yes | Yes | Description: No | No | Description: Not Sure | Not Sure |

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

16 **Do you have any further comments to make on our assessment of the issues?**

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

17 **Do you have any further comments to make about either of the two proposals?**

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

18 **Please let us have your views on responding to this consultation (e.g. the number and type of questions, whether it was easy to find, understand, complete etc.).**

|  |  |  |
| --- | --- | --- |
|

|  |  |
| --- | --- |
| Description: DfE | Comments: |

 |

Thank you for taking the time to let us have your views. We do not intend to acknowledge individual responses unless you place an 'X' in the box below.

**Please acknowledge this reply **

|  |  |
| --- | --- |
| **E-mail address for acknowledgement:** |   |

Here at the Department for Education we carry out our research on many different topics and consultations. As your views are valuable to us, would it be alright if we were to contact you again from time to time either for research or to send through consultation documents?

|  |  |
| --- | --- |
| Description: YesYes | Description: NoNo |

All DfE public consultations are required to meet the Cabinet Office [Principles on Consultation](http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance)

The key Consultation Principles are:

* departments will follow a range of timescales rather than defaulting to a 12-week period, particularly where extensive engagement has occurred before
* departments will need to give more thought to how they engage with and consult with those who are affected
* consultation should be ‘digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
* the principles of the Compact between government and the voluntary and community sector will continue to be respected.

Responses should be completed on-line or emailed to the relevant consultation email box. However, if you have any comments on how DfE consultations are conducted, please contact Carole Edge, DfE Consultation Coordinator, tel: 0370 000 2288 / email: carole.edge@education.gsi.gov.uk

**Thank you for taking time to respond to this consultation.**

Completed questionnaires and other responses should be sent to the address shown below by 28 February 2013

Send by post to: Department for Education, Social Work Reform Unit, Ground Floor, Sanctuary Buildings, Great Smith Street, London SW1W 3BT

Send by e-mail to:

**SocialServiceFunctions.CONSULTATION@education.gsi.gov.uk**