



Centre for Professional Practice

Practice Briefing Note

Title:	Children and Social Work Act 2017 – Changes with Sections 8 & 9 coming into force on 31 October 2017
Effective From:	24/10/2017
Practice Note:	<p>This is a reminder to staff that Sections 8 and 9 of the Children and Social Work Act 2017 are coming into force on 31st October 2017.</p> <p>You will need to take account of these additional considerations to avoid delays with cases going to court, particularly for those which fall between current and new regulations. Therefore practitioners and managers may want to seek advice from our Legal Services Department for cases going to court from 30th October 2017 onwards.</p> <p><u>Section 8</u> makes amendments to the definition of ‘permanence provisions’ laid out in section 31 of the Children Act 1989, adding to existing considerations to ensure that courts must also take into account care plan provisions which set out the child’s individual needs, current and future, including those arising from abuse or neglect, and consider how well the long-term plan for the child will meet those needs. Section 8 will require the courts to consider:</p> <ul style="list-style-type: none"> • the impact on the child of any harm they have suffered (or were likely to suffer); • their current and future needs, including any needs arising from that impact; and • the way in which the proposed plan for their upbringing will meet those current and future needs. <p><u>Section 9</u> amends section 1(4) of the Adoption and Children Act 2002 to require courts and adoption agencies to consider, when coming to a decision relating to the adoption of a child, the child’s relationship with their prospective adopters when the child has already been placed with them. The Adoption and Children Act 2002 currently requires courts and adoption agencies to have regard to the relationship the child has with their relatives and ‘any other person in relation to who the court or agency considers the relationship to be relevant’. This section explicitly adds prospective adopters with whom a child has been placed to this list.</p>
Reason:	These regulations will have a bearing on our work and we should be aware of the sections of the Act that come into force on the 31 October 2017.
Adopted at:	Approved by Chief Officer Sue Butcher
Authorised by:	Darren Shaw, Lead for Professional Practice
Date:	24/10/2017
Review Date:	24/10/2018
Reference No:	0011/2017/CPP