

Children's Wellbeing and Schools Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

Tabled up to and including

8 May 2025

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]

Clause 2

LORD HAMPTON

- ★ Clause 2, page 3, line 9, at end insert –
- “(4A) In subsection (3) –
- (a) omit the “and” after paragraph (b);
 - (b) after paragraph (b) insert “and
 - (c) those agencies which are designated childcare or education agencies.”
- (4B) After subsection (3) insert –
- “(4) Before making regulations under subsection (3) the Secretary of State must consult –
- (a) childcare and education agencies in England including primary, secondary and further education providers;
 - (b) local authorities in England;
 - (c) such other persons (if any) as the Secretary of State considers appropriate.
- (5) Before making regulations under subsection (3) the Secretary of State must have regard to –

- (a) the effectiveness of the arrangements set out in subsections (1) and (2);
- (b) the range of structures created;
- (c) whether sufficient time has passed to judge the effectiveness of these arrangements and structures.””

Member's explanatory statement

This amendment would give a power to the Secretary of State to make childcare and education agencies a local statutory safeguarding partner.

Clause 4

LORD LUCAS

- ★ Clause 4, page 6, leave out lines 16 to 17

Member's explanatory statement

This amendment seeks to enable discussion on the breadth of meaning of subsection (1)(b) of inserted section 16LA, which might be read very widely.

LORD LUCAS

- ★ Clause 4, page 6, line 30, at end insert “, and in that context consideration must be given to whether or not the parent with care is subject to domestic abuse before disclosing data.”

Member's explanatory statement

As abusive parents are often on the scene in such circumstances, this amendment seeks to enable discussion of how the government intends to safeguard abused parents and their children.

LORD LUCAS

- ★ Clause 4, page 7, leave out from beginning of line 20 to end of line 41 on page 8

Member's explanatory statement

This amendment seeks to enable a general discussion of inserted section 16LB.

LORD LUCAS

- ★ Clause 4, page 7, line 27, at end insert –

“but must not include any form of physical identifier added to a child.”

Member's explanatory statement

This amendment seeks to rule out tattooing and electronic tagging.

LORD LUCAS

- ★ Clause 4, page 7, line 27, at end insert –

“(2A) The regulations prescribed in subsection (1) must specify –

- (a) what information may be held in connection with the identifier,
- (b) how information is added to the register containing the identifier,
- (c) security arrangements in connection with the identifier,
- (d) how access to registers containing the identifier is to be controlled,
- (e) how completeness and accuracy of the identifier is to be maintained,
- (f) how a register records what documents or cases are linked to the identifier to enable users to find out what else is known about a child, and
- (g) what happens when a child reaches 18.”

Member's explanatory statement

This amendment seeks to enable a detailed discussion of how the identifier will be used.

LORD LUCAS

- ★ Clause 4, page 8, line 7, at end insert –

“(c) it has complied with specified measures to prevent the information being attached to the wrong child.”

LORD LUCAS

- ★ Clause 4, page 8, leave out lines 8 to 9

Member's explanatory statement

This amendment seek to allow debate of how this provision interacts with the professional responsibilities of medical practitioners.

LORD LUCAS

- ★ Clause 4, page 8, leave out lines 10 to 13

Member's explanatory statement

This amendment seeks to enable debate on consistent identifiers and GDPR.

LORD LUCAS

- ★ Clause 4, page 8, line 30, at end insert –

“(13A) The Secretary of State must by regulations specify penalties for the breach by any person of the requirements of this section or of regulations made under it.”

Member's explanatory statement

This amendment seeks to enable a discussion of how compliance is to be incentivised and effectively policed.

After Clause 4

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

Revised version of the amendment to After Clause 14, printed on 6 May 2025

After Clause 4, 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.”

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
BARONESS WALMSLEY

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.

Clause 6

LORD LUCAS

- ★ Clause 6, page 11, line 4, leave out subsection (2)

Member's explanatory statement

This amendment seeks to enable debate on the implications of adding “and others” before section 23ZZA of the Children Act 1989.

LORD LUCAS

- ★ Clause 6, page 11, line 9, at end insert “, and publish what steps it has taken”

Member's explanatory statement

This amendment seeks to make local authorities' performance in relation to the education achievement of children in need or in kinship care more visible, so as to drive improvement, including for children placed in alternative provision.

LORD LUCAS

- ★ Clause 6, page 11, line 32, at end insert –

“(7) The Secretary of State may by regulations specify how local authorities should report on the educational achievements of children in need or in kinship care.”

Member's explanatory statement

This amendment seeks to make local authorities' performance in relation to the education achievement of children in need or in kinship care more visible, so as to drive improvement, including for children placed in alternative provision.

Clause 7

LORD LUCAS

- ★ Clause 7, page 12, line 40, at end insert –

“(7) A local authority must publish an annual summary of actions taken under this section.”

Member's explanatory statement

This amendment seeks to make local authorities' performance in relation to “staying close support” more visible, so as to drive improvement.

Clause 8

LORD LUCAS

- ★ Clause 8, page 13, line 29, at end insert –

“(2C) A local authority must publish an annual summary of actions taken under this section.”

Member's explanatory statement

This amendment seeks to make local authorities' performance in relation to local offers for care leavers more visible, so as to drive improvement.

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).”

After Clause 10

LORD LUCAS

★ After Clause 10, insert the following new Clause—

“Accommodation of looked after children: restrictions

After section 22J of the Children Act 1989 (inserted by section 10), insert—

“22K Accommodation of looked after children: restrictions

Looked after children may not be accommodated in adult homes or hostels.””

After Clause 11

LORD WATSON OF INVERGOWRIE

★ After Clause 11, insert the following new Clause—

“Arrangements for remaining in a residential children’s home after reaching adulthood

- (1) The Children Act 1989 is amended as follows.
- (2) In section 23CZA (arrangements for certain former relevant children to live with former foster parents)—
 - (a) at the end of the title insert “or at a residential children’s home”,
 - (b) at the end of subsection (2) insert “or by which a person who is a former relevant child by virtue of section 23C(1)(b) continues to live at the residential children’s home at which they were resident when they were looked after.”
- (3) In paragraph 19BA in Part 2 of Schedule 2 (local authority support for looked after children)—
 - (a) in sub-paragraph (1), after “parent” insert “or in a residential children’s home”;

- (b) in sub-paragraph (3)(b), after “parent” insert “or residential children’s home”.

Member's explanatory statement

This new clause would extend the “staying put” arrangements that currently exist for young people placed with foster parents to those living in a residential children’s home.

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

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.”

LORD WATSON OF INVERGOWRIE

★ After Clause 18, insert the following new Clause –

“Extension of the ban on unregulated accommodation for 16 and 17 year-olds

- (1) In the Care Planning, Placement and Case Review (England) Regulations 2010 –
 - (a) in Regulation 27A (Prohibition on placing a child under 16 in an unregulated setting) –
 - (i) in the title, for “16” substitute “18”, and
 - (ii) for “16” substitute “18”,
 - (b) in Regulation 27B (Exception to the prohibition on placing a child under 16 in other arrangements), after paragraph (1), insert –
 - “(1A) The Secretary of State must ensure that all accommodation provided to looked after children aged 16 and 17 meets the standards of regulated children’s homes or other regulated supported accommodation.”
- (2) In section 22C of the Children Act 1989 (Ways in which looked after children are to be accommodated and maintained), after subsection (6) insert –
 - “(6A) A local authority must not place a looked after child aged 16 or 17 in unregulated accommodation that does not meet the requirements set out in subsection (7).”

Member's explanatory statement

This new clause would ensure that all accommodation provided to looked after children aged 16 and 17 meets the standards of regulated children’s homes or other regulated supported accommodation.

After Clause 25

THE LORD BISHOP OF CHELMSFORD

★ After Clause 25, insert the following new Clause –

“Care-experience in equality impact assessments

A public authority undertaking an equality impact assessment in the exercise of its duties under –

- (a) section 149 of the Equality Act 2010;
- (b) the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011;
- (c) the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012;
- (d) section 75 of the Northern Ireland Act 1998,

must include an assessment of the impact on persons who are or have been looked after by a local authority.”

Member's explanatory statement

By including Care Experience in Equality Impact Assessments, this amendment provides a mechanism that public bodies already understand and use, helping to support the extension of Corporate Parenting responsibilities in a way that is structured, measurable, and embedded in existing decision-making processes.

Clause 26

LORD LUCAS

- ★ Clause 26, page 43, line 8, leave out “, or to require a child to have a medical examination,”

LORD LUCAS

- ★ Clause 26, page 43, leave out lines 39 to 44

Member's explanatory statement

This amendment seeks to enable debate on whether children being paid as performers can continue to be licensed to do so.

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.

BARONESS COFFEY

★ After Clause 26, insert the following new Clause –

“National statutory inquiry into grooming gangs

- (1) The Secretary of State must, within 3 months of the day on which this Act is passed, set up a statutory inquiry into grooming gangs.
- (2) An inquiry established under subsection (1) must seek to –
 - (a) identify common patterns of behaviour and offending between grooming gangs;
 - (b) identify the type, extent and volume of crimes committed by grooming gangs;
 - (c) identify the number of victims of crimes committed by grooming gangs;
 - (d) identify the ethnicity of members of grooming gangs;
 - (e) identify any failings, by action, omission or deliberate suppression, by –
 - (i) police,
 - (ii) local authorities,
 - (iii) prosecutors,
 - (iv) charities,
 - (v) political parties,

- (vi) local and national government,
 - (vii) healthcare providers and health services, or
 - (viii) other agencies or bodies,
- in the committal of crimes by grooming gangs, including by considering whether the ethnicity of the perpetrators of such crimes affected the response by such agencies or bodies;
- (f) identify such national safeguarding actions as may be required to minimise the risk of further such offending occurring in future;
 - (g) identify good practice in protecting children.
- (3) The inquiry may do anything it considers is calculated to facilitate, or is incidental or conducive to, the carrying out of its functions and the achievement of the requirements of subsection (2).
- (4) An inquiry established under this section must publish a report within two years of the launch of the inquiry.
- (5) For the purposes of this section –
- “gang” means a group of at least three adult males whose purpose or intention is to commit a sexual offence against the same victim or group of victims;
 - “grooming” means –
 - (a) activity carried out with the primary intention of committing sexual offences against the victim who is a child;
 - (b) activity that is carried out, or predominantly carried out, in person;
 - (c) activity that includes the provision of illicit substances and/or alcohol either as part of the grooming or concurrent with the commission of the sexual offence.”

Member's explanatory statement

This new clause would set up a national statutory inquiry into grooming gangs.

THE LORD BISHOP OF CHELMSFORD

★ After Clause 26, insert the following new Clause –

“National Care Offer

- (1) The Secretary of State must, within 18 months of the passing of this Act, publish a document (the “National Care Offer”) which sets out the minimum standards of information that local authorities must publish under section 2 of the Children and Social Work Act 2017 (local offer for care leavers).
- (2) Before publishing or revising the National Care Offer, the Secretary of State must consult with persons that appear to the Secretary of State to represent the interests of care leavers.
- (3) Where a consultation under subsection (2) results in recommendations to be made to the National Care Offer, the Secretary of State must
 - (a) make the recommended changes or otherwise implement the recommendations, or

- (b) where not intending to make the recommended changes or otherwise implement the recommendations, publish a response to the consultation outlining the reasons for the Secretary of State's decision and the action that will be taken instead."

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

LORD LUCAS

- ★ Clause 30, page 51, leave out lines 3 to 14

Member's explanatory statement

This amendment seeks to allow a general debate on condition A.

LORD LUCAS

- ★ Clause 30, page 51, leave out lines 16 and 17

Member's explanatory statement

This amendment seeks to allow a debate on the effects of this clause and of the reasons for section 47 enquiries, and the intersection with abusive relationships.

LORD LUCAS

- ★ Clause 30, page 51, line 17, after “child” insert “which bear directly upon the suitability of the child’s home as a location for their education, and are not prompted by the allegations of the other parent, or by the decision to home educate”

Member's explanatory statement

This amendment seeks to allow a debate of whether section 47 investigations can be excluded from being taken into account.

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.

LORD LUCAS

- ★ Clause 30, page 51, leave out lines 30 and 31

Member's explanatory statement

This amendment seeks to probe how school proprietors have knowledge of the information referenced in this paragraph.

LORD LUCAS

- ★ Clause 30, page 51, line 36, after “delay” insert “and, in any event, within 28 days”

Member's explanatory statement

This amendment seeks to probe the meaning of “without undue delay”.

LORD LUCAS

- ★ Clause 30, page 51, leave out lines 39 and 40

Member's explanatory statement

This amendment seeks to restore the current relationship between state and parents with regard to education.

LORD LUCAS

- ★ Clause 30, page 51, line 43, at end insert –

- “(6A) In making a decision under subsection (6)(b)(i), a local authority must make a realistic assessment of similar children in the school where the child is to be placed.”

Member's explanatory statement

This amendment seeks to ensure that any refusal is taken against the background of the actual characteristics of the school that the child might attend.

LORD LUCAS

- ★ Clause 30, page 52, leave out lines 8 and 9

Member's explanatory statement

This amendment seeks to allow discussion of "exceptional circumstances" and safeguards.

LORD LUCAS

- ★ Clause 30, page 52, line 11, at end insert –

“(8A) In subsection (8)(b), exceptional circumstances will always apply where domestic abuse is alleged or established, with or without the existence of a court order, unless the local authority has reasonable cause to think that the allegations are not true.”

Member's explanatory statement

This amendment seeks to probe the intersection of domestic abuse and subsection (8)(b).

LORD LUCAS

- ★ Clause 30, page 52, line 18, after “child” insert “unless such other circumstances apply which make it unreasonable not to do so”

Member's explanatory statement

This amendment seeks to cover such events as children relocating including out of the UK.

LORD LUCAS

- ★ Clause 30, page 52, line 24, leave out lines 24 to 35 and insert –

“(10) A parent may appeal to the Tribunal against a decision of the local authority to refuse consent to withdraw the child from school, or the local authority’s failure to grant such consent within 28 days of the parent’s application for consent.

(10A) An appeal under subsection (10) must be brought within a period of 28 days beginning with the date on which the local authority’s decision was notified to the parent.

(10B) On an appeal, the Tribunal may –

- (a) confirm the decision of the local authority, or
- (b) direct that consent for withdrawal is given.

- (10C) The Tribunal may, if the parent submits evidence from a suitably qualified medical practitioner as to the likely harm to the child if they remain in school, and evidence as to the parent's suitability to care for the child at home, direct that the child be allowed to remain at home pending determination of the appeal."

Member's explanatory statement

This amendment would afford a parent a right of appeal against a local authority decision to refuse home schooling.

LORD LUCAS

- ★ Clause 30, page 53, line 10, at end insert “, unless
- (a) substantial new evidence is available which could change that decision, or
 - (b) the child is being disadvantaged by the decision.”

LORD LUCAS

- ★ Clause 30, page 53, leave out lines 11 to 24

Member's explanatory statement

This amendment seeks to discuss whether the definition of “relevant local authority” is right.

Clause 31

LORD LUCAS

- ★ Clause 31, page 54, leave out lines 6 to 12

Member's explanatory statement

This amendment seeks to allow discussion of how these provisions will work in practice, and the meanings of “some of the time” and “part-time”, and to avoid duplication and confusion.

LORD LUCAS

- ★ Clause 31, page 54, line 18, at end insert –
- “(c) for the maintenance by central government of a register of Gypsy, traveller, boat dwellers and show people and others who do not have a fixed local authority and move frequently.”

Member's explanatory statement

This amendment seek to adjust how itinerant populations, who often home educate for cultural reasons, and whose children need targeted support, are kept in view.

LORD LUCAS

- ★ Clause 31, page 54, line 37, leave out from beginning to end of line 15 on page 55

Member's explanatory statement

This amendment seeks to probe why this particular set of information is needed, and whether it is collected for non-elective home educated children.

LORD LUCAS

- ★ Clause 31, page 54, line 40, at end insert “, subject to such safeguards as the Secretary of State may specify”

Member's explanatory statement

This amendment seeks to probe how abused parents and children will be safeguarded.

LORD LUCAS

- ★ Clause 31, page 54, leave out lines 41 to 44

Member's explanatory statement

This amendment seeks to probe why this data is needed and how it will be used.

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.

LORD LUCAS

- ★ Clause 31, page 54, line 44, after “from” insert “or under the supervision of”

Member's explanatory statement

This amendment seeks to probe the exact meaning of paragraph (d).

LORD LUCAS

- ★ Clause 31, page 55, leave out lines 1 to 15

Member's explanatory statement

This amendment seeks to enable a discussion of the justification for and practicality of this provision, and the effect on providers.

LORD CRISP

- ★ Clause 31, page 55, line 1, after “receives” insert “more than a specified amount of a specified type of”

Member's explanatory statement

This amendment seeks to enable debate of how the effect of this paragraph might be limited.

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.

LORD CRISP

- ★ Clause 31, page 55, line 3, leave out “individuals and organisations” and insert “organisations (or, where no organisation is involved, individuals)”

Member's explanatory statement

This amendment seeks to avoid having to provide details of all the staff at, for example, an online school.

LORD LUCAS

- ★ Clause 31, page 55, line 4, at end insert “, unless the address concerned is a private residence and the child never visits it”

Member's explanatory statement

Private tutors will often not provide parents with their home address so this amendment would remove the requirement to provide it in circumstances where the child never visits it.

LORD LUCAS

- ★ Clause 31, page 55, line 10, at end insert: “, or a general description of the type of place if there is no fixed location”

LORD LUCAS

- ★ Clause 31, page 55, leave out lines 11 to 15

Member's explanatory statement

This amendment seeks to enable a general discussion of the practicability of this sub-paragraph.

LORD CRISP

- ★ Clause 31, page 55, line 11, at beginning insert “a rough estimate of”

Member's explanatory statement

This amendment seeks to probe the record-keeping required of parents under this sub-paragraph.

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 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.

LORD CRISP

- ★ Clause 31, page 55, line 15, at end insert –

“(1A) In subsection (1) a child receives education from a person other than their parent if and only if that person is specifically employed (whether for remuneration or not) to provide education to that specific child.”

Member's explanatory statement

This amendment is intended to probe the definition of a child receiving education from a person other than their parent.

LORD LUCAS

- ★ Clause 31, page 55, line 15, at end insert –
“(1A) In subsection (1), “education” includes every experience which may result in a child learning.”

Member's explanatory statement

This amendment seeks to allow discussion of where, in the context of home education, the boundary is between education and other aspects of life.

LORD LUCAS

- ★ Clause 31, page 55, leave out lines 20 and 21

Member's explanatory statement

This amendment seeks to probe where the wording of this paragraph is compatible with ECHR rulings regarding requirements to disclose religion.

LORD LUCAS

- ★ Clause 31, page 55, leave out lines 30 to 35

Member's explanatory statement

This amendment seeks to probe whether the wording of this paragraph could result in an enquiry which found no safeguarding concern being held on record without good cause.

LORD CRISP

- ★ Clause 31, page 55, leave out lines 36 to 42

Member's explanatory statement

This amendment seeks to object to the inclusion of this paragraph and explore the reasons for it.

LORD CRISP

- ★ Clause 31, page 56, line 8, at end insert “, and the reasons why the child was looked after and the duration of that arrangement”

Member's explanatory statement

This amendment is intended to address situations such as one where a parent rushed into hospital might result in their children being classified as looked after for a few days until discharge, without that being a reflection on the care they provide the rest of the time.

LORD LUCAS

- ★ Clause 31, page 56, leave out lines 9 to 12

Member's explanatory statement

This amendment seeks to explore the reasons and need for this paragraph, and whether it is an unreasonable invasion of privacy.

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.

LORD CRISP

- ★ Clause 31, page 56, leave out lines 32 and 33

Member's explanatory statement

This amendment seeks to enable a discussion about the breadth of this power and the lack of restrictions on it.

LORD LUCAS

- ★ Clause 31, page 56, leave out lines 36 to 39

Member's explanatory statement

This amendment seeks to probe what it is anticipated this provision requires.

LORD CRISP

- ★ Clause 31, page 56, leave out line 41

Member's explanatory statement

This amendment seeks to probe whether the register would be published if it contains sensitive data relating to children.

LORD LUCAS

- ★ Clause 31, page 56, leave out lines 43 and 44

Member's explanatory statement

This amendment seeks to explore what is envisaged by this paragraph, the proposed purpose of time recording and limitations upon it.

LORD LUCAS

- ★ Clause 31, page 57, leave out lines 1 to 9

Member's explanatory statement

This amendment seeks to probe data protection measures generally in relation to the register.

LORD CRISP

- ★ Clause 31, page 57, line 9, at end insert “or information likely to be held by an abusive parent or partner”

Member's explanatory statement

This amendment seeks to probe how safeguarding obligations may be fully protected.

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.

LORD LUCAS

- ★ Clause 31, page 57, line 9, at end insert –

- “(6) A local authority is liable for the consequences of data breaches from the register.”

Member's explanatory statement

This amendment seeks to incentivise due care by local authorities.

LORD CRISP

- ★ Clause 31, page 57, line 9, at end insert –

- “(6) A parent –
 - (a) must be provided with full access to the register;
 - (b) may request the local authority to add to or to amend the register, and the local authority must do so if they are satisfied that the register requires amendment, or note the parent’s request in the appropriate place in the register if they are not so satisfied;insofar as it concerns the children in their care.

- (7) A parent may appeal to the Tribunal against a decision of the local authority to refuse access to the register, or to amend or annotate the register, or to the manner in which the register has been amended or annotated.
- (8) An appeal under subsection (7) must be brought within a period of 28 days beginning with the date on which the local authority's decision was notified to the parent.
- (9) On an appeal, the Tribunal may –
 - (a) confirm the decision of the local authority, or
 - (b) direct that the local authority complies with the Tribunal's decision.”

Member's explanatory statement

This amendment would enable parents to see what is in the register (subject to anti-abuse measures) and ask for amendments.

LORD LUCAS

- ★ Clause 31, page 57, line 16, at end insert “, in their own words”

Member's explanatory statement

This amendment would make it clear that a parent may provide information on, for example, the type of provider, in their own words.

LORD LUCAS

- ★ Clause 31, page 57, line 21, after “a” insert “substantial”

LORD CRISP

- ★ Clause 31, page 57, line 25, at end insert –

“(2A) Nothing in subsection (2) requires a parent to provide information to a local authority more than once in any period of 12 months.”

Member's explanatory statement

This amendment seeks to enable debate on the record-keeping and reporting required of parents.

LORD LUCAS

- ★ Clause 31, page 57, line 30, leave out “15” and insert “30”

Member's explanatory statement

This amendment would allow more time for parents to register their children as the events which lead to this necessity are often traumatic and chaotic.

LORD LUCAS

- ★ Clause 31, page 57, leave out lines 32 to 36 and insert—
- “(b) in the case of duties under subsections (2)(a) and (2)(b), a period of 30 days following the request or event, or following the expiry of 12 months following the person’s previous response, whichever period ends later;”

LORD LUCAS

- ★ Clause 31, page 57, leave out from line 41 to line 14 on page 58
- Member's explanatory statement***
This amendment seeks to probe checks and balances on SEND provision.

LORD LUCAS

- ★ Clause 31, page 58, leave out from beginning of line 17 to end of line 30 on page 59
- Member's explanatory statement***
This amendment would enable discussion about new inserted section 436E.

LORD CRISP

- ★ Clause 31, page 58, line 20, after “time” insert “(which must not be less than 10 hours per week)”
- Member's explanatory statement***
This amendment seeks to probe the intention of paragraph (1)(a) and enable debate on any consequences of this provision.

LORD LUCAS

- ★ Clause 31, page 58, line 27, leave out “structured”
- Member's explanatory statement***
This amendment seeks to probe what is meant by “structured”.

BARONESS BARRAN
LORD HAMPTON

Clause 31, page 58, line 29, at end 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.

LORD LUCAS

- ★ Clause 31, page 58, leave out line 36

Member's explanatory statement

This amendment probes why the provision in sub-paragraph (iii) is required.

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.

LORD LUCAS

- ★ Clause 31, page 58, line 39, leave out “as mentioned in subsection (1)(a)”

Member's explanatory statement

This amendment seeks to clarify how the provider might know this information.

LORD LUCAS

- ★ Clause 31, page 58, line 42, after “information” insert “(if they have it)”

Member's explanatory statement

This amendment seeks to probe this provision in relation to the case of websites, AI-assisted or otherwise, that the parents have signed up to.

LORD LUCAS

- ★ Clause 31, page 59, line 5, after “child,” insert, “measured by the time elapsed between the child clocking in and clocking out,”

Member's explanatory statement

This amendment seeks to explore how time will be measured, and the requirements imposed by this provision.

LORD LUCAS

- ★ Clause 31, page 59, line 7, leave out from the first “child” to end of line 9

Member's explanatory statement

This amendment seeks to explore the meaning of the omitted words, and how the provider can know this information.

LORD LUCAS

- ★ Clause 31, page 59, leave out lines 10 to 12

Member's explanatory statement

This amendment seeks to enable debate on virtual and overseas providers.

LORD LUCAS

- ★ Clause 31, page 59, line 17, leave out “15” and insert “30”

LORD LUCAS

- ★ Clause 31, page 59, line 18, at end insert “, or on the date on which the provider next opens for business”

Member's explanatory statement

This amendment addresses the fact that some providers close for substantial periods, for example, over the summer.

LORD LUCAS

- ★ Clause 31, page 59, line 22, at beginning insert “intentionally”

LORD LUCAS

- ★ Clause 31, page 59, line 22, after “(5)” insert –

“(ab) is a substantial provider of out-of-school education,”

Member's explanatory statement

This amendment seeks to discuss the effects of making small providers liable for fines.

LORD LUCAS

- ★ Clause 31, page 59, leave out from beginning of line 31 to end of line 43 on page 60

Member's explanatory statement

This amendment seeks to enable debate on safeguarding.

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.

LORD LUCAS

- ★ Clause 31, page 61, line 7, after “request” insert “and the needs of the child and the educational preferences of its parents”

LORD LUCAS

- ★ Clause 31, page 61, line 11, at end insert –

“(2A) A local authority must, on request, secure the provision of an examination centre within a reasonable distance where a child registered under section 436B may take any examination that the Secretary of State has authorised for administration by a relevant school.”

Member's explanatory statement

This amendment would ensure that elective home educated children are able to access an examination centre within a reasonable distance.

LORD CRISP

- ★ Clause 31, page 61, line 11, at end insert –

“(2A) A local authority must facilitate, or make, arrangements for children registered under section 436B –

- (a) to be offered facilities and training on the same terms as the local authority offers them to pupils at relevant schools,
- (b) to be offered facilities and training (e.g. student discounts) on the same terms as organisations other than the local authority offer them to pupils at relevant schools,
- (c) to have access to colleges for courses for 14–16 year-olds, and for level 3 courses at colleges for which a home educated child has the aptitude but not standard qualifications,
- (d) to be offered signposting and support to access SEN referrals and assessments, support for older SEN students transitioning into adulthood, and access SEN provision such as speech therapists if not in school,
- (e) to be offered, on request, the provision of vouchers equivalent to the value of free school meals for qualifying children,
- (f) to be offered, on request, the provision of alternative provision such as equine therapy which ordinarily requires a school referral,
- (g) to be offered, on request, the provision of speciality equipment for children with SEND (such as braille readers),
- (h) where they have an ECHP, to have personal budgets and independent payments in line with provision to children in schools, and
- (i) to have access to work experience.”

Member's explanatory statement

This amendment seeks to extend to elective home educated children the support available to children in schools.

LORD CRISP

★ Clause 31, page 61, line 23, at end insert –

- “(4) It is the duty of a local authority –
- (a) as far as possible, to maintain good relationships with, consult with, and support local elective home education groups,
 - (b) to employ staff to manage their elective home education functions who are suitably trained and experienced, with knowledge and understanding of approaches to home education, SEND, Gypsy, Roma and Traveller people, human rights & GDPR, and
 - (c) to organise supportive and informal events where the local authority officials can meet home educating families and facilitate question and answer sessions between home educators and the officials.”

Member's explanatory statement

This amendment requires local authorities to meet their home educating children in informal settings, and to establish support structures, with a view to making the local authority's work constructive and efficient.

LORD LUCAS

★ Clause 31, page 61, line 23, at end insert –

“436GA Performance reporting

A local authority must report annually, in a form specified by the Secretary of State, on the educational performance of children who attained the age of 19 in the previous year and who did belong to one of the following categories –

- (a) children under section 19 (exceptional provision of education in pupil referral units or elsewhere: England);
- (b) children educated under section 61 of the Children and Families Act 2014 (special education provision otherwise than in schools, post-16 institutions etc);
- (c) children who are “looked after”;
- (d) children who are on the register established by section 436B.”

LORD LUCAS

Lord Lucas gives notice of his intention to oppose the Question that Clause 31 stand part of the Bill.

Member's explanatory statement

This is intended to probe how Clause 31 relates to Clause 4, whether all children will now be included in registers or whether some are still left out, and how children will come to the local authority's attention as needing to be registered.

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

LORD LUCAS

★ Clause 32, page 64, line 29, leave out “must” and insert “may”

Member's explanatory statement

This amendment seeks to ensure that a local authority does not have to serve a preliminary notice, if this would be better for the child's wellbeing.

LORD LUCAS

- ★ Clause 32, page 64, line 32, after "age" insert –

“(ab) all relevant support has been offered to the parent,”

Member's explanatory statement

This amendment seeks to ensure that local authorities have offered support to parents, before they can serve a preliminary notice.

LORD LUCAS

- ★ Clause 32, page 65, leave out lines 3 and 4

Member's explanatory statement

This amendment probes the circumstances in which the "best interest" test would be applied.

LORD LUCAS

- ★ Clause 32, page 65, leave out lines 9 to 11

Member's explanatory statement

This amendment probes the circumstances in which a local authority enquiry would satisfy condition B.

LORD LUCAS

- ★ Clause 32, page 65, line 10, at end insert "if those enquiries meet a specified threshold"

Member's explanatory statement

This amendment seeks to explore the circumstances under which this would satisfy condition B.

LORD LUCAS

- ★ Clause 32, page 65, leave out lines 20 and 21

Member's explanatory statement

This amendment seeks to prevent local authorities from judging when it would be in a child's best interest for them to receive education by regular attendance at school.

LORD LUCAS

- ★ Clause 32, page 65, line 29, at end insert –
“and the information not provided, or the inaccuracy of the information provided, is of sufficient importance to justify a school attendance order.”

Member's explanatory statement

This amendment seeks to require a parent's serious error in relation to the provision of information before a preliminary notice can be justified under Condition C.

LORD LUCAS

- ★ Clause 32, page 65, leave out lines 30 to 35

Member's explanatory statement

This amendment probes the circumstances under which Condition D could justify the serving of a preliminary notice.

LORD LUCAS

- ★ Clause 32, page 65, line 35, at end insert –
“and the information not provided, or the inaccuracy of the information provided, is of sufficient importance to justify a school attendance order.”

Member's explanatory statement

This amendment seeks to require that a preliminary notice can only be justified under Condition D if there is a serious error in the information provided by the parent.

LORD LUCAS

- ★ Clause 32, page 65, line 39, leave out from “delay” to “and” in line 42

Member's explanatory statement

This amendment seeks to probe the five day deadline for serving a preliminary notice.

LORD LUCAS

- ★ Clause 32, page 66, leave out from beginning of line 4 to end of line 36 on page 67

Member's explanatory statement

This amendment seeks to facilitate debate of school attendance orders

LORD LUCAS

- ★ Clause 32, page 66, leave out lines 24 to 27

Member's explanatory statement

This probing amendment seeks to remove the “suitable education” test from provision preventing the serving of a school attendance order.

LORD LUCAS

- ★ Clause 32, page 66, line 37 leave out “all of the” and insert “the major”

Member's explanatory statement

This amendment seeks to remove the requirement for local authorities to consider all of a child's educational settings when determining whether to serve a school attendance order, as this could require them to consider an infeasibly large number of settings. Instead, the amendment proposes that local authorities consider “the major” settings.

LORD LUCAS

- ★ Clause 32, page 66, line 38, leave out “and where the child lives”

Member's explanatory statement

This amendment seeks to avoid any discrimination based on the location of a child's residence, when a local authority is considering settings for the purposes of determining whether a school attendance order must be served.

LORD LUCAS

- ★ Clause 32, page 66, line 39, leave out “how the child is being educated” and insert “the form the child's education takes”

Member's explanatory statement

This amendment seeks to avoid any implied ability to make financial enquiries.

LORD CRISP

- ★ Clause 32, page 66, leave out from beginning of line 42 to end of line 2 on page 67

Member's explanatory statement

This amendment seeks to remove the local authority's power to request to visit a child at home, for the purpose of determining whether a school attendance order should be served.

LORD LUCAS

- ★ Clause 32, page 67, line 2, at end insert “, subject to a court order to that effect.”

Member's explanatory statement

This amendment seeks to require that a local authority must possess a court order before visiting a child at home, for the purpose of determining whether a school attendance order should be served.

LORD LUCAS

- ★ Clause 32, page 67, line 2, at end insert –
- “(d) must consider what the local authority knows of the child’s reaction to strangers, schools and persons in authority.”

LORD LUCAS

- ★ Clause 32, page 67, line 11, leave out from “delay” to “and” in line 14

Member's explanatory statement

This amendment seeks to probe the deadline for informing the governing body and headteacher when a maintained school is named in a school attendance order.

LORD LUCAS

- ★ Clause 32, page 67, line 21, at end insert –
- “(c) the child relocates outside the jurisdiction.”

LORD LUCAS

- ★ Clause 32, page 67, line 24, leave out from “delay” to “inform” in line 26

Member's explanatory statement

This amendment seeks to probe the deadline for informing the governing body and headteacher when a maintained school is named in a school attendance order.

LORD LUCAS

- ★ Clause 32, page 68, line 4, leave out “amend” and insert “review”

LORD LUCAS

- ★ Clause 32, page 68, leave out lines 7 to 10

Member's explanatory statement

This amendment seeks to probe how this subsection could result in an inappropriate school being named if no review is held.

LORD LUCAS

- ★ Clause 32, page 70, leave out line 10 and insert –
- “the parent shall be considered as having fulfilled their duty to provide suitable education to the child.”

Member's explanatory statement

This amendment seeks to ensure that if a parent enrolled their child into an independent school and their financial circumstances changed, they would not be forced to pay unaffordable bills.

LORD LUCAS

- ★ Clause 32, page 73, line 42, at end insert –
 - “(5) If a child subject to a notice leaves the jurisdiction, the local authority must revoke the order.”

LORD CRISP

- ★ Clause 32, page 74, line 37, at end insert –
 - “(4A) In arriving at an opinion under subsection (4) the local authority must consult a panel, established for that purpose, including established home-educating parents.”

LORD CRISP

- ★ Clause 32, page 74, leave out lines 38 to 42 and insert –
 - “(5) A parent may appeal to the Tribunal against a decision of the local authority to refuse to comply with a request under subsection (3).
 - (5A) An appeal under subsection (5) must be brought within a period of 28 days beginning with the date on which the local authority’s decision was notified to the parent.
 - (5B) On an appeal, the Tribunal may –
 - (a) confirm the decision of the local authority, or
 - (b) direct that the parent’s request should be granted.”

Member's explanatory statement

This amendment would afford a parent a right of appeal against a local authority decision to refuse to end or revise a school attendance order.

LORD LUCAS

- ★ Clause 32, page 74, line 43, leave out from beginning to end of line 12 on page 75

LORD LUCAS

- ★ Clause 32, page 76, line 9, at end insert “, unless the child is no longer resident within the jurisdiction.”

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.

LORD LUCAS

- ★ Clause 32, page 76, line 33, at end insert “but the child’s best interests shall be taken fully into account when deciding the sentence.”

LORD LUCAS

Lord Lucas gives notice of his intention to oppose the Question that Clause 32 stand part of the Bill.

Member's explanatory statement

This is intended to allow a general discussion of school attendance orders.

Clause 33

LORD LUCAS

- ★ Clause 33, page 78, line 28, at end insert—
- “(5) A parent is entitled to claim compensation in respect of any breaches of data protection in relation to actions under this Act.”

Clause 36

LORD LUCAS

- ★ Clause 36, page 79, line 16, at end insert—
- “(c) institutions in England that cater for children placed with them for alternative provision by local authorities.”

Member's explanatory statement

This amendment seeks to bring unregistered alternative provision within the scope of routine oversight.

LORD LUCAS

Lord Lucas gives notice of his intention to oppose the Question that Clause 36 stand part of the Bill.

Member's explanatory statement

This is intended to allow discussion of this clause in general, the intended regulations, and the effect on various classes of entity including after-school religious instruction.

After Clause 38

LORD LUCAS

★ After Clause 38, insert the following new Clause –

“Unregistered independent educational institutions: inspection powers

Section 97 of the Education and Skills Act 2008 (Unregistered independent educational institutions: inspection) is amended as follows –

- (a) at the beginning of subsection (1)(a) insert “without a warrant,”
- (b) at the beginning of subsection (1)(b) insert “compel the production of,”.”

Member's explanatory statement

This amendment seeks to allow discussion of the efficiency and effectiveness of Ofsted’s powers in regard to investigating unregistered independent schools.

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 53

LORD LUCAS

★ Clause 53, page 115, line 26, at end insert –

“85ZB Co-operation in providing parents with admissions information

- (1) A local authority in England and the governing body of a maintained school in England must co-operate in the provision of admissions information to parents.
- (2) The governing body of such a school, where it is the admissions authority for the school, must provide the local authority with such admissions information as is specified in regulations in the electronic format set out in those regulations, within the timescale set out in those regulations.
- (3) Within one month of the deadline for schools to provide that information, a local authority must publish the information so provided and the equivalent information for schools for which it is the admissions authority in the same electronic format.”

Member's explanatory statement

This amendment seeks to ensure that complete, accurate, and consistent admissions information is available to all parents.

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 62BARONESS 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.

LORD LUCAS

★ After Clause 62, insert the following new Clause –

“Alternative systems of education

- (1) The Secretary of State may, if so requested, make a declaration that an alternative system of education is expected, when carefully followed, to be a suitable education for most children.
- (2) The Secretary of State may take whatever advice they deem appropriate in arriving at such a conclusion.
- (3) If the Secretary of State, having been so requested, refuses to make such a declaration, they shall publish in full their reasons for refusal.
- (4) If the Secretary of State makes such a declaration, they must publish a full account of the alternative system of education concerned.
- (5) In deciding whether to grant such a declaration, the Secretary of State may not require of the alternative system of education standards better than those obtaining, on average, in the worst 10 per cent of English state schools.
- (6) The Secretary of State may at any time reconsider a decision to grant or refuse a declaration.
- (7) A parent may appeal to the Tribunal against a decision of the secretary of state to refuse to make a declaration.
- (8) An appeal under subsection (7) must be brought within a period of 28 days beginning with the date on which the Secretary of State’s decision was notified to the parent.
- (9) On an appeal, the Tribunal may –
 - (a) confirm the decision of the Secretary of State, or
 - (b) direct that the Secretary of State should make a declaration.”

Member's explanatory statement

This amendment seeks to provide a route for the in-principle approval of religious and other systems of education, for example, Charedi schooling. This will allow discussion of how the government intends to approach these systems.

BARONESS LISTER OF BURTERSETT

★ After Clause 62, insert the following new Clause –

“Child rights impact assessment

- (1) A Minister of the Crown must prepare and publish a child rights impact assessment in relation to any legislative provision, policy decision, budgetary decision, or other decision of a strategic or operational nature that has or will have a direct or indirect impact on children’s wellbeing, social care or education, which are undertaken by virtue of the provisions in this Act.
- (2) The purpose of a child rights impact assessment is to secure better or further effect of the rights set out in the United Nations Convention on the Rights of the Child (UNCRC).
- (3) A child rights impact assessment must include consideration of the views, wishes and feeling of children and young people affected by the decision, insofar as the Minister is able to ascertain those views.
- (4) A child rights impact assessment should be undertaken on all relevant legislation, policy and budget development which are undertaken by virtue of the provisions in this Act at the earliest possible opportunity and prior to making final decisions.
- (5) The UNCRC includes the rights and obligations set out in –
 - (a) the United Nations Convention on the Rights of the Child Part 1;
 - (b) Articles 1 to 6(1), 6(3) and 7 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
 - (c) Articles 1 to 10 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
 - (d) any other Optional Protocols to the UNCRC that the United Kingdom may in future ratify.
- (6) The UNCRC rights and obligations for the purposes of this Act are subject to any reservations, objections or interpretative declarations by the United Kingdom as may be in force at the time.
- (7) The UNCRC rights and obligations for the purposes of this Act should be interpreted in the light of General Comments prepared by the UN Committee on the Rights of the Child under rule 77 of its procedure and Concluding Observations made by the UN Committee on the Rights of the Child in response to a United Kingdom report under Article 45 paragraph (d) of the Convention.”

Member's explanatory statement

This amendment will introduce a statutory requirement for Ministers – and thereby government departments – to routinely prepare and make publicly available a children’s rights assessment of the impact and/or expected impact of any proposed legislation, policy, budgetary decision or other strategic or operational decision undertaken by virtue of the provisions in this Act as they relate to children’s wellbeing, social care or education.

BARONESS LISTER OF BURTERSETT

★ After Clause 62, insert the following new Clause –

“Duty on UK Ministers

- (1) A Minister of the Crown must, when exercising any or all of their functions under this Act, as they relate to children’s wellbeing, social care or education, have due regard to the rights and obligations set out in the United Nations Convention on the Rights of the Child (UNCRC).
- (2) In complying with the duty under subsection (1), Ministers of the Crown must take account of the relevant views, wishes and feeling of children insofar as the Minister is able to ascertain those views.
- (3) When discharging their duties under the provisions in this Act, Ministers of the Crown must promote public awareness and understanding of the UNCRC as it relates to children’s wellbeing, social care or education, including among children, public authorities, and those performing public functions impacting children’s wellbeing, social care or education.
- (4) In complying with this duty, Ministers of the Crown must prepare and publish child rights impact assessments in relation to any legislative provision, policy decision, budgetary decision, or other decision of a strategic or operational nature that has or will have a direct or indirect impact on children’s wellbeing, social care or education, which are undertaken by virtue of the provisions in this Act.
- (5) As soon as is practicable after the end of each three-year period, the Secretary of State must publish (in such a manner as they deem appropriate) a report of the steps taken in that period specifically to secure implementation of the rights and obligations set out in the UNCRC, as they relate to children’s wellbeing, social care or education.
- (6) A report published under subsection (5) must include –
 - (a) an assessment of the extent to which the UNCRC is being implemented for children and young people in relation to wellbeing, social care and education;
 - (b) steps taken to promote understanding and awareness of the rights of children, as they relate to wellbeing, social care or education.
- (7) The UNCRC includes the rights and obligations set out in –
 - (a) the United Nations Convention on the Rights of the Child Part 1;
 - (b) Articles 1 to 6(1), 6(3) and 7 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict;
 - (c) Articles 1 to 10 of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
 - (d) any other Optional Protocols to the UNCRC that the UK may in future ratify.

- (8) The UNCRC rights and obligations for the purposes of this Act are subject to any reservations, objections or interpretative declarations by the United Kingdom as may be in force at the time.
- (9) The UNCRC rights and obligations for the purposes of this Act should be interpreted in light of General Comments prepared by the UN Committee on the Rights of the Child under rule 77 of its procedure and Concluding Observations made by the UN Committee on the Rights of the Child in response to a UK report under Article 45 paragraph (d) of the Convention.”

Clause 66

LORD LUCAS

- ★ Clause 66, page 124, line 4, at end insert, “, but no part of Sections 30 to 35 and Schedule 2 may be commenced earlier than the day on which the National Cyber Security Centre (or an equivalent body designated by the Secretary of State) certifies that the arrangements for the security of the register of children not in school are in line with best practice and that testing of its systems is complete.”

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

RUNNING LIST OF ALL
AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

Tabled up to and including

8 May 2025

8 May 2025

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