

# Children’s Wellbeing and Schools Bill

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## RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including*

*7 May 2025*

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*The amendments are listed in accordance with the following Instruction –*

Clauses 1 to 21	Schedule 3
Schedule 1	Clauses 52 to 60
Clauses 22 to 35	Schedule 4
Schedule 2	Clauses 61 to 67
Clauses 36 to 51	Title

*[Amendments marked ★ are new or have been altered]*

### After Clause 4

BARONESS GREY-THOMPSON  
BARONESS WALMSLEY

After Clause 4, insert the following new Clause –

#### **“Mandatory reporting of child sexual abuse**

- (1) The Children Act 2004 is amended as follows.
- (2) After section 16LB insert –

#### **“16LC Reporting of child sexual abuse**

Subject to the provisions of section 16LD(7), (8), and (10) and section 16LF, providers of any one or more of the activities set out in Schedule 1A, who know of, or have reasonable grounds for suspecting the commission of, sexual abuse of children in their care, must, as soon as is practicable after it comes to their knowledge or attention, report it to –

- (a) the Local Authority Designated Officer (LADO),
- (b) Local Authority Children’s Services, or
- (c) such other single point of contact with the local authority as that authority may designate for that purpose.

**16LD Process**

- (1) If the report under section 16LC is made orally, the maker of the report must confirm the report in writing no later than seven days thereafter.
- (2) Section 16LC applies whether or not the activities are defined in any enactment as regulated activities involving children.
- (3) Section 16LC applies whether a commission of sexual abuse takes place, or is alleged or suspected to have taken place, in the setting of the activity or elsewhere.
- (4) For the purposes of section 16LC the operators of a setting in which the activity takes place and staff employed at any such setting in a managerial or general welfare role are deemed to stand in a position of trust and are deemed to have direct contact with children in their care whether or not such children are or have been attended by them.
- (5) For the purposes of section 16LC all other employed or contracted staff or voluntary staff and assistants are deemed to stand in a position of trust only if they have had direct contact with and have attended such children during their time in such a position.
- (6) For the purposes of section 16LC children are or are deemed to be in the care of the providers of the activities set out in Schedule 1A –
  - (a) in the case of the operators of any setting in which the activity takes place and of staff employed by the operators at any such setting in a managerial or general welfare role, for the period of time during which the operators are bound contractually or otherwise to accommodate or to care for such children, whether such children are resident or in daily attendance wherever the activity is provided, and
  - (b) in the case of all other employed or contracted staff or voluntary staff and assistants, for the period of time only in which they are personally attending such children in the capacity for which they were employed, or their services were contracted for.
- (7) The Secretary of State may, in exceptional cases, issue a suspension document to rescind or temporarily suspend the duty referred to in section 16LC in the case of any specified child or children if it appears to the Secretary of State that the child's welfare, safety or protection would be prejudiced or compromised by the fulfilment of the duty.
- (8) Where it appears to the Secretary of State that the welfare, safety and protection of children is furthered, they may exempt –
  - (a) any specified organisation that works with children generally, and its members, or
  - (b) any specified medical officer,from compliance with the duty referred to in section 16LC provided that no allegation is made against that entity or person.

- (9) The Secretary of State may make regulations varying or adding to or deleting from the list of activities in Schedule 1A, whether or not such activities are defined in any enactment as regulated activities involving children.
- (10) A person who makes a report under section 16LC in good faith, or who does any other thing required by sections 16LC to 16LF, may not by so doing be held liable in any civil or criminal or administrative proceeding, and may not be held to have breached any code of professional etiquette or ethics, or to have departed from any acceptable form of professional conduct.
- (11) Reports under section 16LC and the identities of the persons making them must be received and held by their proper recipients in confidence.

### **16LE Offences**

- (1) Failure to fulfil the duty set out in section 16LC following the procedure described in section 16LD before the expiry of the period of seven days of the matter, allegation or suspicion first coming to the knowledge or attention of the provider or of any person whose services are used by the provider as defined in section 16LD is an offence.
- (2) A person who causes or threatens to cause any detriment to a mandated person, being a person placed under the duty to report pursuant to section 16LC above, or to another person, either wholly or partly related to the mandated person's actual or intended provision of a report under section 16LC, is guilty of an offence.
- (3) Detriment includes any personal, social, economic, professional, or other detriment to the person.
- (4) A person guilty of an offence under subsection (1) is liable on summary conviction to a level 5 fine on the standard scale.
- (5) A person guilty of an offence under subsection (2) is liable on summary conviction to a level 4 fine on the standard scale.

### **16LF Defences**

It is a defence—

- (a) for any person to show that the Secretary of State acting pursuant to section 16LD(7) has issued a suspension document;
- (b) for any person employed by or operating as an organisation that works with children or for any medical officer to show that the Secretary of State has by a suspension document, whether temporarily or permanently, exempted it and its members or any medical officer from compliance with the duty in section 16LC;
- (c) to show that a report of the commission of the known or suspected child abuse has been made by any other party to the body or person

under section 16LC(a) to (c) before or during the seven days referred to in section 16LE(1).

### 16LG Definitions

In sections 16LC to 16LF –

“children” means persons under the age of 18 years;

“operators of a setting”, in the case of schools, sixth form colleges, and colleges of further education in private ownership, includes the proprietors, members of governing bodies, and board members in the case of ownership by a limited liability company;

“providers of activities” has the same meaning as in section 6 of the Safeguarding Vulnerable Groups Act 2006.”

(3) After Schedule 1, insert –

#### “SCHEDULE 1A

Section 16LC

#### REGULATED AND OTHER ACTIVITIES

1 Education including –

- (a) schools;
- (b) sixth form colleges;
- (c) colleges of further education;
- (d) pupil referral units;
- (e) residential special schools;
- (f) hospital education trusts;
- (g) settings of education other than at schools;
- (h) private tuition centres.

2 Healthcare including –

- (a) hospitals;
- (b) hospices;
- (c) GP surgeries;
- (d) walk-in clinics;
- (e) outpatient clinics.

3 Others including –

- (a) child nurseries and kindergarten provision;
- (b) childminders and childcare providers registered on the early years register or the compulsory or voluntary part of the childcare register;
- (c) registered social care providers and managers for children;
- (d) children's homes;
- (e) children's hospices;
- (f) youth offender institutions;
- (g) the Probation Service;

- (h) private institutions contracted by public bodies to provide services to children;
- (i) organisations providing activities to children, such as sports clubs, music, dance or drama groups, youth clubs, and Ministry of Defence cadet forces including Sea Cadets, the Volunteer Cadet Corps, the Army Cadet Force, the Air Training Corps and the Combined Cadet Force, Fire Cadets;
- (j) organisations providing holidays for children or supervising children while on holiday;
- (k) churches, mosques, synagogues, temples, and other places of worship and religious organisations, and other organisations holding non-religious worldviews;
- (l) services offered to children by local authorities outwith their statutory duties;
- (m) services offered to children by the police outwith their statutory duties;
- (n) transport services including taxis and coaches commissioned by the providers of the regulated activities in this Schedule.””

BARONESS FINLAY OF LLANDAFF  
LORD HAMPTON

After Clause 4, insert the following new Clause –

**“Abolition of common law defence of reasonable punishment**

- (1) The Children Act 2004 is amended as follows.
- (2) In section 58 (reasonable punishment: England), omit subsections (1) to (4).
- (3) After section 58, insert –

**“58A Abolition of common law defence of reasonable punishment**

- (1) The common law defence of reasonable punishment is abolished in relation to corporal punishment of a child taking place in England.
- (2) Corporal punishment of a child taking place in England cannot be justified in any civil or criminal proceedings on the ground that it constituted reasonable punishment.
- (3) Corporal punishment of a child taking place in England cannot be justified in any civil or criminal proceedings on the ground that it constituted acceptable conduct for the purposes of any other rule of the common law.
- (4) For the purposes of subsections (1) to (3) “corporal punishment” means any battery carried out as a punishment.
- (5) The Secretary of State may make regulations for transitory, transitional or saving provision in connection with the coming into force of this section.

- (6) The power to make regulations under subsection (5) is exercisable by statutory instrument.
- (7) This section comes into force six months after the day on which the Children's Wellbeing and Schools Act 2025 comes into force.

#### **58B Promotion of public awareness and reporting**

- (1) The Secretary of State must take steps before the coming into force of section 58A to promote public awareness of the changes to the law to be made by that section.
- (2) The Secretary of State must, five years after its commencement, prepare a report on the effect of the changes to the law made by section 58A.
- (3) The Secretary of State must, as soon as practicable after preparing a report under this section –
  - (a) lay the report before Parliament, and
  - (b) publish the report.
- (4) The Secretary of State may make regulations for transitory, transitional or saving provision in connection with the coming into force of this section.
- (5) The power to make regulations under subsection (4) is exercisable by statutory instrument.””

#### ***Member's explanatory statement***

*This new clause would abolish the common law defence of reasonable punishment in relation to corporal (physical) punishment of a child taking place in England, amend certain provisions of the Children Act 2004 relating to corporal punishment of children and place a duty on the Secretary of State to report this change.*

#### **After Clause 9**

LORD YOUNG OF COOKHAM

After Clause 9, insert the following new Clause –

#### **“Extension of priority need status to under 25s**

- (1) The Homelessness (Priority Need for Accommodation) (England) Order 2002 (S.I. 2022/2051) is amended as follows.
- (2) In article (4), paragraph (1)(a), for “twenty-one” substitute “twenty-five”.
- (3) In article (5), omit paragraph (1).”

## Clause 12

BARONESS BARRAN

Clause 12, page 17, line 34, leave out “Improvement plan notice” and insert “Requirement for inspection”

BARONESS BARRAN

Clause 12, page 17, line 35, leave out from “may” to end of line 36 and insert, “order an inspection of a parent undertaking, or any of its subsidiaries, if it has –”

BARONESS BARRAN

Clause 12, page 18, leave out from line 19 to line 10 on page 19

## After Clause 14

BARONESS MCINTOSH OF PICKERING  
BARONESS FINLAY OF LLANDAFF  
BARONESS BURT OF SOLIHULL

After Clause 14, insert the following new Clause –

### **“Child contact centres**

- (1) The Secretary of State must by regulations –
  - (a) require all child contact centres and organisations that offer child contact services to be accredited in accordance with national standards in relation to safeguarding and preventing domestic abuse;
  - (b) require all child contact centre staff and volunteers to undertake mandatory safeguarding and domestic abuse training which must establish processes to centre the voice and experience of the child and parent or carer at all stages of parental involvement;
  - (c) establish mechanisms to support and develop the role of contact centres in multi-agency risk assessment at a local level;
  - (d) set out a system-wide approach to risk assessment and risk management in child contact centres, including the provision of specialist support for parents, carers and children;
  - (e) ensure adequate funding and investment into child contact centres to ensure locally accessible and affordable provision.
- (2) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

**Clause 15**

LORD ADDINGTON

Clause 15, page 29, line 34, at end insert—

- “(c) independent schools wholly or mainly concerned with the provision of education and care for pupils with SEND.”

***Member's explanatory statement***

*This amendment seeks to include independent special schools within the profit cap provision.*

**After Clause 18**

LORD YOUNG OF COOKHAM

After Clause 18, insert the following new Clause—

**“National foster care strategy**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, launch a dedicated foster care strategy.
- (2) The strategy may examine—
  - (a) the sufficiency of foster carer provision, and make recommendations for how this could be improved;
  - (b) inefficiencies, if any, in current foster care commissioning practices, and make recommendations for improvement;
  - (c) where further research is required to gain a fully comprehensive view of the foster care sector.”

**After Clause 26**

LORD MOHAMMED OF TINSLEY

After Clause 26, insert the following new Clause—

**“Establishment of Child Protection Authority**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, establish a Child Protection Authority for England.
- (2) The purpose of the Authority is to—
  - (a) improve practice in child protection,
  - (b) provide advice and make recommendations to the Government on child protection policy and reforms to improve child protection,
  - (c) inspect institutions and settings at some times and in such ways as it considers necessary and appropriate to ensure compliance with child protection standards, and



- (d) monitor the implementation of the recommendations of the Independent Inquiry into Child Sexual Abuse and other inquiries relating to the protection of children.
- (3) The Authority must act with a view to—
  - (a) safeguarding and promoting the welfare of children;
  - (b) ensuring that institutions and settings fulfil their responsibilities in relation to child protection.”

***Member's explanatory statement***

*This amendment establishes the Child Protection Authority for England.*

LORD MOHAMMED OF TINSLEY

After Clause 26, insert the following new Clause—

**“National standards for children in need thresholds**

- (1) The Secretary of State must, within one year of the day on which this Act is passed, conduct a review of the operation of section 17 of the Children Act 1989 (provision of services for children in need, their families and others).
- (2) The review must assess regional and national variation in the type, frequency, and duration of support provided to children through child in need plans.
- (3) The recommendations of the review must include the—
  - (a) setting of metrics in the Department for Education's Children's Social Care Dashboard for assessing the progress of children on child in need plans, and
  - (b) publication of national guidance to local authorities defining the thresholds of need that children and families must meet to be offered children in need support.
- (4) The national guidance published under subsection (3)(b) must include—
  - (a) national triggers for an automatic referral to children's social care, including when a primary care giver enters custody or inpatient mental health provision, and when a child is arrested,
  - (b) the Secretary of State's expectations on how often children should receive help,
  - (c) the Secretary of State's expectations on how frequently a child's support should be reviewed when they have a child in need plan, and
  - (d) any other matters that the Secretary of State deems appropriate.”

***Member's explanatory statement***

*The purpose of this new clause is to reduce regional variations in the type, frequency and duration of support that children receive through child in need plans.*

## BARONESS WALMSLEY

After Clause 26, insert the following new Clause—

**“Automatic enrolment for Healthy Start scheme**

- (1) The Secretary of State must, within 6 months of the passing of this Act, introduce a scheme to automatically enrol certain individuals for the purposes of the Healthy Start scheme.
- (2) For the purposes of this section, “certain individuals” means people who are eligible for the Healthy Start scheme on the basis of having a child under the age of 4.
- (3) The scheme must provide the means for individuals to opt out of enrolment for the Healthy Start scheme.”

***Member's explanatory statement***

*This amendment provides for the auto-enrollment of certain individuals on to the Healthy Start scheme.*

## LORD WILLS

★

After Clause 26, insert the following new Clause—

**“Impact assessment: child poverty and children's social care**

- (1) Within twelve months of the day on which this Act is passed, the Secretary of State must publish an assessment of the impact of child poverty on social care leavers and the provision of children's social care services.
- (2) The assessment under subsection (1) must include consideration of—
  - (a) the long-term impact of child poverty on care leavers' employment opportunities,
  - (b) the disproportionate representation of care leavers in prison,
  - (c) the cost to the state of the provision of children's social care necessitated by child poverty, and
  - (d) any other matters which the Secretary of State considers appropriate or relevant.
- (3) In preparing the impact assessment under subsection (1), the Secretary of State must consult—
  - (a) providers of children's social care in England and Wales;
  - (b) care leavers;
  - (c) local authorities;
  - (d) the Office for Budget Responsibility (in relation to the long-term costs of providing children's social care, long-term unemployment among care-leavers, numbers of care-leavers in prison, and any other ways in which the numbers of children in care and care-leavers might affect the sustainability of public finances);

- (e) any other such persons which the Secretary of State such persons they consider appropriate or relevant.
- (4) The Secretary of State must lay the assessment under subsection (1) before both Houses of Parliament.”

***Member's explanatory statement***

*This probing amendment seeks to require the Government to assess the relationship between child poverty and children's social care.*

LORD BIRD

★ After Clause 26, insert the following new Clause—

**“Child poverty targets**

- (1) The Secretary of State must, as soon as reasonably practicable after the publication of the Child Poverty Strategy and no later than 31 March 2026 if that strategy has not been published, lay regulations made by statutory instrument that establish binding child poverty targets.
- (2) Child poverty targets must include—
  - (a) targets for reducing the number of children living in poverty, and
  - (b) timescales by which each target must be achieved.
- (3) The Secretary of State must lay an annual report before Parliament setting out—
  - (a) steps they have taken to deliver on the child poverty targets, and
  - (b) progress that has been made towards the child poverty targets.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

***Member's explanatory statement***

*This amendment would place a duty on the Secretary of State to set binding child poverty reduction targets in regulations.*

**After Clause 28**

BARONESS WALMSLEY

After Clause 28, insert the following new Clause—

**“Free school meals: provision and eligibility**

Section 512ZB of the Education Act 1996 (provision of free school lunches and milk) is amended as follows—

(a) after subsection (4)(c), insert –

“(ca) C meets any conditions prescribed for the purposes of this paragraph and belongs to a household whose income is less than £20,000 per year after tax.”

(b) after paragraph (4B), insert –

“(4BA) The Secretary of State must ensure that free school meals are provided to all children in England who are eligible to receive free school meals.”.

***Member's explanatory statement***

*This amendment would expand eligibility for free school meals for children from families earning less than £20,000 after tax.*

BARONESS WALMSLEY

After Clause 28, insert the following new Clause –

**“Review of free school meal eligibility and pupil premium registration**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, conduct a review of –
  - (a) the number of children in England who are eligible for free school meals but are not claiming them,
  - (b) the number of children who are eligible for free school meals but are not registered for the purposes of pupil premium funding,
  - (c) the number of additional children who would be eligible for free school meals if the income thresholds had been uprated in line with inflation since 2018, and
  - (d) the number of additional children who would be eligible for free school meals if the income thresholds were set at £20,000 per annum after tax.
- (2) A review under subsection (1) must include an assessment of –
  - (a) barriers preventing eligible children from claiming free school meals,
  - (b) disparities in take-up rates across different regions and demographics, and
  - (c) the financial and educational impact of under-registration on schools and local authorities.
- (3) The Secretary of State must lay a report before Parliament setting out the findings of the review, including any recommendations for improving registration for and take-up of free school meals and pupil premium funding.
- (4) The review and report required under this section must be repeated annually.”

***Member's explanatory statement***

*This amendment requires a review of free school meal eligibility and pupil premium registration.*

## BARONESS WALMSLEY

After Clause 28, insert the following new Clause—

**“School food improvement scheme**

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must review the national school food standards, including breakfasts, and institute a scheme for monitoring compliance with the standards in England, and supporting schools and school caterers in England to meet those standards (‘the national school food improvement scheme’).
- (2) The purpose of the national school food improvement scheme will be to determine whether applicable food standards duties are being met in the provision of all food in schools in England and to assist schools and school caterers in meeting applicable food standards duties in England.
- (3) The national school food improvement scheme may from time to time publish reports highlighting achievements, sharing successful approaches, and offering guidance as it sees fit relating to school food standards in England.”

***Member's explanatory statement***

*This new clause would improve the national school food standards and establish a national school food improvement scheme, to ensure that the breakfast club provision included within this Bill, along with all other school food, follows school food standards, and to support schools to meet those standards.*

## Clause 29

## LORD MOHAMMED OF TINSLEY

Clause 29, page 49, leave out lines 9 to 16 and insert—

- “(1) The appropriate authority of a relevant school in England may not require a pupil at the school to have to buy branded items of school uniform for use during a school year which cost more in total to purchase than a specified monetary amount, to be reviewed annually.
- (1A) The Secretary of State may by regulations specify the monetary amount that may apply to—
  - (a) a primary pupil, and
  - (b) a secondary pupil.
- (1B) A statutory instrument containing regulations under subsection (1A) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

***Member's explanatory statement***

*This amendment imposes a monetary cap, rather than an item cap, on branded uniform items.*

## BARONESS BARRAN

Clause 29, page 49, line 18, at end insert –

- “(2A) Where the appropriate authority of a relevant school provides second-hand branded items which –
- (a) comply with the school’s uniform requirements,
  - (b) are in an acceptable condition, and
  - (c) can be purchased for significantly less than the cost of buying the item new,
- the appropriate authority may require a pupil to have more than three branded items of uniform.
- (2B) Where the appropriate authority provides branded items which –
- (a) comply with the school’s uniform requirements,
  - (b) are new, and
  - (c) can be purchased for significantly less than the cost of buying the item non-branded,
- the appropriate authority may require a pupil to have more than three branded items of uniform.”

***Member's explanatory statement***

*This amendment seeks to allow schools to require more than three branded items of uniform if they are making them available, whether new or second-hand, at a lower cost than buying non-branded items.*

## BARONESS BARRAN

Clause 29, page 49, line 27, after “school” insert “except items of kit required when representing the school in sporting activities”

***Member's explanatory statement***

*This amendment seeks to exclude items of PE kit required when representing the school in sporting activities from the limit on branded items of school uniform.*

**After Clause 29**

## LORD MOHAMMED OF TINSLEY

After Clause 29, insert the following new Clause –

**“VAT zero-rating for certain items of school uniform**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, make provision by regulations for certain items of school uniform to be zero-rated for the purposes of VAT.
- (2) For the purposes of this section, “certain items of school uniform” means items of school uniform for pupils up to the age of 16.

- (3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

***Member's explanatory statement***

*This amendment makes provision for certain items of school uniform to be zero-rated for the purposes of VAT.*

**Clause 30**

BARONESS BARRAN

Clause 30, page 51, line 23, at end insert—

- “(c) providing services to the child or their family under section 17 of the Children Act 1989 (provision of services for children in need, their families and others), or
- (d) has ever provided services to the child or their family under section 47 of the Children Act 1989 (local authority’s duty to investigate).”

***Member's explanatory statement***

*This amendment seeks to ensure local authorities had to consent to withdrawing children from school if there is a child protection plan in place or if a child is a “child in need”, or if there has ever been a child protection plan in place, in relation to the relevant child or their family.*

**Clause 31**

BARONESS BARRAN

Clause 31, page 54, leave out lines 43 and 44

***Member's explanatory statement***

*This amendment seeks to remove a requirement for the register of children not in school to include details of how much time a child spends being educated by parents.*

BARONESS BARRAN

LORD HAMPTON

Clause 31, page 55, line 2, after “parent” insert “, in respect of each individual or organisation which provides such education for more than six hours a week”

***Member's explanatory statement***

*This amendment seeks to ensure that information relating to short activities such as those operated by museums, libraries, companies and charities, as well as individual private tutoring activities, would only need to be recorded on the register of children not in school if they are provided for more than six hours a week.*

## BARONESS WHITAKER

★ Clause 31, page 55, line 15, at end insert—

“(f) the reasons why a parent of a child has chosen to opt for elective home education.”

***Member's explanatory statement***

*This amendment would require the recording of the reasons parents opt for elective home education.*

BARONESS BARRAN  
LORD HAMPTON

Clause 31, page 55, line 15, at end insert—

“unless the provision is provided on weekends or during school holidays.”

***Member's explanatory statement***

*This amendment seeks to ensure that the requirements of paragraph (e) do not apply to education provided on weekends or during holidays.*

## BARONESS BARRAN

Clause 31, page 56, leave out lines 26 to 31

***Member's explanatory statement***

*This amendment removes the ability of the Secretary of State to require additional information to be included in the register of children not in school.*

## BARONESS WHITAKER

★ Clause 31, page 57, line 9, at end insert—

“(6) All information on the register must be destroyed by the local authority when a child reaches the age of 18.

(7) The local authority must ensure that all information shared from the register with other bodies is also destroyed.”

***Member's explanatory statement***

*This amendment would require local authorities to destroy information held on the register once a child reaches the age of 18.*

BARONESS BARRAN  
LORD HAMPTON

Clause 31, page 58, line 29, after “436B)” insert “but does not include any person or provider that is providing out-of-school education to home-educated children on weekends or during school holidays”



***Member's explanatory statement***

*This amendment seeks to remove the requirement that providers of out-of-school education must provide information to local authorities in respect of education they provide on weekends or during school holidays to home-schooled children.*

BARONESS BARRAN  
LORD HAMPTON

Clause 31, page 58, line 36, after “way” insert —

“but may not refer to an amount of time that is less than or equal to six hours a week”

***Member's explanatory statement***

*This amendment seeks to remove the requirement that providers of out-of-school education must provide information to local authorities where they provide education for fewer than six hours a week.*

BARONESS WHITAKER

- ★ Clause 31, page 61, line 2, leave out from beginning to “provide” on line 3 and insert “A local authority must offer to”

***Member's explanatory statement***

*This amendment would require local authorities to offer appropriate support to the parent of a child on the register.*

BARONESS WHITAKER

- ★ Clause 31, page 61, line 6, leave out from “provided” to end of line 7 and insert “must”

***Member's explanatory statement***

*This amendment would require local authorities to offer appropriate support to the parent of a child on the register.*

**After Clause 31**

LORD STOREY

After Clause 31, insert the following new Clause —

**“Review of impact on home educators and reduction of unnecessary reporting**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, conduct a review and report of the impact of section 31 on home educators in England.
- (2) The review must include an assessment of —

- (a) the administrative and reporting requirements placed on home educators as a result of section 31,
  - (b) the administrative and reporting requirements placed on local authorities as a result of section 31,
  - (c) the extent to which such requirements are necessary for safeguarding purposes, and
  - (d) any data or reporting obligations that can be reduced or removed for home educators where they are not essential for safeguarding.
- (3) The Secretary of State must lay a report before Parliament setting out the findings of the review, including –
- (a) an analysis of the impact of section 31 on home educators,
  - (b) a clear outline of any data or reporting obligations that will no longer be required from home educators, and
  - (c) a timeline for the removal of unnecessary reporting obligations, which must not exceed 12 months from the publication of the report.
- (4) In conducting the review, the Secretary of State must consult with representatives of home educators and relevant stakeholders.
- (5) The report must be made publicly available.
- (6) The Secretary of State must ensure that any reporting obligations identified as unnecessary under subsection (3)(b) are removed within the timeframe specified in subsection (3)(c)."

***Member's explanatory statement***

*This amendment requires the Secretary of State to conduct a review and report of the impact of section 31 on home educators in England.*

LORD STOREY

After Clause 31, insert the following new Clause –

**“Arrangements for national examinations for children not in school**

After section 436G of the Education Act 1996 (inserted by section 31) insert –

**“436GA Arrangements for national examinations for children not in school**

Where a child is eligible to be registered by the authority under section 436B, the authority must –

- (a) provide for the child to be able to sit any relevant national examination, and
- (b) provide financial assistance to enable the child to sit any relevant national examination,

where requested by the parent or carer of the child.””

***Member's explanatory statement***

*This amendment would mean that where a child is required to be placed on the register, that child qualifies for financial assistance to sit any relevant national exam.*

**Clause 32**

BARONESS WHITAKER

- ★ Clause 32, page 76, leave out lines 30 to 33 and insert –

“(8) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

***Member's explanatory statement***

*This amendment would retain the maximum fine at level 3 (£1000) rather than level 4 (£2500) and would remove the possibility of imprisonment.*

**Clause 46**

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 46 stand part of the Bill.*

**Clause 47**LORD CARTER OF HASLEMERE  
BARONESS BARRAN

- ★ In Clause 47, page 112, line 25, leave out subsection (5) and insert –

“(5) Section 96 of the Education Act 2002 (procedure for making certain orders and regulations) is amended as follows –

- (a) at the beginning of subsection (7), insert “Subject to subsection (8),”;
- (b) after subsection (7) insert –

“(8) An order made under any provision of this Part which would amend primary legislation, or regulations made under section 91, does not apply to an Academy school.””

***Member's explanatory statement***

*This amendment seeks to prevent orders made under section 96 of the Education Act 2002 which would amend primary legislation, or regulations under section 91 of the Act, from applying to an Academy School.*

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 47 stand part of the Bill.*

**After Clause 47**

LORD STOREY

After Clause 47, insert the following new Clause —

**“Flexibility to take into account local circumstances when following the National Curriculum**

- (1) The Education Act 2002 (establishment of the National Curriculum for England by order) is amended as follows.
- (2) In section 87, after subsection (1) insert —
  - “(1A) In any revision to the National Curriculum for England, the Secretary of State must ensure that the National Curriculum shall consist of —
    - (a) a core framework, and
    - (b) subjects or areas of learning outside the core framework that allow flexibility for each school to take account of their specific circumstances.”
- (3) In section 210 (orders and regulations), after subsection (3)(e) insert —
  - “(ea) section 87, or”.

***Member's explanatory statement***

*This amendment seeks to increase flexibility to take into account local circumstances when following the National Curriculum and to make any changes to the National Curriculum subject to Parliamentary approval.*

**Clause 49**

BARONESS BARRAN

Clause 49, page 113, line 26, leave out from “as” to the end of line 28 and insert “are necessary to secure compliance with statutory duties, the requirements of a Funding Agreement, or charity law.”

***Member's explanatory statement***

*This amendment seeks to limit the Secretary of State's power of direction should an Academy breach, or act unreasonably in respect of, the performance of a relevant duty.*

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 49 stand part of the Bill.*

**Clause 50**

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 50 stand part of the Bill.*

**Clause 56**

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 56 stand part of the Bill.*

**After Clause 56**

BARONESS MCINTOSH OF PICKERING

After Clause 56, insert the following new Clause –

**“Review: rural school admissions policies**

- (1) The Secretary of State must, within six months of the day on which this Act is passed, lay before Parliament a review of school admission policies in rural areas.
- (2) The review under subsection (1) must include an assessment of whether admissions policies in these areas are affected by the availability of home to school transport.”

**Clause 57**

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 57 stand part of the Bill.*

**After Clause 62**BARONESS BARRAN  
LORD HAMPTON

After Clause 62, insert the following new Clause –

**“Prohibition of smartphones during the school day**

- (1) Within 12 months of the day on which this Act is passed, all schools in England must have a policy that prohibits the use and possession of smartphones by pupils during the school day.
- (2) Any policy implemented under subsection (1) –

- (a) may provide for exemptions from the policy, or for an alternative policy, for sixth form students, in so far as such exemptions or alternative policies do not negatively impact upon the wider policy,
  - (b) may provide for exemptions for medical devices,
  - (c) is to be implemented as the relevant school leader considers appropriate, and
  - (d) may, where implemented by a boarding school or residential school, include appropriate guidance for the use of certain devices during other periods in which their pupils are on school premises, subject to such policies safeguarding and promoting the welfare of children in accordance with relevant national standards.
- (3) For the purposes of this section –
- “smartphones” means a mobile telephone that is able to connect to the internet and whose main purpose is not the support of learning or study;
- “the school day” includes all time between the start of the first lesson period and the end of the final lesson period.”

***Member's explanatory statement***

*This new clause requires schools to ban the use of smartphones during the school day.*

BARONESS BARRAN  
LORD HAMPTON

After Clause 62, insert the following new Clause –

**“Duty for schools to report acts of violence against staff to the police**

- (1) Where an act which meets the conditions set out in subsection (2) takes place which involves the use or threat of force against a member of a school's staff, the school must report the incident to the police.
- (2) An act must be reported to the police where –
  - (a) it is directed towards a member of school staff or their property, and
  - (b) it takes place –
    - (i) on school property, or
    - (ii) because of the victim's status as a member of a school's staff.
- (3) The provisions of this section do not require or imply a duty on the police to take specific actions in response to such reports.”

***Member's explanatory statement***

*This new clause seeks to create a duty for all schools to report acts or threats of violence against their staff to the police. It would not create a requirement for the police to charge the perpetrator.*

## LORD STOREY

After Clause 62, insert the following new Clause –

**“National tutoring guarantee**

- (1) The Secretary of State must, within six months of the passing of this Act, publish a report outlining the steps necessary to introduce a national tutoring guarantee.
- (2) A “national tutoring guarantee” means a statutory requirement on the Secretary of State to ensure access to small group academic tutoring for all disadvantaged children who require academic support.
- (3) A report published under this section must include an assessment of how best to deliver targeted academic support from qualified tutors to children –
  - (a) from low-income backgrounds,
  - (b) with low prior attainment,
  - (c) with additional needs, or
  - (d) who are young carers.
- (4) In preparing a report under this section, the Secretary of State must consult with –
  - (a) headteachers,
  - (b) teachers,
  - (c) school leaders,
  - (d) parents of children from low-income backgrounds,
  - (e) children from low-income backgrounds, and
  - (f) other individuals or organisations as the Secretary of State considers appropriate.
- (5) A report under this section must be laid before Parliament.
- (6) Within three months of a report under this section being laid before Parliament, the Secretary of State must take steps to begin implementation of the recommendations contained in the report.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to publish a report outlining the steps required to introduce a national tutoring guarantee, and to begin implementing its recommendations.*

## LORD ADDINGTON

After Clause 62, insert the following new Clause –

**“Establishment of a national body for SEND**

- (1) The Secretary of State must, within 12 months of the passing of this Act, establish a national body for special educational needs and disabilities (SEND) in relation to children.
- (2) The functions of the national body for SEND will include, but not be limited to –
  - (a) national coordination of SEND provision for children,

- (b) supporting the delivery of SEND support for children with very high needs, and
  - (c) advising on funding needed by local authorities for SEND provision for children.
- (3) Any mechanism used by the national body for SEND in advising on funding under subsection (2)(c) should be based on current need and may disregard historic spend.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to establish a national body for special educational needs and disabilities (SEND) in relation to children.*

BARONESS TYLER OF ENFIELD

After Clause 62, insert the following new Clause—

**“Duty of school governing bodies regarding mental health provision**

- (1) Subject to subsection (3), the governing body of a maintained or academy school in England has a duty to make arrangements for provision in the school of a dedicated education mental health practitioner.
- (2) In subsection (1) “education mental health practitioner” means a person with a graduate-level or postgraduate-level qualification of that name earned through a course commissioned by NHS England.
- (3) Where a school has 100 or fewer pupils, the duty under subsection (1) may be satisfied through collaborative provision between several schools.
- (4) The Secretary of State must provide, or make arrangements for the provision of, appropriate financial and other support to school governing bodies for the purposes of facilitating the fulfilling of the duty in subsection (1).”

***Member's explanatory statement***

*This amendment requires the governing body of a maintained or academy school in England to make arrangements for provision in the school of a dedicated education mental health practitioner.*

BARONESS LISTER OF BURTERSETT

After Clause 62, insert the following new Clause—

**“Duty to provide relationships and sex education and PSHE to persons who have not attained the age of 18 at further education institutions**

- (1) The Children and Social Work Act 2017 is amended as follows.
- (2) In section 34 (education relating to relationships and sex)—



- (a) at the end of subsection (1)(b) insert –
    - “(c) relationships and sex education to be provided to persons who have not attained the age of 18 and who are receiving education at post-16 education institutions in England.”;
  - (b) in subsection (2)(a), after “schools” insert “and further education providers”;
  - (c) in subsection (2)(b), after “schools” insert “and further education providers”;
  - (d) in subsection (2)(c), after “schools” insert “and further education providers”.
- (3) In section 35 (other personal, social, health and economic education) –
- (a) at the end of subsection (1)(b) insert –
    - “(c) to persons who have not attained the age of 18 and who are receiving education at post-16 education institutions in England.”;
  - (b) in subsection (2)(a), after “schools” insert “and further education providers”;
  - (c) in subsection (2)(b), after “schools” insert “and further education providers”;
  - (d) in subsection (2)(c), after “schools” insert “and further education providers”.

***Member's explanatory statement***

*This new clause would extend the existing provision of relationships and sex education and PSHE under the Children and Social Work Act 2017 to people under the age of 18 who are receiving education at post-16 education institutions in England.*

BARONESS WHITAKER

- ★ After Clause 62, insert the following new Clause –

**“Reporting of racist incidents in schools**

Local authorities must require all schools under their authority to record and report any racist incidents, and the action taken to deal with it.”

***Member's explanatory statement***

*This amendment would require local authorities to require schools to record and report racist incidents and the action taken.*

BARONESS BURT OF SOLIHULL

- ★ After Clause 62, insert the following new Clause –

**“Spiritual, moral, social and cultural education in assemblies**

- (1) Chapter VI of Part II of the School Standards and Framework Act 1998 (religious education and worship) is amended as follows.

- (2) For section 70(1) (requirements relating to collective worship) substitute –

“(1) Subject to section 71, each pupil in attendance at –

- (a) a community, foundation or voluntary school in Wales,
- (b) a foundation or voluntary school in England which is designated with a religious character, or
- (c) an Academy in England which is designated with a religious character,

must take part in an act of collective worship at least one time per week.”

- (3) In section 70(2), for “community, foundation or voluntary school”, substitute “school to which subsection (1) applies”.

- (4) After section 70, insert –

**“70A Requirements relating to assemblies**

- (1) This section applies to schools in England that are –

- (a) maintained schools without a religious character,
- (b) non-maintained special schools,
- (c) City Technology Colleges, and
- (d) academies without a religious character.

- (2) Each pupil in attendance at a school to which this section applies must at least once during the school week take part in an assembly which is principally directed towards furthering the spiritual, moral, social and cultural education of the pupils regardless of religion or belief.

- (3) In relation to any school to which this section applies –

- (a) the local authority responsible for education (in the case of maintained schools) and the governing body must exercise their functions with a view to securing, and
  - (b) the head teacher must secure,
- that subsection (2) is complied with.”

***Member's explanatory statement***

*This amendment removes the requirement for daily collective worship in England for maintained schools and academies without a religious character, non-maintained special schools, and city technology colleges, and instead introduces a requirement for a minimum weekly assembly furthering spiritual, moral, social and cultural education.*

LORD SANDHURST

★

After Clause 62, insert the following new Clause –

**“Relationship, sex, and health education curriculum**

All external resources used in schools within the relationship, sex, and health education curriculum and teaching time must be published, citable, and accessible for public and regulatory scrutiny.”

***Member's explanatory statement***

*This amendment seeks to ensure that only resources that are accessible in the public domain are used to teach the RSHE curriculum.*

LORD SANDHURST

★

After Clause 62, insert the following new Clause —

**“Relationship, sex, and health education curriculum (No. 2)**

- (1) The Secretary of State must issue guidance to schools on parental access to RSHE school curriculum materials.
- (2) The guidance issued under subsection (1) must include —
  - (a) a clear instruction to schools that they must not prevent parents from requesting and viewing copies of school curriculum materials on the grounds that this could risk a breach of copyright, but may remind them of copyright law around copying and replication, and
  - (b) a clear instruction that schools must not enter into commercial confidentiality arrangements with third party providers who provide curriculum material for use with children in schools.”

***Member's explanatory statement***

*This amendment seeks to ensure parents are able to view materials in the RSHE curriculum as existing copyright law already allows for limited copying and sharing of published material and seeks to prevent schools from entering into commercial confidentiality arrangements around curriculum material.*

**Clause 66**

BARONESS FINLAY OF LLANDAFF  
LORD HAMPTON

Clause 66, page 124, line 18, at end insert —

- “(2A) Section (*Abolition of common law defence of reasonable punishment*) comes into force at the end of the period of 12 months beginning with the day on which this Act is passed.”

***Member's explanatory statement***

*This amendment is consequential on a new clause amendment by Baroness Finlay of Llandaff.*

# Children's Wellbeing and Schools Bill

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## RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including*

*7 May 2025*

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*7 May 2025*

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