

# Children's Wellbeing and Schools Bill

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

*Tabled up to and including*

*14 May 2025*

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

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

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

### **Before Clause 1**

BARONESS BARRAN

Before Clause 1, insert the following new Clause –

#### **“Purpose**

- (1) The purpose of this Act is to –
  - (a) improve the safety and wellbeing of children;
  - (b) improve the regulation of children’s homes, fostering agencies and other settings where looked after children are accommodated;
  - (c) improve safety and standards and remove barriers to opportunity in schools in England and Wales;
  - (d) make provision regarding children not in school.”

### **Clause 1**

BARONESS BARRAN

★ Clause 1, page 1, leave out lines 7 to 10 and insert –

- “(1) When a local authority starts formal child protection proceedings in relation to a child, the authority must offer a family group decision-making meeting

to the child's parents or any other person with parental responsibility for the child."

***Member's explanatory statement***

*This amendment seeks to require the offer of a family group decision making meeting when formal child protection proceedings are initiated and /or when the child protection plan is failing to protect the child instead of before the local authority makes an application for a care and supervision order as the trigger for offering the meeting.*

BARONESS BARRAN

- ★ Clause 1, page 1, line 10, at end insert –

"(1A) A family group decision-making meeting must be offered by the relevant local authority when a family is going through private law proceedings."

***Member's explanatory statement***

*This amendment seeks to reduce the conflict in private law proceedings by offering a family group decision making meeting, allow other family members to support the child as well as to identify where there are significant safeguarding risks to the child/children. It seeks to strengthen the intention that mediation and reconciliation out of court are better for the child.*

BARONESS BARRAN

- ★ Clause 1, page 1, line 10, at end insert –

"(1A) The family group decision making meeting, or meetings, must follow an evidence based approach including the appointment of an independent and suitably trained coordinator, including in relation to domestic abuse."

***Member's explanatory statement***

*This amendment seeks to ensure that family group decision making meetings follow an evidenced based approach.*

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

- ★ Clause 1, page 2, line 3, after second "meeting" insert "process including preparation"

BARONESS BARRAN

- ★ Clause 1, page 2, line 7, at end insert –

"(4A) A family group decision-making meeting must be chaired by a systemic family therapist or other similarly qualified professional."

***Member's explanatory statement***

*This amendment would require family group decision-making meetings to be chaired by a family therapist or other professional with equivalent qualifications.*

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

★ Clause 1, page 2, line 7, at end insert –

- “(4A) The family group decision making meeting must –
- (a) be facilitated by a trained coordinator, who has no decision-making responsibility for the child, and
  - (b) include private time for the family network members attending the meeting and the child, if in attendance, to draw up their proposal to address concerns about the child’s welfare.”

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

★ Clause 1, page 2, line 7, at end insert –

- “(4A) The local authority must work with the child and their family network to implement the proposal made in (4)(b), where it addresses the local authority’s concerns about the child’s welfare.”

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

★ Clause 1, page 2, line 9, leave out from “welfare” to “and” in line 11

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

★ Clause 1, page 2, line 14, at end insert –

- “(5A) A family group decision-making meeting may only be attended by such members of the “family network” as are agreed by those persons listed in subsection (1) and subject to subsection (3).”

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

★ Clause 1, page 2, line 20, at end insert –

- “(7A) Where a local authority is not intending to make an application under section 31 of the Children Act 1989, or issue a letter before proceedings in relation to a child, but where a Director of Children’s Services is satisfied that holding a family group decision-making meeting would assist in formulating a plan to help meet the needs of the child the Director must arrange for an offer of a family group decision making meeting to be made to –
- (a) the child’s parents,
  - (b) any other person with parental responsibility for the child, and

- (c) the child, if they have reached the age of sixteen.”

BARONESS ARMSTRONG OF HILL TOP  
BARONESS LONGFIELD

★

Clause 1, page 2, leave out lines 21 to 23 and insert—

- “(8) The child should be invited to be involved in their family-group decision-making meeting, where consistent with their welfare.”

BARONESS TYLER OF ENFIELD  
BARONESS BENNETT OF MANOR CASTLE  
BARONESS WALMSLEY

Clause 1, page 2, leave out lines 21 to 26 and insert—

- “(8) The child in relation to whom the family group decision-making meeting is held must be supported to attend all or part of the meeting if they wish to do so, unless the local authority determines this not to be in the best interests of the child, in which instance efforts must be made to ensure their views are represented.
- (9) In exercising functions under this section in relation to a child, the local authority must, so far as is reasonably practicable and consistent with the child’s welfare—
- (a) ascertain the child’s wishes and feelings, and
  - (b) give due consideration (having regard to the child’s age and understanding) to such wishes and feelings of the child as they have been able to ascertain.”

***Member's explanatory statement***

*This amendment would ensure the views of the child are explicitly sought and given due weight as part of the family group decision-making process, in decisions affecting the child.*

BARONESS BARRAN

★

Clause 1, page 2, line 26, at end insert—

- “(10) If a child is to be looked after by other family members as a result of the family group decision-making meeting, the local authority must make arrangements to ensure the safety and welfare of the child and prepare a child protection plan that reflects this.”

***Member's explanatory statement***

*This amendment seeks to ensure that if a child is going to be looked after by other family members, the local authority takes appropriate action, that is reflected in the child protection plan, to assure their safety and welfare.*

## BARONESS BARRAN

★ Clause 1, page 2, line 26, at end insert —

“(10) If the child is under the age of two, the family group decision-making conference must not delay the timetable for the making of permanent arrangements regarding the child’s care.”

***Member's explanatory statement***

*This amendment is designed to ensure that the offer of a family group decision-making meeting does not unduly delay making permanent arrangements regarding the child’s care.*

## BARONESS BARRAN

★ Clause 1, page 2, line 26, at end insert —

“(10) Nothing in this section permits an extension to the 26-week limit for care proceedings in section 14(2)(ii) of the Children and Families Act 2014.”

***Member's explanatory statement***

*This amendment seeks to clarify that where a family group decision making process is used, it does not delay care proceedings beyond the 26 week limit.*

## BARONESS BARRAN

★ Clause 1, page 2, line 26, at end insert —

“(10) If the child is to be looked after by other family members as a result of the family group decision-making meeting, the local authority must make arrangements for the safety and welfare of the child concerned and where necessary, draw up a child protection plan.”

***Member's explanatory statement***

*This amendment seeks to ensure that if a child is going to be looked after by other family members, the local authority takes appropriate action to ensure their safety and welfare.*

**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.*

BARONESS BARRAN

★

Clause 2, page 3, line 11, at end insert –

- “(6) The Secretary of State must produce a report on the impact of the inclusion of childcare and education agencies in safeguarding arrangements on the resources and costs of education and childcare organisations in England.
- (7) A report under subsection (6) must be made within two years of the day on which this Act is passed and annually thereafter.
- (8) The Secretary of State must lay a report made under subsection (6) before Parliament.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to report on the impact on the inclusion of childcare and education agencies in safeguarding arrangements on the resources and costs of education and childcare organisations.*

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 2 stand part of the Bill.*

***Member's explanatory statement***

*This amendment seeks to probe how the Government expects this Clause to work in practice both operationally and strategically.*

**Clause 3**

BARONESS BARRAN

★ Clause 3, page 6, line 4, at end insert —

**“16EC Report on work and impact of multi-agency child protection teams**

- (1) The Secretary of State must report annually on the work and impact of multi-agency child protection teams.
- (2) A report under this section shall include analysis of —
  - (a) the membership of multi-agency child protection teams;
  - (b) the specific child protection activities undertaken by such teams;
  - (c) best practice in multi-agency work; and
  - (d) the impact of multi-agency child protection teams on —
    - (i) information sharing;
    - (ii) risk identification; and
    - (iii) joining up services between children's social care, police, health services, education and other agencies, including the voluntary sector.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to report on the effectiveness of multi-agency child protection teams.*

BARONESS BARRAN

*Baroness Barran gives notice of her intention to oppose the Question that Clause 3 stand part of the Bill.*

**Clause 4**

BARONESS BARRAN

★ Clause 4, page 6, line 11, leave out from beginning to end of line 19 on page 7

***Member's explanatory statement***

*This is a probing amendment which seeks to question the effectiveness of the drafting of 16LA*

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.*

## BARONESS BARRAN

★ Clause 4, page 6, line 30, at end insert —

“(3A) Where the relevant person considers that the disclosure would be more detrimental to the child than not disclosing the information, this decision must be recorded.”

***Member's explanatory statement***

*This amendment seeks to require that decisions made not to disclose information must be recorded.*

## BARONESS BARRAN

★ Clause 4, page 7, line 5, at end insert —

“(6A) Where information is disclosed under this section, the recipient must consider the safety and welfare of others to whom the information may relate or involve and take steps to promote their safety and welfare, particularly in cases of domestic abuse or elder abuse.”

***Member's explanatory statement***

*This amendment seeks to ensure that other vulnerable members of a household are not inadvertently put at risk by the sharing of information, and that safety plans are put in place where needed.*

## 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.*

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

Clause 4, page 7, line 22, at end insert —

“(1A) The Secretary of State must specify the NHS number as the consistent identifier for children for the purposes of this section.”



**Member's explanatory statement**

*This amendment would require the government to confirm the use of the NHS number as the single unique identifier for children.*

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

Clause 4, page 7, line 22, at end insert –

- “(1A) The Secretary of State must place a requirement on all designated persons listed in section 11 to include the consistent identifier in the information processed about a child no later than March 2029.”

**Member's explanatory statement**

*This amendment would require full implementation of a single unique identifier for children before the anticipated next General Election in line with the government's manifesto commitment.*

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  
BARONESS LISTER OF BURTERSETT

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.*

BARONESS BENNETT OF MANOR CASTLE

After Clause 4, insert the following new Clause –

**“Duty on local authorities to provide family support services for children and families**

After section 19 of the Children Act 1989, insert –

**“19A Duty on local authorities to provide family support services for children and families**

- (1) A local authority has a duty to provide, so far as is reasonably practical, family support services to all children and parents residing in their area.
- (2) Family support services provided by a local authority must –
  - (a) be provided within the authority area,
  - (b) seek to improve the health and educational outcomes of children in the relevant area, and
  - (c) seek to reduce the number of children in their area who suffer ill treatment or neglect.
- (3) In this section, “family support services” refer to services which provide children and parents with –
  - (a) advice, guidance or counselling,
  - (b) social, cultural or recreational activities, or
  - (c) accommodation while receiving services provided under subsections (3)(a) and (b).
- (4) In fulfilling its duty under subsection (1), a local authority must have regard to –



- (a) the availability of and demand for family support services in its area,
  - (b) the availability of and demand for family support services in its area which are capable of meeting different needs, and
  - (c) the location of family support services and the equality of access across the authority area.
- (5) A local authority must publish information about family support services –
  - (a) on the authority's website, and
  - (b) in all public libraries in the local authority area.
- (6) The Secretary of State may by regulations make provision relating to the provision of family support services by local authorities.
- (7) In this section –
  - “children and parents” means –
    - (a) a child under the age of 18;
    - (b) a young person aged 18-25 who has a diagnosis of special educational needs;
    - (c) the parents of a child or young person;
    - (d) a person who has parental responsibility for a child or young person; or
    - (e) a person who is pregnant.
  - “local authority” means –
    - (a) a county council in England;
    - (b) a district council in England;
    - (c) a London borough council;
    - (d) the Common Council of the City of London (in their capacity as a local authority);
    - (e) the Council of the Isles of Scilly;
    - (f) a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009;”

***Member's explanatory statement***

*This new clause would introduce a requirement on local authorities to provide family support services for all children and parents in their area.*

**Clause 5**

BARONESS BARRAN

★ Clause 5, page 10, line 5, at end insert –

- “(8) In fulfilling its duties under subsection (7) a local authority must annually consult and collect feedback from children in kinship care and their carers about its kinship local offer.

(9) Feedback received under subsection (8) must be published annually.”

***Member's explanatory statement***

*This amendment would require local authorities to consult children and carers when reviewing their kinship care offer.*

**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 WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

Clause 7, page 12, line 8, after “support” insert “and staying put support”

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

Clause 7, page 12, line 17, after “support” insert “or staying put support”

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

Clause 7, page 12, line 20, after “support” insert “or staying put support”

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

Clause 7, page 12, line 21, after “support” insert “or staying put support”

BARONESS BARRAN

★ Clause 7, page 12, line 23, at end insert —

“(3A) Where staying close support is provided, it must be provided with due regard to the wishes of the relevant person and a record must be kept of that person’s wishes.”

***Member's explanatory statement***

*This amendment would require local authorities to take account of the wishes of the relevant young person when providing staying close support, and keep a record of those wishes.*

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

Clause 7, page 12, line 24, after first “support” insert “and staying put support”

LORD WATSON OF INVERGOWRIE  
BARONESS BENNETT OF MANOR CASTLE

Clause 7, page 12, line 32, at end insert —

“(4A) “Staying put” has the meaning given by section 23CZA(2) of the Children Act 1989 (arrangements for certain former relevant children to continue to live with former foster parents).”

***Member's explanatory statement***

*This amendment, together with others to this Clause in the name of Lord Watson of Invergowrie, would include staying put support in the support provided by local authorities under this section and extend the provision of ‘staying put’ for young people to the age of 25.*

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**

BARONESS TYLER OF ENFIELD  
BARONESS BENNETT OF MANOR CASTLE  
BARONESS WALMSLEY

Clause 8, page 13, line 7, at end insert –

“(2A) In subsection (2), after paragraph (f) insert –

“(g) financial literacy and financial support.””

***Member's explanatory statement***

*This amendment would introduce a requirement on local authorities to publish information about the services they provide to support care leavers to develop financial literacy and to better understand their financial entitlements as part of their Local Offer for Care Leavers.*

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 8**

BARONESS BENNETT OF MANOR CASTLE

After Clause 8, insert the following new Clause—

**“National offer for care leavers**

After section 2 of the Children and Social Work Act 2017 insert—

**“2A National offer for care leavers**

- (1) The Secretary of State must publish information about services which care leavers in all areas of England should be able to access to assist them in adulthood and independent living or in preparing for adulthood and independent living.
- (2) For the purposes of subsection (1), services which may assist care leavers in adulthood and independent living or in preparing for adulthood and independent living include services relating to—
  - (a) health and well-being;
  - (b) relationships;
  - (c) education and training;
  - (d) employment;
  - (e) accommodation;
  - (f) participation in society.
- (3) Information published by the Secretary of State under this section is to be known as the “National Offer for Care Leavers”.
- (4) The Secretary of State must update the National Offer for Care Leavers from time to time.
- (5) Before publishing or updating the National Offer for Care Leavers the Secretary of State must consult with relevant persons about which services may assist care leavers in adulthood and independent living or in preparing for adulthood and independent living.
- (6) In this section—

“care leavers” means—

  - (a) eligible children within the meaning given by paragraph 19B of Schedule 2 to the Children Act 1989;
  - (b) relevant children within the meaning given by section 23A(2) of that Act;
  - (c) persons aged under 25 who are former relevant children within the meaning given by section 23C(1) of that Act;
  - (d) persons qualifying for advice and assistance within the meaning given by section 24 of that Act;

“relevant persons” means—

  - (a) such care leavers as appear to the Secretary of State to be representative of care leavers in England;

- (b) other Ministers of State who have a role in arranging services that may assist care leavers in or preparing for independent living.””

***Member's explanatory statement***

*This new clause would introduce a new requirement on the Secretary of State for Education to publish a national offer detailing what support care leavers are entitled to claim by expanding the provisions in the Children and Social Work Act 2017 which require local authorities to produce a “Local offer”.*

**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).”

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

After Clause 9, insert the following new Clause—

**“Promoting relationships for looked after children**

In section 22(3A) of the Children Act 1989, at end insert “and a duty to promote the child’s family and social relationships in ways which are consistent with the child’s welfare.””

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

After Clause 9, insert the following new Clause—

**“Sibling contact for looked after children**

- (1) In section 34(1) of the Children Act 1989, after paragraph (d) insert—  

“(e) their siblings (whether of the whole or half blood).”
- (2) In paragraph 15(1) of Schedule 2 to the Children Act 1989, after paragraph (c) insert—  

“(d) their siblings (whether of the whole or half blood).””

***Member's explanatory statement***

*This amendment would place the same emphasis on promoting looked after children's relationships with their siblings, as already exists with parents.*

LORD STOREY

After Clause 9, insert the following new Clause –

**Extension of pupil premium to children subject to a kinship care arrangement**

- (1) The Secretary of State must, for the financial year beginning 1 April 2026 and for each year thereafter, provide that an amount is payable from the pupil premium grant to schools and local authorities in respect of each registered pupil in England who is who is a child living in kinship care.
- (2) The amount payable under subsection (1) must be equal to the amount that is payable for a pupil who is a looked after child.
- (3) In this section –
  - “a child living in kinship care” is to be interpreted in the same manner as given in section 22I of the Children Act 1989, as inserted by section 5 of this Act;
  - “looked after child” has the same meaning as in the Children Act 1989;
  - “pupil premium grant” means the grant of that name paid to a school or a local authority by the Secretary of State under section 14 of the Education Act 2002 (power of Secretary of State and Senedd Cymru to give financial assistance for purposes related to education or children etc).”

***Member's explanatory statement***

*This amendment would extend the pupil premium to children subject to a kinship care arrangement.*

LORD STOREY

After Clause 9, insert the following new Clause –

**“Kinship care allowance**

- (1) A person is entitled to a kinship care allowance for any week in which that person is engaged as a kinship carer in England.
- (2) For the purposes of this section, a “kinship carer” has the meaning given in section 22I of the Children Act 1989, as inserted by section 5 of this Act.
- (3) A person is not entitled to an allowance under this section unless that person satisfies conditions prescribed in regulations made by the Secretary of State.
- (4) A person may claim an allowance under this section in respect of more than one child.

- (5) Where two or more persons would be entitled for the same week to such an allowance in respect of the same child, only one allowance may be claimed on the behalf of—
  - (a) the person jointly elected by those two for that purpose, or
  - (b) in default of such an election, the person determined by, and at the discretion of, the Secretary of State.
- (6) Regulations may prescribe the circumstances in which a person is or is not to be treated for the purposes of this section as engaged, or regularly and substantially engaged, in caring for a child under an eligible kinship care arrangement.
- (7) An allowance under this section is payable at the weekly rate specified by the Secretary of State in regulations.
- (8) Regulations under subsection (7) may specify—
  - (a) different weekly rates for different ages of children being cared for, or
  - (b) different weekly rates for different regions of England.
- (9) Regulations under subsection (7) must specify a weekly rate that is no lower than the minimum weekly allowance for foster carers published by the Secretary of State pursuant to section 23 of the Care Standards Act 2000.
- (10) 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 mean a person is entitled to a kinship care allowance for any week in which that person is engaged as a kinship carer in England.*

LORD WATSON OF INVERGOWRIE

After Clause 9, insert the following new Clause—

**“Register of foster carers**

- (1) The Secretary of State must introduce a register of local authority foster parents and independent foster parents who are—
  - (a) currently fostering children, or
  - (b) available to foster children.
- (2) For the purposes of subsection (1), “local authority foster parent” is defined in accordance with section 105 of the Children Act 1989.”

***Member's explanatory statement***

*This amendment would introduce a register of foster carers. The intention is that having such a register, as exists for social workers, would improve the safeguarding of children, and matching and sufficiency of placements, and improve the status of foster carers.*



**Clause 10**

BARONESS TYLER OF ENFIELD  
BARONESS BENNETT OF MANOR CASTLE  
BARONESS WALMSLEY

Clause 10, page 15, line 13, at end insert –

“(aa) children and young people who are and have been looked after by local authorities, and”

***Member's explanatory statement***

*This amendment would ensure that the views of children and young people are considered before making regulations in relation to local authority duties to secure accommodation for looked after children.*

**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.”

**Clause 11**

BARONESS BARRAN

★

Clause 11, page 16, line 30, at end insert –

“(1AA) A child who is being looked after by a local authority in England and is under the age of 13 may not, whilst being kept in relevant accommodation in England, be deprived of their liberty in that accommodation unless this has been authorised by the Secretary of State.”

***Member's explanatory statement***

*This amendment would ensure that deprivation of liberty orders could not be issued to children under the age of 13 unless expressly authorised by the Secretary of State, in line with provisions relating to children's homes.*

## BARONESS SMITH OF MALVERN

Clause 11, page 17, line 12, at end insert –

“(6A) In subsection (5A), for “restrict the child’s” substitute “deprive the child of their”. ”

***Member's explanatory statement***

*This amendment ensures consistency with the terminology in section 25 of the Children Act 1989 as amended by clause 11.*

## BARONESS BARRAN

★

Clause 11, page 17, line 23, at end insert –

“(8A) After subsection (9) insert –

“(10) Where a child is kept in secure accommodation under this section, the relevant local authority has a duty to provide therapeutic treatment for the child.””

***Member's explanatory statement***

*This amendment would place a duty on local authorities to provide therapeutic treatment for children subject to a deprivation of liberty order.*

## BARONESS SMITH OF MALVERN

Clause 11, page 17, line 24, leave out subsection (9) and insert –

“(9) In section 93 of the Children (Scotland) Act 1995 (interpretation) –

- (a) in the definition of “secure accommodation”, omit paragraph (b);
- (b) after that definition insert –

““secure accommodation”, in relation to England, means secure accommodation within the meaning of section 25 of the Children Act 1989 or relevant accommodation within the meaning of that section.”.

(10) In section 202(1) of the Children’s Hearings (Scotland) Act 2011 (asp 1) (interpretation) –

- (a) in the definition of “secure accommodation”, omit paragraph (b);
- (b) after that definition insert –

““secure accommodation”, in relation to England, means secure accommodation within the meaning of section 25 of the Children Act 1989 or relevant accommodation within the meaning of that section.”.

***Member's explanatory statement***

*This amendment ensures that the clause 11 amendments to section 25 of the Children Act 1989, to allow local authorities in England and Wales to seek authorisation for the deprivation of liberty of children in accommodation provided for care and treatment in England, extend to local authorities in Scotland.*

**After Clause 11**

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

After Clause 11, insert the following new Clause –

**“Amending the sufficiency duty to prevent children being moved far away from home**

- (1) Section 22G of the Children Act 1989 is amended as follows.
- (2) In subsection (1), for “steps that secure, so far as reasonably practicable” substitute “all reasonable steps to secure”.
- (3) In subsection (2)(a), after “within” insert “or is near to”.
- (4) In subsection (3)(c), for “in” substitute “within, or is near to”.
- (5) In subsection (4), omit from “having” to the end and substitute “there being a range of accommodation that –
  - (a) is within, or near to, the authority’s area, and
  - (b) is capable of meeting the differing needs of the children mentioned in subsection (3).”

***Member's explanatory statement***

*This new clause amends the sufficiency duty to prevent children being moved far away from home.*

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

After Clause 11, insert the following new Clause –

**“Extending “staying put arrangements” to the age of 25**

In section 23CZA(6) of the Children Act 1989, for “21” substitute “25”.

***Member's explanatory statement***

*This amendment would extend the Staying Put scheme to the age of 25.*

**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, line 18, at end insert—

- “(3A) The CIECSS may require an unannounced visit by a Regulation 44 visitor to a children’s home, if it reasonably suspects that there are administrative breaches or minor concerns about the quality of care being provided.
- (3B) After a Regulation 44 visitor has inspected the relevant children’s home or homes, the local authority may issue an improvement plan notice based on their findings.”

***Member's explanatory statement***

*This amendment would rely on the use of Regulation 44 visitors to inform the content of an improvement plan notice where the CIECSS has concerns about minor or technical breaches.*

## BARONESS BARRAN

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

**Clause 14**

BARONESS TYLER OF ENFIELD  
BARONESS WALMSLEY

Clause 14, page 25, line 3, at end insert—

- “(c) a supported accommodation setting in England;”

***Member's explanatory statement***

*This amendment extends financial oversight measures to supported accommodation.*

**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  
THE LORD BISHOP OF CHELMSFORD  
LORD HAMPTON

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.*

## LORD WATSON OF INVERGOWRIE

After Clause 18, insert the following new Clause –

**“Review of adoption support offered by local authorities**

- (1) The Secretary of State must, within 12 months of the passing of this Act, conduct a review of the adequacy and effectiveness of adoption support services provided by local authorities.
- (2) The review must include services provided by adoption agencies which have been commissioned by local authorities.
- (3) The review must consider in particular –
  - (a) any updates required to existing regulations and guidance relating to adoption, and
  - (b) the support needs of, and support services currently available or provided to –
    - (i) relevant parties in relation to birth family contact;
    - (ii) young adult adoptees in relation to their transition to adulthood;
    - (iii) adult adoptees.
- (4) Within six months of the completion of the review, the Secretary of State must publish and lay before Parliament a report on the findings and conclusions of the review.”

**After Clause 20**

## LORD STOREY

After Clause 20, insert the following new Clause –

**“Kinship care leave**

- (1) The Secretary of State must, by regulations, entitle an individual to be absent from work on care leave under this section where –
  - (a) the individual is a kinship carer, and
  - (b) the individual satisfies conditions specified in the regulations.
- (2) Regulations made under subsection (1) must include provision for determining –
  - (a) the extent of an individual’s entitlement to leave under this section, and
  - (b) when leave under this section may be taken.
- (3) Provision under subsection (2)(a) must secure that –
  - (a) where one individual is entitled to leave under this section, they are entitled to at least 52 weeks of leave, or
  - (b) where more than one individual is entitled to leave under this section in respect of the same child, those individuals are entitled to share at least 52 weeks of leave between them.

- (4) An employee is entitled to leave under this section only if the eligible kinship care arrangement is intended to last –
  - (a) at least one year, and
  - (b) until the child being cared for attains the age of 18.
- (5) For the purposes of this section, a “kinship carer” has the meaning given in section 22I of the Children Act 1989, as inserted by section 5 of this Act.
- (6) Regulations made under this section may make provision about how leave under this section is to be taken.”

***Member's explanatory statement***

*This amendment would introduce an entitlement for an individual to be absent from work on care leave where the individual is a kinship carer.*

**Schedule 1**

BARONESS SMITH OF MALVERN

Schedule 1, page 126, line 2, after “board” insert “established under section 14Z25 of the National Health Service Act 2006”

***Member's explanatory statement***

*This amendment clarifies the entry in Schedule 1 relating to integrated care boards.*

BARONESS SMITH OF MALVERN

Schedule 1, page 126, line 3, after “trust” insert “within the meaning given by section 30 of the National Health Service Act 2006”

***Member's explanatory statement***

*This amendment clarifies the entry in Schedule 1 relating to NHS foundation trusts.*

BARONESS SMITH OF MALVERN

Schedule 1, page 126, line 4, after “trust” insert “established under section 25 of the National Health Service Act 2006”

***Member's explanatory statement***

*This amendment ensures that the reference in Schedule 1 to an NHS trust is a reference to an NHS trust in England.*

**Clause 22**

BARONESS LISTER OF BURTERSETT  
THE LORD BISHOP OF CHELMSFORD

Clause 22, page 40, line 3, leave out paragraph (a)

***Member's explanatory statement***

*This amendment ensures that the duty, of every relevant authority to looked-after children and relevant young people, contained in section 21(1), also applies when the Secretary of State in exercising immigration, asylum and nationality functions.*

**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**

BARONESS SMITH OF MALVERN

Leave out Clause 26 and insert the following new Clause –

**“Employment of children in England and Wales**

- (1) The Children and Young Persons Act 1933 is amended as follows.
- (2) For section 18 substitute –

**“18 Restrictions on employment of children**

- (1) A child may not be employed to work –
  - (a) so long as the child is under the age of 14 (subject to regulations under subsection (2));
  - (b) to do any work other than light work;
  - (c) to do work of a description specified in regulations made by the appropriate national authority;
  - (d) before 7.00 a.m. or after 8.00 p.m. on any day;
  - (e) on any day on which the child is required to attend school –
    - (i) for more than one hour before the start of school hours,
    - (ii) during school hours, or
    - (iii) for more than two hours in total in the day;
  - (f) for more than 12 hours in any week in which the child is required to attend school;
  - (g) for more than eight hours or, if the child is under 15, for more than five hours in any day on which the child is not required to attend school;
  - (h) for more than 35 hours or, if the child is under 15, for more than 25 hours in any week in which the child is not required to attend school;
  - (i) for more than four hours in any day without a break of one hour;
  - (j) at any time in a year unless at that time a person employing the child is satisfied that the child has had, or could still have, a period of at least two consecutive weeks without employment during a period in the year in which the child is not required to attend school.
- (2) The appropriate national authority may by regulations authorise the employment of children aged 13 to do specified descriptions of light work.
- (3) A child may not be employed to work except in accordance with a permit (a “child employment permit”) granted by a local authority on an application made in accordance with regulations made by the appropriate national authority.
- (4) The appropriate national authority may by regulations –
  - (a) make provision in relation to child employment permits;

- (b) provide that subsection (3) does not apply in specified cases or circumstances;
  - (c) make provision about the keeping of records.
- (5) The provision that may be made in reliance on subsection (4)(a) includes provision –
  - (a) authorising a local authority to request such information as the authority considers appropriate, or to require a child to have a medical examination, for the purpose of enabling the authority to determine an application;
  - (b) requiring a local authority to have regard to specified matters when determining an application;
  - (c) for the grant of a child employment permit subject to conditions determined by a local authority;
  - (d) requiring a child employment permit to contain specified information;
  - (e) authorising a local authority to vary, suspend or revoke a child employment permit in specified circumstances;
  - (f) about appeals against –
    - (i) a decision to reject an application, or
    - (ii) the revocation of a child employment permit;
  - (g) imposing requirements on persons employing children (including requirements to produce child employment permits for inspection);
  - (h) requiring or authorising a local authority, in specified circumstances, to disclose information about a child employment permit to another local authority in England or Wales or to a local authority in Scotland.
- (6) The appropriate national authority may by regulations make provision (subject to subsection (1) and regulations under subsection (2)) –
  - (a) specifying the number of hours in each day, or in each week, for which children may be employed, and the times of day at which they may be employed;
  - (b) specifying the intervals to be allowed to children for meals and breaks, when in employment;
  - (c) about entitlement to leave;
  - (d) specifying other conditions to be met in relation to the employment of children.
- (7) Nothing in this section, or in regulations made under any provision of this section, prevents a child from doing anything –
  - (a) under the authority of a licence granted under this Part, or
  - (b) in a case where by virtue of subsection (3) of section 37 of the Children and Young Persons Act 1963 no licence under that section is required for the child to do it.
- (8) In this section –
 

“appropriate national authority” means –

- (a) in relation to England, the Secretary of State;
  - (b) in relation to Wales, the Welsh Ministers;
- “light work” means work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed –
- (a) is not likely to be harmful to the safety, health or development of children, and
  - (b) is not such as to be harmful to their education (through attendance at school or otherwise) as required by section 7 of the Education Act 1996 or to their participation in work experience in accordance with section 560 of that Act, or their capacity to benefit from the education received or the experience gained (as the case may be);
- “local authority in Scotland” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994;
- “specified”, in relation to regulations made under any provision of this section, means specified in the regulations;
- “week” means any period of seven consecutive days;
- “year” means a period of 12 months beginning with 1 January.

#### **18A Regulations under section 18: further provision**

- (1) Regulations under section 18 may –
  - (a) make different provision for different purposes or areas;
  - (b) make provision subject to exceptions;
  - (c) make transitional or saving provision.
- (2) Except as provided by subsection (3), regulations under section 18 may provide for the processing of information in accordance with the regulations not to be in breach of –
  - (a) any obligation of confidence owed by the person processing the information, or
  - (b) any other restriction on the processing of information (however imposed).
- (3) Regulations under section 18 are not to be read as requiring or authorising the processing of information that would contravene the data protection legislation (but in determining whether particular processing of data would do so, take into account the duty imposed or power conferred by the provision of the regulations in question).
- (4) Regulations under section 18 are to be made by statutory instrument.
- (5) A statutory instrument containing regulations made by the Secretary of State under section 18 is subject to annulment in pursuance of a resolution of either House of Parliament.

- (6) A statutory instrument containing regulations made by the Welsh Ministers under section 18 is subject to annulment in pursuance of a resolution of Senedd Cymru.
- (7) In this section “the data protection legislation” and “processing” have the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”
- (3) In section 21 (penalties and legal proceedings in respect of general provisions as to employment), in subsection (1), after “byelaw” insert “or regulations”.
- (4) In section 28 (powers of entry), in subsection (1), after “byelaw” insert “or regulations”.
- (5) In section 30 (interpretation), in subsection (1), after “byelaws” insert “or regulations”.
- (6) In Schedule 36A to the Education Act 1996, in the table, omit the entry for section 18 of the Children and Young Persons Act 1933 (including the title of that Act).
- (7) In Part 2 of Schedule 1 to the Local Government Byelaws (Wales) Act 2012 (anaw 2), in the table, in the English language and Welsh language texts, omit the entry that relates to byelaws made under section 18 of the Children and Young Persons Act 1933 (referred to as “adran 18 o Ddeddf Plant a Phobl Ifanc 1933” in the Welsh language text).”

***Member's explanatory statement***

*Clause 26 makes provision for England restricting employed work by children. This amendment replaces that clause to extend the application of that provision to Wales. It also includes a change to the definition of “light work” in the inserted section 18(8) to reflect that children may receive their compulsory education outside of school.*

BARONESS SMITH OF MALVERN

After Clause 26, insert the following new Clause—

**“Employment of children in Scotland**

- (1) The Children and Young Persons (Scotland) Act 1937 is amended as follows.
- (2) For section 28 substitute—

**“28 Restrictions on employment of children**

- (1) A child may not be employed to work—
  - (a) so long as the child is under the age of 14 (subject to regulations under subsection (2));
  - (b) to do any work other than light work;
  - (c) to do work of a description specified in regulations made by the Scottish Ministers;
  - (d) before 7.00 a.m. or after 8.00 p.m. on any day;
  - (e) on any day on which the child is required to attend school—

- (i) for more than one hour before the start of school hours,
    - (ii) during school hours, or
    - (iii) for more than two hours in total in the day;
  - (f) for more than 12 hours in any week in which the child is required to attend school;
  - (g) for more than eight hours or, if the child is under 15, for more than five hours in any day on which the child is not required to attend school;
  - (h) for more than 35 hours or, if the child is under 15, for more than 25 hours in any week in which the child is not required to attend school;
  - (i) for more than four hours in any day without a break of one hour;
  - (j) at any time in a year unless at that time a person employing the child is satisfied that the child has had, or could still have, a period of at least two consecutive weeks without employment during a period in the year in which the child is not required to attend school.
- (2) The Scottish Ministers may by regulations authorise the employment of children aged 13 to do specified descriptions of light work.
- (3) A child may not be employed to work except in accordance with a permit (a “child employment permit”) granted by a local authority on an application made in accordance with regulations made by the Scottish Ministers.
- (4) The Scottish Ministers may by regulations –
- (a) make provision in relation to child employment permits;
  - (b) provide that subsection (3) does not apply in specified cases or circumstances;
  - (c) make provision about the keeping of records.
- (5) The provision that may be made in reliance on subsection (4)(a) includes provision –
- (a) authorising a local authority to request such information as the authority considers appropriate, or to require a child to have a medical examination, for the purpose of enabling the authority to determine an application;
  - (b) requiring a local authority to have regard to specified matters when determining an application;
  - (c) for the grant of a child employment permit subject to conditions determined by a local authority;
  - (d) requiring a child employment permit to contain specified information;
  - (e) authorising a local authority to vary, suspend or revoke a child employment permit in specified circumstances;
  - (f) about appeals against –
    - (i) a decision to reject an application, or

- (ii) the revocation of a child employment permit;
  - (g) imposing requirements on persons employing children (including requirements to produce child employment permits for inspection);
  - (h) requiring or authorising a local authority, in specified circumstances, to disclose information about a child employment permit to another local authority in Scotland, to a local authority in England or to a local authority in Wales.
- (6) The Scottish Ministers may by regulations make provision (subject to subsection (1) and regulations under subsection (2))—
  - (a) specifying the number of hours in each day, or in each week, for which children may be employed, and the times of day at which they may be employed;
  - (b) specifying the intervals to be allowed to children for meals and breaks, when in employment;
  - (c) about entitlement to leave;
  - (d) specifying other conditions to be met in relation to the employment of children.
- (7) Nothing in this section, or in regulations made under any provision of this section, prevents a child from doing anything—
  - (a) under the authority of a licence granted under this Part, or
  - (b) in a case where by virtue of subsection (3) of section 37 of the Children and Young Persons Act 1963 no licence under that section is required for the child to do it.
- (8) In this section—
  - “light work” means work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed—
    - (a) is not likely to be harmful to the safety, health or development of children, and
    - (b) is not such as to be harmful to their education (through attendance at school or otherwise) as required by section 30 of the Education (Scotland) Act 1980 or to their participation in work experience in accordance with section 123 of that Act, or their capacity to benefit from the education received or the experience gained (as the case may be);
  - “local authority in England” and “local authority in Wales” have the same meaning as in the Education Act 1996 (see section 579(1) of that Act);
  - “specified”, in relation to regulations made under any provision of this section, means specified in the regulations;
  - “week” means any period of seven consecutive days;
  - “year” means a period of 12 months beginning with 1 January.

**28A Regulations under section 28: further provision**

- (1) Regulations under section 28 may –
  - (a) make different provision for different purposes or areas;
  - (b) make provision subject to exceptions;
  - (c) make transitional or saving provision.
- (2) Except as provided by subsection (3), regulations under section 28 may provide for the processing of information in accordance with the regulations not to be in breach of –
  - (a) any obligation of confidence owed by the person processing the information, or
  - (b) any other restriction on the processing of information (however imposed).
- (3) Regulations under section 28 are not to be read as requiring or authorising the processing of information that would contravene the data protection legislation (but in determining whether particular processing of data would do so, take into account the duty imposed or power conferred by the provision of the regulations in question).
- (4) Regulations under section 28 are subject to the negative procedure (see Part 2 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)).
- (5) In this section “the data protection legislation” and “processing” have the same meaning as in the Data Protection Act 2018 (see section 3 of that Act).”
- (3) In section 31 (penalties and legal proceedings in respect of general provisions as to employment), in subsection (1), after “byelaw” insert “or regulations”.
- (4) In section 35 (confirmation of byelaws), in subsection (1), for “Secretary of State” substitute “Scottish Ministers”.
- (5) In section 36 (powers of entry), in subsection (1), after “byelaw” insert “or regulations”.
- (6) In section 37 (interpretation), after “byelaws” insert “or regulations”.
- (7) In section 38 (savings) –
  - (a) omit subsection (3);
  - (b) in subsection (4), for “The said provisions” substitute “The provisions of this Part relating to employment”.
- (8) In section 110(1) (interpretation), omit the definitions of “borstal institution” and “residential establishment”.

***Member's explanatory statement***

*This clause makes equivalent provision for Scotland to that made for England and Wales by my amendment to replace 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  
BARONESS BENNETT OF MANOR CASTLE

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  
BARONESS LISTER OF BURTERSETT  
THE LORD BISHOP OF LEICESTER  
LORD HAMPTON

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.*

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.”

LORD RUSSELL OF LIVERPOOL

LORD YOUNG OF COOKHAM

LORD HAMPTON

BARONESS BENNETT OF MANOR CASTLE

After Clause 26, insert the following new Clause –

**“Notification when a child is placed into temporary accommodation**

- (1) This section applies where a local authority is exercising its duty under Section 189B of the Housing Act 1996 (initial duty owed to all eligible persons who are homeless) to allocate temporary accommodation to a household which includes a child.
- (2) A local authority must notify the following of the household’s homelessness status –
  - (a) the child’s school, and
  - (b) the child’s registered GP practice.
- (3) The Secretary of State must issue guidance to schools and GPs on how to safeguard and promote a child’s welfare and wellbeing following receipt of a notification under subsection (2).”

***Member's explanatory statement***

*This new clause would establish a notification system requiring local authorities to alert schools and GPs, when a child is placed into temporary accommodation.*

BARONESS LISTER OF BURTERSETT  
THE LORD BISHOP OF CHELMSFORD

After Clause 26, insert the following new Clause—

**“Independent Guardians**

- (1) The Modern Slavery Act 2015 is amended as follows.
- (2) For section 48 substitute—

**“Independent guardians**

- (1) The Secretary of State must make arrangements to enable persons (“independent guardians”) to be available to represent and support children to whom this section applies.
- (2) This section applies to a child if—
  - (a) a reference relating to that child has been, or is about to be, made to a competent authority for a determination for the purposes of Article 10 of the Trafficking Convention as to whether there are reasonable grounds to believe that the child is a victim of modern slavery or human trafficking, and
  - (b) there has not been a conclusive determination that the child is not such a victim; and for the purposes of this subsection a determination which has been challenged by way of proceedings for judicial review shall not be treated as conclusive until those proceedings are finally determined.
- (3) This section also applies to a child who appears to the Secretary of State to be a separated child.”
- (3) After section 48 insert—

**“48A Independent Guardians: functions**

- (1) This section defines the functions and duties of person appointed as an independent guardian under section 48.
- (2) The functions of an independent guardian are to—
  - (a) ascertain and communicate the views of the child in relation to matters affecting the child;
  - (b) consult regularly with the child and keeping the child informed of legal and other proceedings affecting the child and any other matters affecting the child;
  - (c) contribute to a plan to safeguard and promote the future welfare of the child based on an individual assessment of that child’s best interests in line with leaving care services.

- (3) In the discharge of their functions, the independent guardian must at all times act in the best interests of the child.
- (4) The advocate will assist the child to obtain legal or other advice, assistance and representation, including by appointing and instructing legal representatives to act on the child's behalf.
- (5) For the purposes of this Act –
  - “separated child” means a child who –
    - (a) is not ordinarily resident in England and Wales, and
    - (b) is separated from all persons who –
      - (i) have parental responsibility for the child, or
      - (ii) before the child's arrival in England and Wales, were responsible for the child whether by law or custom.”

***Member's explanatory statement***

*This amendment seeks to incorporate the entitlement to independent guardians for separated and trafficked children and set out their functions.*

BARONESS TYLER OF ENFIELD

After Clause 26, insert the following new Clause –

**“Reporting on early intervention services**

- (1) Local authorities in England exercising social services functions under the Children Act 1989 must report annually to the Secretary of State on early intervention services for children and families in their area funded by statutory safeguarding partners as defined in Section 16E of the Children Act 2004.
- (2) Reports under subsection (1) must include –
  - (a) the number of children and families receiving early intervention support;
  - (b) demographic data relating to the children and families receiving support, including information on protected characteristics as defined in Section 4 of the Equality Act 2010;
  - (c) the types of early intervention services provided;
  - (d) measures taken to ensure accessibility and effectiveness of these services;
  - (e) sources through which children and families are referred to early intervention services;
  - (f) any other information the Secretary of State may require by regulations made by statutory instrument.
- (3) In order to inform those reports –
  - (a) Integrated Care Boards must provide all necessary information to the reporting local authority;
  - (b) the Chief Officer of Police must provide all necessary information to the reporting local authority.

- (4) The Secretary of State must compile and publish all reports submitted under subsection (1).
- (5) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

BARONESS BENJAMIN

After Clause 26, insert the following new Clause –

**“Child performers’ earnings**

In regulation 14 (Earnings) of the Children (Performances and Activities)(England) Regulations 2014 (S.I. 2014/3309), at end insert –

“(2) The licensing authority must include a condition in the licence that 15% of the sums earned by the child for taking part in the performance or activity must be paid by the employer into an account to be held in trust until the child reaches the age of 18.””

BARONESS BARRAN

★

After Clause 26, insert the following new Clause –

**“Post-removal support for parents to prevent further removals**

- (1) Where a baby is removed at birth from the care of a parent further to any order made pursuant to –
  - (a) section 31 of the Children Act 1989 (care and supervision orders),
  - (b) section 22 of the Adoption and Children Act 2002 (placement orders),
  - (c) section 46 of the Adoption and Children Act 2002 (adoption orders), or
  - (d) section 14A of the Children Act 1989 (special guardianship orders),
 the local authority must provide support to the parent, where the parent is identified as being at risk of experiencing further child removals.
- (2) In discharging their duty under subsection (1), the local authority must provide a range of services, including specialist therapeutic support, appropriate to the particular needs of the parent to reduce the risk of further child removals.”

***Member's explanatory statement***

*This amendment introduces a new clause which seeks to ensure that local authorities offer evidence based support to reduce the risk of a baby being removed from a mother who has already had a child or children removed from her care.*

## BARONESS CASH

★ After Clause 26, insert the following new Clause—

**“National capacity plan for children’s homes**

- (1) As soon as reasonably practicable after the end of each financial year, the Secretary of State must publish a national capacity plan for children’s homes.
- (2) A national capacity plan under subsection (1) must include the following—
  - (a) the number of children looked after who are living in homes that are not in line with their care plan, or are living in distance placements due to a lack of local placements that are able to meet their needs;
  - (b) how far from their primary location those children are living and which terms of their care plan are not being met, if any;
  - (c) information about the total number of each type of care settings that are required to ensure that local authorities are meeting the requirements of Section 22G of the Children Act 1989 and the number of each type of setting by area;
  - (d) an assessment of the efficacy of the support that Government provided to local authorities to meet the requirements of Section 22G of the Children Act 1989, and to prevent children looked after being moved to distance placements;
  - (e) what support the Government will be providing to local authorities to address any deficiencies identified under subsection (2)(d) above to meet the requirements of Section 22G of the Children Act 1989, and to prevent children looked after being moved to distance placements.
- (3) The Secretary of State may delegate the compilation of the national capacity plan under subsection (1).
- (4) In subsection (2) the term “distance placements” means a placement for a child looked after by the local authority more than 20 miles from their home.”

***Member's explanatory statement***

*This amendment seeks to introduce a national plan to ensure there are sufficient children’s homes in the right places for looked after children.*

## Clause 27

## BARONESS LISTER OF BURTERSETT

Clause 27, page 47, line 35, at end insert—

**“551CA Promotion of supplementary models of breakfast club provision**

The Secretary of State must seek to promote and support the development of supplementary models of breakfast club provision where appropriate, including—

- (a) classroom based provision,

- (b) nurture group services, and
- (c) any other model that the Secretary of State reasonably considers to have added benefits beyond the provision of food.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to promote supplementary models of school breakfast provision.*

**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.*

## BARONESS BENNETT OF MANOR CASTLE

After Clause 28, insert the following new Clause —

**“Auto-enrolment for free school meals**

After section 512ZA of the Education Act 1996 (power to charge for meals etc.) insert —

**“512ZAA Identification of children eligible for free school meals**

- (1) The Secretary of State must identify all children eligible for free school meals in England.
- (2) A child's eligibility for free school meals is not dependent on any application having been made for free school meals on their behalf.
- (3) Where a child has been identified as eligible for free school meals, the Secretary of State must provide for this information to be shared with —
  - (a) the school at which the child is registered, and
  - (b) the relevant local education authority.
- (4) Where a school has been informed that a child on its pupil roll is eligible for free school meals, the school must provide that child with a free school meal.
- (5) A local education authority must provide the means for a parent or guardian of a child who has been identified as eligible for free school meals to opt out of the provision of a free school meal under subsection (4).”

***Member's explanatory statement***

*This new clause would place a duty on the Secretary of State to proactively identify all children eligible for free school meals in England, making the application process for free school meals opt-out rather than opt-in.*

## BARONESS BENNETT OF MANOR CASTLE

After Clause 28, insert the following new Clause —

**“Free school meals for all primary school pupils**

- (1) Section 512ZB of the Education Act 1996 (provision of free school lunches and milk) is amended as follows.
- (2) In paragraph (4A)(b), after “year 2” insert “, year 3, year 4, year 5, year 6”.
- (3) In subsection (4C), after the definition of “year 2” insert —
 

““year 3” means a year group in which the majority of children will, in the school year, attain the age of 8;

“year 4” means a year group in which the majority of children will, in the school year, attain the age of 9;

“year 5” means a year group in which the majority of children will, in the school year, attain the age of 10;

“year 6” means a year group in which the majority of children will, in the school year, attain the age of 11.””

***Member's explanatory statement***

*This new clause would extend free school lunches to all primary school age children in state funded schools.*

BARONESS WALMSLEY

After Clause 28, insert the following new Clause —

**“Registration of children eligible for free school meals**

After section 512ZA of the Education Act 1996 (power to charge for meals etc.) insert —

**“512ZAA Registration of children eligible for free school meals**

The Secretary of State must ensure that free school meals are provided to —

- (a) all children in England who are eligible to receive free school meals, and
- (b) all children whose household income is less than £20,000 per year.””

***Member's explanatory statement***

*This amendment ensures auto-enrolment to free school meals for eligible children.*

**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.*

## LORD HAMPTON

Clause 29, page 49, line 14, leave out “three” and insert “five”

***Member's explanatory statement***

*This amendment raises the item limit on branded secondary school uniform that a school can mandate from three to five items.*

## LORD HAMPTON

Clause 29, page 49, line 15, leave out “four” and insert “six”

***Member's explanatory statement***

*This amendment raises the item limit on branded secondary school uniform that a school can mandate from four to six items when including a tie.*

## 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  
THE LORD BISHOP OF CHELMSFORD

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.*

BARONESS PARMINTER

★

After Clause 29, insert the following new Clause –

**“School uniforms: second-hand provision**

- (1) The appropriate authority of a relevant school must provide access to second hand items of school uniform.
- (2) In this section, “the appropriate authority” means –
  - (a) in relation to an Academy school, an alternative provision Academy, a non-maintained special school, a city technology college or a city college for the technology of the arts, the proprietor;
  - (b) in relation to a maintained school, the governing body;
  - (c) in relation to a pupil referral unit, the local authority.”

**Clause 30**

BARONESS BARRAN

★

Clause 30, page 51, line 2, leave out “condition A or”

***Member's explanatory statement***

*This amendment, along with another in the name of Baroness Barran, seeks to remove the requirement for local authorities to consent to the withdrawal of a child with SEND from school.*

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

LORD FROST

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

LORD FROST

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 YOUNG OF COOKHAM

Clause 30, page 51, line 31, at end insert –

- “(5A) If a local authority in England receives a notification relating to a child who is a young carer, then it must ensure that a Young Carers’ Needs Assessment is offered under section 17ZA of the Children Act 1989 prior to the child being withdrawn from the school.
- (5B) If a local authority in Wales receives a notification relating to a child who is a young carer, then it must ensure that a Needs Assessment is offered under section 24 of the Social Services and Well-being (Wales) Act 2014 prior to the child being withdrawn from the school.”

***Member's explanatory statement***

*This amendment seeks to ensure that withdrawing a young carer from school does not result in increases in their caring responsibilities or the loss of support.*

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  
LORD FROST

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 WEI

Clause 30, page 51, leave out lines 39 to 42 and insert –

- “(i) that there exists clear, documented evidence that such withdrawal would result in harm to the child, or

- (ii) that there is no evidence that the child would suffer mental or physical harm by remaining in school,”

***Member's explanatory statement***

*This amendment gives parents the right to withdraw their child from school if they believe remaining would cause harm, unless the local authority provides clear, documented evidence to the contrary – upholding parental authority while ensuring safeguarding remains subject to due process.*

LORD WEI

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

- “(c) must offer the parent a voluntary information session before they deregister a child from a maintained school for the purpose of elective home education, which must include –
  - (i) an explanation of the parent’s legal rights and responsibilities involved in home education,
  - (ii) available support services, and
  - (iii) the process and implications of withdrawal.”

***Member's explanatory statement***

*This amendment ensures parents receive clear, factual information about their legal rights and duties before deciding to deregister their child from school.*

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 WEI

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

- “(8A) A local authority representative must not make any decision under this section in relation to elective home education unless that representative has at least two years of personal experience of home educating their own children.”

***Member's explanatory statement***

*This amendment requires officials overseeing home education to have at least two years of personal experience, to ensure that decisions are informed by genuine understanding, reducing conflict, and improving trust, fairness, and oversight quality.*

## BARONESS BARRAN

★

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

- “(8A) Where a local authority refuses consent in respect of a child who meets the criteria for Condition A, the local authority must provide the parents or carers of the relevant child with a statement of reasons for the decision.
- (8B) A statement of reasons provided under subsection (8A) must include an assessment of the costs and benefits to the child.”

***Member's explanatory statement***

*This amendment would require a local authority to submit a statement of reasons when they do not agree for a child who meets Condition A to be home educated.*

## 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  
LORD FROST

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  
LORD FROST

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 WEI

★

Clause 30, page 53, line 10, at end insert –

- “(12A) If a parent is not satisfied with the determination of the Secretary of State or Welsh Ministers under subsections (10) or (11), they can refer that determination to an independent ombudsman who must investigate whether there have been any instances of local authority overreach in carrying out their duties in relation to subsection (6).”

***Member's explanatory statement***

*This amendment establishes an independent ombudsman to review complaints about any local authority overreach in the parents' requests to educate otherwise, strengthening accountability and ensuring parents have recourse when treated unfairly.*

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

LORD WEI

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.*

BARONESS BENJAMIN

Clause 31, page 54, line 12, at end insert –

“(5A) Subsection (5)(b) does not apply where a child has been granted a licence by a licencing authority under The Children (Performances and Activities) (England) Regulations 2014.”

***Member's explanatory statement***

*This amendment would mean a local authority does not need to register a child where their absence is due to licenced performance granted under the Children Regulations 2014, as licence conditions stipulate a child must receive an education during the licencing period.*

LORD LUCAS

LORD WEI

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 WEI

Clause 31, page 54, line 18, at end insert –

- “(6A) A child is not required to be registered under this section if the parent provides evidence that any one of the following conditions is met –
- (a) a competent home educator with at least five years of personal or professional experience has provided a sworn affidavit affirming that, in their judgment, the parent will be capable of providing a suitable education consistent with their educational philosophy,
  - (b) the parent has arranged and paid for the child to sit at least three externally assessed national qualifications, including but not limited to GCSEs, A-Levels, or accredited vocational awards, or
  - (c) the child is enrolled with a national online school or flexible provision provider known to support home-educated or otherwise educated children to a suitable standard.”

***Member's explanatory statement***

*This amendment and another in the name of Lord Wei exempt families from registration and data submission requirements where they can show credible evidence of suitable education through endorsement by an experienced educator, formal qualification entry, or enrolment in a recognised online provider.*

## LORD WEI

Clause 31, page 54, line 18, at end insert –

- “(6A) A child is not required to be registered under this section if the parent has submitted a portfolio annually demonstrating suitable education and learning progress.”

***Member's explanatory statement***

*This amendment allows an educational portfolio as an alternative to registration, offering a less intrusive way for parents to demonstrate their child is receiving suitable education.*

## LORD WEI

Clause 31, page 54, line 18, at end insert –

- “(6A) A child is not required to be registered under this section if the parent has previously home-educated a child who progressed to university, employment, or vocational training.”

***Member's explanatory statement***

*This amendment exempts families from the register where they have successfully home-educated another child into further education, training, or work, recognising proven parental competence.*

LORD WEI

Clause 31, page 54, line 18, at end insert—

“(6A) A child is not required to be registered under this section if the parent holds Qualified Teacher Status or an education-related degree from a United Kingdom-accredited institution.”

***Member's explanatory statement***

*This amendment exempts parents with formal teaching qualifications or degrees in education from registration, recognising their professional capacity to provide suitable education without additional oversight*

LORD LUCAS  
LORD FROST  
LORD WEI

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 WEI

Clause 31, page 54, line 38, at end insert “, except where the collection of such information would be incompatible with the rights guaranteed by the European Convention on Human Rights, including Article 8 (right to respect for private and family life) and Article 2 of Protocol 1 (parental right to education in line with convictions)”

***Member's explanatory statement***

*This amendment ensures that data collection under section 436B respects rights under the European Convention on Human Rights, including Article 8 and Article 2 of Protocol 1. It prevents disproportionate interference with family life or educational convictions and upholds privacy and parental choice in home education.*

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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 YOUNG OF COOKHAM

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

- “(f) in the case of a child who is in the area of a local authority in England, whether the child is a young carer, including whether a young carers needs assessment has been carried out;
- (g) in the case of a child who is in the area of a local authority in Wales, whether the child is a young carer, including whether a needs assessment has been carried out.”

***Member's explanatory statement***

*This amendment seeks to ensure that local authorities are aware of which children in their area being educated other than in a school who have caring responsibilities.*

LORD CRISP  
LORD WEI

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  
LORD WEI

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 WEI

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

“(1A) A child who is not regarded as eligible for registration under section 436B(6A) shall not be subject to the information requirements under this section.”

**Member's explanatory statement**

*This amendment and another in the name of Lord Wei exempt families from registration and data submission requirements where they can show credible evidence of suitable education through endorsement by an experienced educator, formal qualification entry, or enrolment in a recognised online provider.*

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD HAMPTON

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  
LORD FROST  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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 WEI

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

- “(6) Each local authority must establish a parental advisory board, composed primarily of home-educating parents, to advise on and scrutinise the authority’s home education policies and procedures.
- (7) Where a local authority acts in a way that is contrary to the formal advice of the parental advisory board, it must publish a written statement setting out its reasons for doing so and make that statement available to the public within 28 days.”

**Member's explanatory statement**

*This amendment introduces a statutory requirement for each local authority to create a home education parental advisory board. It also requires authorities to provide public justification if they act against the advice of the board, ensuring greater accountability and transparency in decisions affecting home-educating families.*

LORD WEI

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

- “(6) The register of children not in school created under section 436B must be maintained solely by the local authority and must not be compiled into or made accessible through a national database.”

**Member's explanatory statement**

*This amendment prohibits the creation of a centralised national database of home-educated children. It ensures that all data collected under section 436B remains under local control, in line with principles of data minimisation, family privacy, and proportionality.*

LORD WEI

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

- “(6) No information provided for the purposes of this section may be disclosed to any third party without the explicit written consent of the parent or guardian, unless the disclosure is necessary to comply with a statutory duty under the Children Act 1989.”

**Member's explanatory statement**

*This amendment ensures that personal information collected under this section cannot be shared without parental consent, except where disclosure is required to fulfil statutory safeguarding duties*

*under the Children Act 1989. It seeks to balance privacy protections with the need to act in a child's best interests.*

LORD WEI

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

- “(6) All information collected under section 436B must be automatically deleted when the child reaches the age of 18, or re-enrols in a registered school.”

***Member's explanatory statement***

*This amendment sets clear data retention limits, ensuring that children's personal information is deleted once they are no longer of compulsory education age or return to formal schooling.*

LORD WEI

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

- “(6) The register established under section 436B shall expire two years after its creation unless the Secretary of State publishes evidence that it has demonstrably improved safeguarding outcomes.”

***Member's explanatory statement***

*This amendment introduces a sunset clause to ensure the register remains under review and is retained only if shown to be effective in improving safeguarding outcomes.*

LORD WEI

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

- “(6) If any data collected under this section is subject to a breach, the responsible local authority must notify affected parents within 14 days and offer compensation.”

***Member's explanatory statement***

*This amendment provides accountability for data breaches by requiring prompt notification and compensation for families affected by unauthorised disclosure of personal information.*

LORD WEI

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

- “(6) The registration system established under section 436B expires two years after the day on which the Children's Wellbeing and Schools Act 2025 is passed, unless it is shown to improve safeguarding outcomes.”

***Member's explanatory statement***

*This amendment introduces an automatic sunset clause requiring the registration system to demonstrate measurable safeguarding benefits to remain in effect.*

LORD LUCAS  
LORD WEI

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 NASH

★ Clause 31, page 57, line 16, at end insert —

“(c) allow the local authority to inspect the materials being used in the child’s education and to see the child’s work.”

LORD WEI

Clause 31, page 57, line 20, at end insert “but such a request may not be made more than once in any twelve-month period unless the local authority has reasonable cause to suspect that the child will suffer harm, as defined in section 31(9) of the Children Act 1989, if the information is not provided,”

***Member's explanatory statement***

*This amendment ensures that local authorities may request information from parents no more than once per year, unless there is reasonable cause to suspect the child will otherwise suffer harm as defined in the Children Act 1989. It is intended to limit intrusion while preserving safeguarding powers.*

LORD LUCAS  
LORD WEI

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

LORD CRISP  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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 WEI

Clause 31, page 57, line 40, at end insert—

- “(4A) A local authority may make no more than one request in any 12-month period for a meeting with the parent, to collect data submissions, or a visit to the child’s home, unless it has reasonable cause to suspect the child is at risk of harm.
- (4B) A failure by a parent to meet or to provide information annually under subsection (2)(a) shall not, by itself, be treated as evidence that the child is not receiving suitable education.
- (4C) Any unauthorised visit, investigation, or data request by a local authority in breach of this Part shall be subject to a civil penalty not exceeding £5,000.”

***Member's explanatory statement***

*This amendment seeks to limit local authority requests to once per year unless there are safeguarding concerns, prevent assumptions of neglect based on non-cooperation alone, and introduce penalties for unauthorised actions. It reinforces proportionality, safeguards family privacy, and ensures statutory limits are respected.*

LORD LUCAS  
LORD WEI

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 WEI

Clause 31, page 58, line 16, at end insert –

- “(7) Where a parent does not provide information following a request under this Part, the local authority may not initiate further investigatory steps unless authorised by a magistrate or independent tribunal.
- (8) A magistrate or tribunal may grant authorisation under subsection (7) only if the authority demonstrates –
  - (a) reasonable grounds to believe the child is not receiving suitable education, and
  - (b) that less intrusive alternatives have been attempted and exhausted.
- (9) The authorisation under subsection (7) must specify –
  - (a) the purpose and limits of the investigation,
  - (b) the period of time for which it is valid, and
  - (c) how it complies with the child and family’s rights under the European Convention on Human Rights.”

**Member's explanatory statement**

*This amendment introduces a judicial oversight mechanism, requiring local authorities to seek authorisation from a magistrate or independent tribunal before undertaking intrusive investigations where a parent has not voluntarily provided information. It seeks to protect families from disproportionate interference and mirrors safeguards in criminal and child protection law.*

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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, at end 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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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

LORD LUCAS  
LORD WEI

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  
LORD WEI

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

LORD LUCAS  
LORD WEI

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  
LORD WEI

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 BARRAN

★

Clause 31, page 60, line 44, at end insert —

- “(9) The Secretary of State must publish annually the GCSE results of children listed on the register.
- (10) The Secretary of State must ensure that the GCSE results of children on the register are included for each set of outcome data published by the Government.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to record outcome data for children on the register as a subsection of each set of performance data published by the Department for Education.*

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  
LORD WEI

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

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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 WEI

Clause 31, page 61, line 23, at end insert—

**“436GA No oversight in rural areas**

Families living more than ten miles from the nearest maintained school shall not be required to be registered under section 436B unless safeguarding concerns are present.”

***Member's explanatory statement***

*This amendment seeks to provide a practical exemption from registration for families in remote areas, in the light of any difficulty in accessing schools and to reduce any unnecessary administrative burden.*

LORD WEI

Clause 31, page 61, line 23, at end insert—

**“436GA Privacy-preserving AI reporting tool for home education**

- (1) A home-educating parent may satisfy a local authority request for information under section 436D(2)(a) by submitting progress data to an approved AI-based reporting tool.
- (2) A tool under subsection (1) may generate an anonymised summary report accessible to the local authority.
- (3) The report must not be stored, copied, or reused, and must be automatically destroyed after 30 days.

- (4) The local authority may not request such a report from any given home-educating family more than once in any 12-month period.
- (5) Any AI tool used must be open source or subject to independent peer review to ensure fairness and transparency.”

***Member's explanatory statement***

*This amendment allows parents to submit education data to a privacy-preserving AI system that generates a temporary, anonymised report for local authorities. The tool must be transparent, and data cannot be retained or reused. The amendment seeks to limit requests to once per year, with the intention of protecting family privacy and preventing misuse.*

LORD WEI

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

**“436GA Rolling review requirement**

- (1) The Secretary of State shall review the operation and impact of sections 436B to 436G every two years and lay the findings before Parliament.
- (2) Sections 436B to 436G shall cease to have effect 12 months after the review, unless a resolution approving their continuation has been passed by both Houses of Parliament.
- (3) Any such resolution may be subject to conditions, modifications, or time limits as Parliament sees fit.”

***Member's explanatory statement***

*This amendment mandates a biennial review of the home education register to ensure transparency, accountability, and continuous policy evaluation.*

LORD WEI

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

**“436GA Automatic home education registration exemption for chess masters**

A child who has achieved chess grandmaster status shall be considered to be receiving a suitable education and shall be exempt from registration under section 436B.”

***Member's explanatory statement***

*This amendment recognises that children who attain chess grandmaster status demonstrate exceptional intellectual achievement. It automatically treats them as receiving a sufficient education.*



LORD WEI

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

**“436GA Recognition of nomadic learning lifestyles**

Families who live a nomadic lifestyle, including but not limited to travelling performers, van-dwellers, or digital nomads, shall be exempt from registration under section 436B, provided education is demonstrably provided.”

***Member's explanatory statement***

*This amendment seeks to recognise the requirements of nomadic families and seeks to exempt them from fixed-registration rules, while preserving the requirement to provide suitable education.*

LORD WEI

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

**“436GA Diplomatic immunity for international educators**

A parent temporarily residing in the United Kingdom whose child is actively engaged in a recognised international education program shall be exempt from registration requirements under section 436B to 436D.”

***Member's explanatory statement***

*This amendment exempts families temporarily based in the UK while participating in international education programs, allowing them to maintain their existing educational arrangements without regulatory interference.*

LORD WEI

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

**“436GA Right of asylum-seeking families to home educate**

- (1) A family awaiting a decision on an asylum application shall have the right to educate their child at home without being subject to registration under section 436B.
- (2) The parent must provide a written statement confirming they are providing suitable home education and, to the best of their knowledge, have done so prior to arrival in the United Kingdom.
- (3) A local authority may not require further information unless it has reasonable grounds to believe the child is at risk of significant harm, as defined in section 31(9) of the Children Act 1989.”

***Member's explanatory statement***

*This amendment seeks to ensure families seeking asylum retain the right to home educate without added procedural burdens while awaiting immigration decisions, with the intention of minimising disruption to children's education.*

LORD WEI

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

**“436GA Age-based reduction of oversight**

A child aged 14 or over may, with parental agreement, register as a self-directed learner and shall not be subject to oversight under section 436B unless safeguarding concerns arise.”

***Member's explanatory statement***

*This amendment seeks to allow children aged 14 and older to register as self-directed learners, free from routine oversight. It seeks to respect the autonomy of older students to take control of their education outside of formal systems.*

LORD WEI

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

**“436GA Crisis exemption from educational requirements**

A child shall not be required to be registered under section 436B or comply with formal education duties if their family is displaced or severely affected by war, natural disaster, or economic collapse.”

***Member's explanatory statement***

*This amendment seeks to provide compassionate exemptions from educational regulation during periods of personal or national crisis.*

LORD WEI

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

**“436GA Appeal rights for older children**

A child aged 14 to 18 shall have the right to appeal to an independent tribunal against a local authority decision under sections 436B to 436G.”

***Member's explanatory statement***

*This amendment seeks to give older children the right to challenge decisions that affect their education, ensuring their voice is included in home education matters.*

LORD WEI

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

**“436GA Prohibition on data sharing with immigration authorities**

Data collected under section 436B must not be shared with immigration enforcement bodies under any circumstances.”

***Member's explanatory statement***

*This amendment seeks to ensure that data collected under section 436B may not be shared with immigration enforcement bodies under any circumstances.*

LORD WEI

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

**“436GA Independent review board**

The Secretary of State must establish a board composed of home educators and education law experts to monitor and evaluate the impact of section 436B.”

***Member's explanatory statement***

*This amendment creates a board to independently assess the register’s operation and ensure home educators are represented in the evaluation process.*

LORD WEI

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

**“436GA Pilot scheme before national implementation**

Sections 436B to 436G must not come into full effect until a two-year pilot programme of the registration requirements has been completed in at least three local authorities.”

***Member's explanatory statement***

*This amendment introduces a pilot phase to test the registration scheme before full national rollout, in order to allow for evidence-led refinement of the provisions.*

LORD LUCAS  
LORD FROST  
LORD WEI

*The above-named Lords give notice of their 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.*

## LORD WEI

After Clause 31, insert the following new Clause—

**“Self-certification for SEN students**

A child with special educational needs must not be required to be registered under section 436B of the Education Act 1996 if the parent provides a written statement that—

- (a) identifies the child’s special educational needs or the basis on which such needs are reasonably suspected,
- (b) describes the tailored educational provision being made to meet those needs, and
- (c) outlines a reasonable approach for monitoring progress or outcomes.”

***Member's explanatory statement***

*This amendment allows parents to self-certify SEN provision, provided they identify the child’s needs, describe tailored provision, and outline how they will monitor progress. It seeks to ensure educational adequacy while respecting family flexibility and protecting against misuse.*

## LORD WEI

★

After Clause 31, insert the following new Clause—

**“Multi-year registration certificates**

A home-educating parent may apply for a certificate valid for five years that exempts them from annual oversight under section 436D of the Education Act

1996, provided no safeguarding concerns are present and educational provision has been deemed suitable.”

***Member's explanatory statement***

*This amendment seeks to reduce unnecessary oversight by allowing families with a strong record to receive a five-year exemption certificate, recognising consistent good practice and reducing administrative burden.*

**Clause 32**

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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

***Member's explanatory statement***

*This amendment seeks to facilitate debate of school attendance orders*

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

Clause 32, page 66, line 42, leave out from beginning 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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

Clause 32, page 67, line 21, at end insert—

“(c) the child relocates outside the jurisdiction.”

LORD LUCAS  
LORD WEI

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  
LORD WEI

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

LORD LUCAS  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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  
LORD WEI

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

LORD LUCAS  
LORD WEI

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 WEI

★ Clause 32, page 76, leave out lines 30 to 37 and insert—

- “(8) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding the equivalent of one day's wages at the National Minimum Wage.”

***Member's explanatory statement***

*This amendment sets a reasonable upper limit on fines for failure to comply with school attendance orders to ensure they remain proportionate and do not unfairly burden low-income families.*

## BARONESS BLACKSTONE

★ Clause 32, page 76, line 32, leave out “4” and insert “5”

***Member's explanatory statement***

*This amendment seeks to make the fine for school attendance order offences unlimited where there are serious breaches of such offences.*

LORD LUCAS  
LORD WEI

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 FROST  
LORD WEI

*The above-named Lords give notice of their 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.*

**After Clause 32**

LORD WEI

After Clause 32, insert the following new Clause —

**“Non-criminalisation of home education**

- (1) A parent shall not be subject to criminal conviction, and no criminal record shall result, solely from a failure to comply with the registration requirements under section 436B of the Education Act 1996 (inserted by this Act).
- (2) Any enforcement action for non-registration must be civil in nature and proportionate to the educational context.”

***Member's explanatory statement***

*This amendment prevents parents from acquiring a criminal record solely due to a failure to register under new section 436B. It would ensure that enforcement is civil, not criminal, to avoid long-term harm to the family and child, while still allowing proportionate oversight where needed.*

LORD WEI

★

After Clause 32, insert the following new Clause —

**“Exemption from penalty for mental health or bullying**

A parent must not be subject to penalty or enforcement under section 436Q of the Education Act 1996 if the withdrawal of their child from school was supported by a medical professional due to bullying or mental health concerns.”

***Member's explanatory statement***

*This amendment protects families from penalties where withdrawal is supported by clinical advice due to bullying or mental health risks.*

LORD WEI

★

After Clause 32, insert the following new Clause —

**“No fines for off-grid families**

A family that produces its own energy and food and lives more than ten miles from the nearest maintained school shall be exempt from penalties for non-attendance under section 436Q of the Education Act 1996.”

***Member's explanatory statement***

*This amendment seeks to exempt off-grid families from education-related fines where conventional schooling is impractical or unnecessary.*

**Clause 33**

LORD LUCAS  
LORD WEI

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.”

**After Clause 34**

BARONESS BENJAMIN

After Clause 34, insert the following new Clause –

**“Notification and registration of licence approval to local authority**

In The Children (Performances and Activities) (England) Regulations 2014, after section 31, insert the following –

**“32 Notification and registration of licence approval to local authorities**

- (1) Where a licensing authority approves a licence, they must notify the local authority in which the child resides, including information about the –
  - (a) type of licence;
  - (b) duration of performance;
  - (c) duration of absence from school setting;
  - (d) details of alternative education provision during performance.
- (2) Where a local authority receives notification of an approved licence and must register a child under section 436B of The Education Act 1996, they must update the register to specify the reason of absence as performance related.
- (3) Where a local authority is also the licencing authority and must register a child under section 436B of The Education Act 1996, they must update the register to specify the reason of absence as performance related.””

***Member's explanatory statement***

*This amendment requires licencing authorities that approve a licence for a child to perform to notify the local authority in which the child resides, and for that local authority if required to register that child, to specify the reason for absence as performance related.*

## BARONESS BENJAMIN

After Clause 34, insert the following new Clause —

**“Review of The Children (Performances and Activities) (England) Regulations 2014**

Within 6 months of the passing of this Act, the Secretary of State must conduct a review of the effect of the provisions in this Act on the operation of The Children (Performances and Activities) (England) Regulations 2014.”

## After Clause 35

## LORD WEI

After Clause 35, insert the following new Clause —

**“Protection of home education rights during emergency or authoritarian rule**

- (1) In the event of a national emergency or authoritarian governance, the courts shall have the final authority to safeguard the right to home educate in accordance with this Act.
- (2) Authoritarian governance shall be defined as any period during which emergency regulations or executive actions suspend, limit, or derogate from rights protected under the Human Rights Act 1998 or the European Convention on Human Rights.”

***Member's explanatory statement***

*This amendment seeks to protect the legal right to home educate in exceptional national circumstances by placing judicial oversight above executive restrictions.*

## LORD WEI

After Clause 35, insert the following new Clause —

**“Limit on review duration without cause**

- (1) A home-educating family must not remain under continued review or monitoring by a local authority for more than 30 days unless the authority has reasonable cause to suspect that the child is at risk of significant harm, as defined in section 31(9) of the Children Act 1989.
- (2) Where no such risk is found, the case must be closed, and the family notified in writing within 10 working days.”

***Member's explanatory statement***

*This amendment ensures that home-educating families are not subject to prolonged review without specific concerns. If no safeguarding risk is identified within 30 days, local authorities must close the case and notify the family, protecting against unnecessary surveillance or open-ended monitoring.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Protection from reporting bias**

If more than 50% of home education reports from a local authority in any calendar year are negative, an independent review must be triggered to assess objectivity and fairness.”

***Member's explanatory statement***

*This amendment ensures that if local authority reports about home educators show consistent negativity, an independent review will assess potential bias, promoting fair and balanced oversight.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Inclusion of home educators on safeguarding panels**

- (1) Any safeguarding panel considering cases involving home-educated children must include at least one person with direct home education experience.
- (2) For the purposes of this section, a “safeguarding panel” means any joint inter-agency structure, entity, local authority or other authority making decisions about children who are home-educated, or may be home-educated in the future, for safeguarding purposes or to prevent them from harm.”

***Member's explanatory statement***

*This amendment ensures home education is fairly represented on safeguarding panels, adding practical insight to decision-making processes.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Home Education Ombudsman**

- (1) The Secretary of State must appoint an independent Home Education Ombudsman.
- (2) The Ombudsman’s function is to investigate complaints from parents relating to the conduct, decisions, or practices of local authorities in the exercise of their functions under sections 436B to 436U of the Education Act 1996 (inserted by this Act).
- (3) The Ombudsman must be independent of the Government and of local authorities.
- (4) The Ombudsman must publish an annual report of findings and recommendations, designed to support any relevant judicial reviews undertaken by parents or carers who provide home education who are dissatisfied with the response of the Secretary of State to any written complaints made by those parents or carers about



their treatment by local authorities and the impact of such treatment upon their activities or their rights to privacy, family life, and ability to home educate.”

***Member's explanatory statement***

*This amendment creates a statutory office of an independent Home Education Ombudsman, empowered to investigate complaints from families about how local authorities are exercising their duties in relation to elective home education. This would strengthen accountability and protect families from unjustified or inconsistent local practice.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Exam support for home-educated children**

The Secretary of State must ensure that home-educated children are entitled to the same exam fee support and access to recent past papers as children enrolled in maintained schools.”

***Member's explanatory statement***

*This amendment ensures exam access parity by providing home-educated children with equivalent support to their peers in schools.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Parity of treatment for home education**

A local authority, in exercising its functions under sections 436B to 436G of the Education Act 1996, must treat home education provision on a par with that of independent schools, including respecting the right of parents to determine curriculum, teaching methods, and educational philosophy, provided the education is suitable within the meaning of section 7 of the Education Act 1996.”

***Member's explanatory statement***

*This amendment requires local authorities to apply the same level of respect and discretion to home education as is afforded to independent schools, provided the education is suitable under section 7 of the Education Act 1996. It affirms parental discretion over curriculum, pedagogy, and educational approach.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Presumption of parental competence**

In assessing whether a child is receiving suitable education, a local authority shall presume that the parent is competent to provide such education, unless the

authority can demonstrate, with clear and documented evidence, beyond reasonable doubt, that the education being provided is unsuitable.”

***Member's explanatory statement***

*This amendment creates a legal presumption that parents are competent to educate their children. It requires local authorities to prove, beyond reasonable doubt and with clear evidence, that the education is unsuitable before intervening – ensuring parental rights are protected against speculative or unjustified action.*

LORD WEI

After Clause 35, insert the following new Clause –

**“Right to sue for educational failure**

A child compelled into formal schooling by a local authority may bring legal action against that authority for educational harm or failure to provide a suitable education if it can be demonstrated to have been as a result of being taken out of home education.”

***Member's explanatory statement***

*This amendment gives children the right to seek redress where forced schooling leads to demonstrable harm or failure, holding authorities accountable for poor educational outcomes.*

LORD WEI

After Clause 35, insert the following new Clause –

**“No regulation of educational content**

A local authority must not comment on or assess the content or methodology of home education provided by a parent, provided it meets the standard of suitability under section 7 of the Education Act 1996.”

***Member's explanatory statement***

*This amendment protects curriculum freedom by preventing local authorities from regulating or judging the materials and pedagogical approaches used in lawful home education.*

LORD WEI

After Clause 35, insert the following new Clause –

**“Children’s advisory board for home education policy**

The Secretary of State shall establish an annual review panel comprising at least 12 home-educated children aged 10 to 16, selected by lottery, to advise on education legislation affecting home education.”

***Member's explanatory statement***

*This amendment seeks to empower children who are home educated to contribute directly to policy through an annual children's jury, ensuring their experiences and views are considered in law-making.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Home education workers’ union**

Home-educating parents have the right to form, join, and collectively organise in a registered home education workers’ union, including the right to petition and collectively bargain on education policy, on a par with other unions such as teachers’ unions.”

***Member's explanatory statement***

*This amendment ensures that home-educating parents have the legal right to form and join a recognised union, giving them formal standing to be consulted on education policy, seek legal redress collectively, and advocate for resources. It mirrors protections available to teachers’ unions and enables fair representation in law and policy making.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Tax relief for home education expenses**

The Secretary of State must, within six months of the day on which this Act comes into force, introduce a scheme allowing parents who home educate to deduct education-related expenses from their taxable income.”

***Member's explanatory statement***

*This amendment seeks to allow home educators to deduct educational costs such as books, tutoring, and exams from their taxable income.*

LORD WEI

After Clause 35, insert the following new Clause —

**“Right to jury trial in forced school attendance cases**

No child may be compelled to attend school against the wishes of their parent or guardian unless the decision is upheld by a jury trial in a Magistrates’ Court or Crown Court.”

***Member's explanatory statement***

*This amendment ensures that families facing forced school attendance orders have the right to a jury trial, providing stronger procedural safeguards and a community-based judgment in contested cases.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Protection from truancy penalties in lawful home education**

After section 447 of the Education Act 1996 insert —

**“447A Protection from truancy penalties in lawful home education**

- (1) No parent shall be subject to prosecution or penalty under sections 444 to 447 of this Act for non-attendance, where —
  - (a) the child has been lawfully withdrawn from school, and
  - (b) the parent is providing, or intends to provide, suitable education in accordance with section 7.
- (2) This section does not prevent a local authority from issuing a School Attendance Order under section 437, but no such order may be issued solely on the basis of non-attendance, without first assessing the suitability of education being provided.”

***Member's explanatory statement***

*This amendment protects parents from truancy-related penalties when they have lawfully withdrawn their child for home education. It ensures that enforcement action is only taken where there is clear evidence that suitable education is not being provided, not merely on the basis of school non-attendance.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Right to delay formal education**

A parent may elect to delay the start of their child's formal education until the academic year following their seventh birthday without penalty.”

***Member's explanatory statement***

*This amendment allows parents to delay formal education to age seven, aligning with international practice and supporting readiness-based learning.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Study into privacy-preserving technologies**

- (1) The Secretary of State must, within six months of the passing of this Act, commission an independent study into the use of zero-knowledge proof technology as a method to verify educational provision in elective home educating families without compromising the privacy of those families.
- (2) The findings of the study must be published and laid before Parliament.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to commission an independent study into the use of zero-knowledge proof technologies as a means of verifying education provision without compromising family privacy in elective home-educating families. It supports innovation in safeguarding and accountability while upholding principles of data minimisation and proportionality.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Local authority transparency reports**

Each local authority must publish an annual report detailing its engagement with home-educating families, including data on support, complaints, and outcomes.”

***Member's explanatory statement***

*This amendment seeks to increase transparency by requiring annual reporting of local authority practice, with the intention of supporting public accountability in the regulation of home education.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Independent research into home education**

The Secretary of State must fund independent academic research into effective home education practices and publish findings every three years.”

***Member's explanatory statement***

*This amendment seeks to commit the government to funding research into home education methods, ensuring evidence-based policy and best practice guidance.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Parental referendum on regulatory expansion**

No new national regulatory measure concerning home education may be introduced unless approved by a majority of registered home-educating families through a parental referendum.”

***Member's explanatory statement***

*This amendment intends to create a democratic safeguard requiring parental approval before introducing new national home education regulations.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Protections for parents with disabilities**

Parents with disabilities who home educate must not be subjected to more oversight than other parents solely on the basis of disability.”

***Member's explanatory statement***

*This amendment seeks to protect parents with disabilities from unequal treatment in home education oversight, with the intention of ensuring non-discrimination.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Children’s right to refuse school attendance**

A child aged eight or over has the right to express a preference for home education or school attendance, and this preference must be taken into account in any local authority or court decision.”

***Member's explanatory statement***

*This amendment seeks to ensure that children aged eight and older have a say in their educational setting, with the intention of recognising their developing autonomy and right to participate in decisions affecting them.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Petition system for policy review**

If 10,000 or more home-educating parents sign a verified petition on any home education matter, the Secretary of State must publish a formal response and conduct a policy review within six months.”

***Member's explanatory statement***

*This amendment seeks to allow the home education community to initiate a government review on key issues, with the intention of promoting responsiveness and democratic engagement in education policy.*

LORD WEI

- ★ After Clause 35, insert the following new Clause –

**“Home education rebate for school place shortages**

Where no school place is available within a reasonable distance, a parent who home educates shall be entitled to claim a rebate equal to the per-pupil education funding allocation.”

***Member's explanatory statement***

*This amendment ensures parents who home educate due to lack of available school places are not financially penalised, by enabling them to reclaim equivalent funding.*

LORD WEI

- ★ After Clause 35, insert the following new Clause –

**“Council tax exemption for home educators**

A local authority must reduce the council tax bill of any household educating a child at home by an amount equivalent to the funding per pupil provided to schools by local authorities.”

***Member's explanatory statement***

*This amendment ensures that home-educating families are not required to contribute financially to local school services they do not use, through a council tax adjustment.*

LORD WEI

- ★ After Clause 35, insert the following new Clause –

**“Emergency hearings: home education cases**

Where a child is removed or proposed to be removed from the care of a parent due to concerns arising from home education, the parent shall have the right to an emergency court hearing within 48 hours.”

***Member's explanatory statement***

*This amendment seeks to provide a legal right to parents to a prompt court hearing if a local authority seeks to remove a child due to concerns about home education.*

LORD WEI

- ★ After Clause 35, insert the following new Clause –

**“Ban on algorithmic school allocation**

A child withdrawn from school for elective home education may not be automatically re-enrolled in another school through an algorithmic or automated placement process without parental consent.”

***Member's explanatory statement***

*This amendment seeks to ensure that families who choose home education are not automatically re-enrolled into a different school by local authorities. It seeks to protect the family's right to decide on home education without interference from algorithmic school allocation systems.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Local authorities: requirement for proof of educational superiority**

A local authority may not interfere with a child's home education under section 436B of the Education Act 1996 unless it can demonstrate that its own maintained schools consistently outperform the education provided by the parent.”

***Member's explanatory statement***

*This amendment requires councils to show that their state schools offer superior outcomes before intervening with a home-educating family, preventing arbitrary enforcement.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Qualifications for local authority officers making determinations about home education suitability**

No local authority officer may make determinations about home education suitability unless they have passed an accredited assessment in alternative education methods.”

***Member's explanatory statement***

*This amendment seeks to ensure that officials overseeing home education are qualified in alternative education, with the intention of improving the quality and fairness of their decisions.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Home education funding parity**

The Secretary of State must ensure that home-educating families are eligible to receive per-pupil funding equivalent to that provided to maintained schools.”

***Member's explanatory statement***

*This amendment seeks to give home educators access to public education funding, with the intention of supporting fairer distribution of educational resources.*



LORD WEI

★ After Clause 35, insert the following new Clause —

**“Equal access to SEN and mental health services**

A child educated at home must be entitled to the same access to publicly funded special educational needs and mental health support as children attending maintained schools.”

***Member's explanatory statement***

*This amendment seeks to ensure that home-educated children are not excluded from essential services provided to school pupils.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Child-led school closure mechanism**

Where at least 80% of pupils in a maintained school, aged 10 or over, express a preference for home education through a verified process, the Secretary of State must consult on transitioning that school into a home education support hub.”

***Member's explanatory statement***

*This amendment provides a mechanism for students to initiate the transformation of a school into a home education hub if the vast majority prefer home-based learning, with the intention of supporting child-led educational reform.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“National home education TV channel**

The Secretary of State must fund and maintain a public broadcast service dedicated to delivering curriculum-aligned educational content for home-educated children.”

***Member's explanatory statement***

*This amendment establishes a government-funded educational TV channel to support home-educating families.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“National Insurance credits for full-time home educators**

A parent who provides full-time home education must be treated as having limited capability for work for the purpose of receiving National Insurance credits.”

***Member's explanatory statement***

*This amendment seeks to enable parents who home educate full-time to receive pension protection through NI credits, similar to unpaid carers.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**Access to school facilities**

A child educated at home shall be entitled to reasonable access to facilities and extracurricular activities offered by local maintained schools, including sports facilities and libraries.”

***Member's explanatory statement***

*This amendment provides home-educated children with access to public school resources, supporting enrichment and inclusion.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Multi-generational home education tax break**

A grandparent, aunt, uncle, or other extended family member who materially contributes to a child’s home education may claim a pro-rata tax rebate equivalent to 20% of the average per-pupil state funding allocation.”

***Member's explanatory statement***

*This amendment offers a tax rebate to extended family members who actively support home education, recognising multi-generational educational care and relieving household financial burdens.*

LORD WEI

- ★ After Clause 35, insert the following new Clause —

**“Removal of school-based legal custody**

A school may not exercise in loco parentis responsibilities for a child unless the parent has provided explicit written consent, renewed annually.”

***Member's explanatory statement***

*This amendment ensures that schools may only assume parental responsibility (in loco parentis) with explicit, annually renewed parental consent. It seeks to protect part-time home-educating families by preventing schools from automatically claiming authority over a child’s welfare or educational decisions without the parent’s ongoing approval.*

LORD WEI

★ After Clause 35, insert the following new Clause –

**“Mandatory secondment for education officials**

Any Department for Education employee involved in home education policy must undertake a twelve-month secondment in an alternative education setting before drafting or revising guidance.”

***Member's explanatory statement***

*This amendment ensures that DfE staff have real-world experience with alternative education before shaping policy, improving relevance and reducing bias.*

LORD WEI

★ After Clause 35, insert the following new Clause –

**“Oath of non-coercion for teachers**

A teacher employed by a maintained school must not attempt to coerce or pressure a child or parent to attend or remain in school if they express a desire to home educate, and must swear or affirm an annual oath in writing to that effect as part of their professional responsibilities.”

***Member's explanatory statement***

*This amendment prevents teachers from using undue influence to discourage or obstruct home education. It reinforces the right of families to choose education freely without coercion from school personnel.*

LORD WEI

★ After Clause 35, insert the following new Clause –

**“Home education and the school year**

When making a decision under a provision in this Act, a Local Authority cannot consider the educational calendar or timetable used by a family whose child has been withdrawn from school.”

***Member's explanatory statement***

*This amendment grants home-educating families freedom from the school term calendar, allowing them to provide flexible, continuous education suited to their child's needs. It also protects explicitly against local authorities penalising them for following a non-traditional timetable.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Penalties for false allegations against home educators**

Where a report concerning a home-educating family is found to be malicious or knowingly false, the local authority shall refer the reporting individual for review, and a civil penalty may be imposed by a magistrate.”

***Member's explanatory statement***

*This amendment seeks to deter false or malicious claims against home-educating families by introducing consequences for those who make unfounded reports, while maintaining proper safeguards and due process.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Funding eligibility for home education cooperatives**

A home education cooperative comprising 50 or more families shall be eligible to apply for per-pupil public education funding equivalent to that received by maintained schools.”

***Member's explanatory statement***

*This amendment seeks to allow large home education cooperatives to access public funding on a similar basis to schools.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Disqualification of inspectors by parent report**

If three or more home-educating families submit documented complaints of misconduct by a local authority inspector, that individual shall be suspended from duties relating to home education pending review.”

***Member's explanatory statement***

*This amendment seeks to protect home educators from any bias or inappropriate conduct by officials by requiring their temporary removal from oversight roles following multiple complaints.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Home educators may vote on local school budgets**

A home-educating parent who pays local education-related taxes shall have the right to vote on local authority education budgets and school funding allocations.”

***Member's explanatory statement***

*This amendment seeks to grants home educators a say in how local education funds are spent.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Minimum wage compensation for mandated oversight**

Where home educators are required to submit reports, attend meetings, or be subject to oversight, they shall be entitled to compensation equal to the prevailing hourly minimum wage for time spent complying.”

***Member's explanatory statement***

*This amendment seeks to ensure that home educators are compensated for time spent complying with oversight requirements, in the light of their role as unpaid educators and protecting against any uncompensated administrative burdens.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**““Education as trade” model**

- (1) A home-educated child is permitted to demonstrate educational attainment through the provision of services, mentoring, or trade in knowledge-based activities as evidence of learning.
- (2) Such activities are to be considered education for the purposes of section 7 of the Education Act 1996 (Duty of parents to secure education of children of compulsory school age).”

***Member's explanatory statement***

*This amendment seeks to allow children to demonstrate learning through trade, mentorship, or service-based contributions.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Home educator policy initiative**

A local authority must formally consider and respond to any education policy proposal signed by at least 500 home-educating families in its area.”

***Member's explanatory statement***

*This amendment seeks to enable home educators to initiate policy discussions with local authorities, who must respond if 500 home-educating families sign a proposal.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Sunset clauses on home education legislation**

Any legislation or regulation concerning home education shall automatically expire five years after enactment unless reviewed and reapproved by Parliament following public consultation.”

***Member's explanatory statement***

*This amendment ensures that all laws concerning home education are regularly reviewed and renewed only with public and parliamentary input, promoting accountability and adaptability in policy.*

LORD WEI

★ After Clause 35, insert the following new Clause —

**“Exam access at independent schools**

- (1) An independent school must not deny access to sit examinations to a home-educated child solely on the basis that the child is not enrolled.
- (2) Reasonable fees may be charged for administration.”

***Member's explanatory statement***

*This amendment seeks to require independent schools to allow home-educated children to sit exams even if they are not enrolled.*

**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.*

**Clause 37**

BARONESS BARRAN

★ Clause 37, page 81, line 36, at end insert—

“(1B) Powers under subsection (1) may not be exercised in relation to an academy.”

***Member's explanatory statement***

*This amendment specifies that the Secretary of State should rely on the provisions in Funding Agreements as regards to academies.*

BARONESS SMITH OF MALVERN

Clause 37, page 86, line 4, leave out from beginning to “(see” in line 5 and insert “In subsection (1), the reference to providing education or supervised activity does not include providing boarding accommodation or activities necessary to ensure the welfare of boarders”

***Member's explanatory statement***

*This amendment clarifies that the offence of providing education or supervised activity while the registration of an independent educational institution is suspended is not committed by providing boarding accommodation (which may be prohibited separately) or activity necessary to ensure the welfare of boarders, such as supervised meals or fire safety 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 42**

BARONESS BLACKSTONE

★ Clause 42, page 100, line 31, at end insert—

“(f) search the premises.”

***Member's explanatory statement***

*This amendment seeks to allow the HM Inspectors to search premises for evidence it is conducting an offence of operating an illegal school without need for a warrant.*

**Clause 46**

BARONESS BARRAN

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

**After Clause 46**

LORD WEI

★

After Clause 46, insert the following new Clause –

**“Fast-track teacher qualification access for home educators**

A parent who has home educated for at least three years may apply for fast-tracked access to a qualified teacher status pathway, without requiring additional in-school experience.”

***Member's explanatory statement***

*This amendment seeks to acknowledge the teaching experience of home educators by enabling direct access to teacher qualification pathways without repeating basic training.*

**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.*

## After Clause 52

## BARONESS BARRAN

★

After Clause 52, insert the following new Clause—

**“Power to prescribe pay and conditions for teachers**

The Secretary of State must, within three months of the passing of this Act—

- (a) make provision for the power of the governing bodies of maintained schools to set the pay and working conditions of school teachers to be made equivalent with the relevant powers of academies;
- (b) provide guidance to all applicable schools that—
  - (i) pay levels given in the School Teachers' Pay and Conditions Document are to be treated as the minimum pay of relevant teachers;
  - (ii) teachers may be paid above the pay levels given in the School Teachers' Pay and Conditions Document;
  - (iii) they must have regard to the School Teachers' Pay and Conditions Document but may vary from it.”

***Member's explanatory statement***

*This new clause would make the pay set out in the School Teachers' Pay and Conditions Document a “floor”, and extend freedoms over pay and conditions to local authority maintained schools.*

## 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.*

**After Clause 53**

BARONESS LONGFIELD

★ After Clause 53, insert the following new Clause—

**“Managed moves and the Fair Access Protocol**

In the Schools Standards and Framework Act 1998, after section 85ZA (inserted by section 53 of this Act) insert—

**“85ZB Managed moves and the Fair Access Protocol**

- (1) Before the initiation of any managed move of a registered pupil from one maintained school or Academy to another, the pupil must be considered under the local authority’s Fair Access Protocol.
- (2) The consideration under subsection (1) must include consultation with—
  - (a) the current school,
  - (b) the proposed receiving school, and
  - (c) the parent or carer of the pupil, and where appropriate, the pupil.
- (3) The local authority must keep and maintain a record of all managed moves occurring to, from, or within its area.
- (4) Where a managed move results in the registration of a pupil at a school within the area of a different local authority, the responsibility for monitoring the educational outcomes and welfare of the pupil following the move shall transfer to that receiving local authority upon the pupil's registration at the new school.
- (5) The duty imposed by subsection (1) above does not apply—
  - (a) in circumstances where the child of compulsory school age is removed from the roll of one school and registered at another school solely as a consequence of the child's change of ordinary residence, provided that—
    - (i) the change of residence is documented and verified, and

- (ii) arrangements for re-registration at a new school are underway or have been made within a reasonable period.
- (6) A record under subsection (3) must include –
  - (a) the reasons for the move,
  - (b) the schools involved,
  - (c) whether the move was voluntary or directed, and
  - (d) the outcome for the pupil.
- (7) Each local authority must submit an annual report to the Secretary of State containing a summary of managed moves conducted under this section.
- (8) The Secretary of State may issue guidance to local authorities and schools on the implementation of this section, to which they must have regard.
- (9) In this section –
  - “managed moves” means a permanent change of the pupil’s school registration, where a move is not a result of –
    - (a) a permanent exclusion under Section 51A of the Education Act 1996;
    - (b) a transfer to a special school pursuant to Section 42 of the Children and Families Act 2014;
    - (c) a change of registration due to school closure;
    - (d) movement between educational phases;
    - (e) change in school type as a consequence of the Academy Act 2010.
  - “school” has the same meaning as in Part 4 of the Education Act 1996.”

### 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.”

LORD WATSON OF INVERGOWRIE  
LORD DUBS

After Clause 56, insert the following new Clause —

**“50% cap on all new faith school admissions**

- (1) Any newly established maintained school or academy of a religious character that is selective on the basis of faith must adopt admissions criteria that provide that, if oversubscribed, at least 50% of its places available each year will be allocated without reference to faith-based admission criteria.
- (2) Subsection (1) does not apply to an Academy established by virtue of a maintained school being converted into an Academy under section 4 of the Academies Act 2010, unless it applied to the maintained school prior to conversion.
- (3) In subsection (1), “newly established” means schools established more than two months after the date on which this Act comes into force.”

***Member's explanatory statement***

*This new clause would require all new schools with faith-based admissions (other than those which were pre-existing maintained schools that have converted to being academies) to apply a 50% cap on faith-based admissions places when oversubscribed, in line with the cap for new academies and free schools.*

**Clause 57**

BARONESS BARRAN

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

**After Clause 62**

BARONESS BARRAN  
LORD HAMPTON

After Clause 62, insert the following new Clause —

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

- (1) Within 12 months of the day on which this Act is passed, all schools in England must have a policy that prohibits the use and possession of smartphones by pupils during the school day.
- (2) Any policy implemented under subsection (1) —
  - (a) may provide for exemptions from the policy, or for an alternative policy, for sixth form students, in so far as such exemptions or alternative policies do not negatively impact upon the wider policy,
  - (b) may provide for exemptions for medical devices,

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

***Member's explanatory statement***

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

BARONESS BARRAN  
LORD HAMPTON

After Clause 62, insert the following new Clause –

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

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

***Member's explanatory statement***

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

LORD STOREY

After Clause 62, insert the following new Clause –

**“National tutoring guarantee**

- (1) The Secretary of State must, within six months of the passing of this Act, publish a report outlining the steps necessary to introduce a national tutoring guarantee.

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

***Member's explanatory statement***

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

LORD ADDINGTON

After Clause 62, insert the following new Clause –

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

- (1) The Secretary of State must, within 12 months of the passing of this Act, establish a national body for special educational needs and disabilities (SEND) in relation to children.
- (2) The functions of the national body for SEND will include, but not be limited to –
  - (a) national coordination of SEND provision for children,
  - (b) supporting the delivery of SEND support for children with very high needs, and
  - (c) advising on funding needed by local authorities for SEND provision for children.
- (3) Any mechanism used by the national body for SEND in advising on funding under subsection (2)(c) should be based on current need and may disregard historic spend.”

***Member's explanatory statement***

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

BARONESS TYLER OF ENFIELD

After Clause 62, insert the following new Clause –

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

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

***Member's explanatory statement***

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

BARONESS LISTER OF BURTERSETT  
BARONESS MORGAN OF COTES  
LORD HAMPTON  
THE LORD BISHOP OF GLOUCESTER

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  
THE LORD BISHOP OF LINCOLN

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  
LORD WATSON OF INVERGOWRIE  
LORD DUBS

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 which purport to prevent their disclosure to parents and carers.”

***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  
BARONESS BENNETT OF MANOR CASTLE  
THE LORD BISHOP OF GLOUCESTER

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  
BARONESS BENNETT OF MANOR CASTLE  
THE LORD BISHOP OF GLOUCESTER

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 feelings 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.”

***Member's explanatory statement***

*The purpose of this amendment is to require Ministers to have due regard to the rights and obligations set out in the United Nations Convention on the Rights of the Child (UNCRC) when exercising their functions under this Act, as they relate to children's wellbeing, social care or education.*

BARONESS BURT OF SOLIHULL  
LORD WATSON OF INVERGOWRIE  
LORD DUBS

After Clause 62, insert the following new Clause –

**“Inclusion of non-religious beliefs in religious education**

- (1) Section 375 of the Education Act 1996 is amended as follows.
- (2) Omit subsection (3) and insert –
  - “(3) Every agreed syllabus shall –
    - (a) reflect the fact that the religious traditions in Great Britain are in the main Christian, and
    - (b) take account of the teachings of the other principal religions and non-religious beliefs represented in Great Britain.

- (3A) In subsection (3)(b), the reference to non-religious beliefs is to non-religious philosophical convictions that –
- (a) are explicitly non-religious, and
  - (b) are philosophical convictions within the meaning of Article 2 of the First Protocol to the European Convention on Human Rights.
- (3B) In subsection (3A)(b) “the European Convention on Human Rights” means the Convention for the Protection of Human Rights and Fundamental Freedoms, agreed by the Council of Europe at Rome on 4 November 1950, as it has effect for the time being in relation to the United Kingdom; and “the First Protocol”, in relation to that Convention, means the protocol to the Convention agreed at Paris on 20 March 1952.””

***Member's explanatory statement***

*This amendment requires non-religious beliefs to be taught in religious education, and defines non-religious beliefs for those purposes.*

LORD O'DONNELL  
LORD LAYARD  
BARONESS TYLER OF ENFIELD  
LORD MOYNIHAN

After Clause 62, insert the following new Clause –

**“Establishment of a national children’s wellbeing measurement programme**

- (1) The Secretary of State must establish a national children’s wellbeing measurement programme.
- (2) A programme established under this section must –
  - (a) conduct an annual online national survey of the wellbeing of children in relevant schools in England;
  - (b) provide central analysis of data and support for schools in the administration of the survey;
  - (c) make provision for school, parental and student consent to participation in the survey, ensuring that participation is voluntary and that results are handled confidentially;
  - (d) regularly publish the results of the survey and provide relevant data to participating schools, local authorities and other public bodies for the purposes of improving children’s wellbeing.
- (3) For the purposes of this section, “wellbeing” includes the drivers of wellbeing, including nutrition, physical activity, participation in arts, culture and entertainment and any other factors the Secretary of State deems relevant.
- (4) For the purposes of this section, “relevant schools” includes academy schools, alternative provision, maintained schools, non-maintained special schools, independent schools, and pupil referral units.”

## LORD WEI

After Clause 62, insert the following new Clause —

**“Right to convert underperforming schools to community learning hubs**

Where Ofsted rates a school as inadequate for three consecutive years, a majority vote of local home-educating families may petition for its conversion into a community learning hub.”

***Member's explanatory statement***

*This amendment empowers communities to repurpose failing schools into shared learning centres for home-educated children, promoting community-led education and flexible use of public assets.*

## LORD LUCAS

After Clause 62, insert the following new Clause —

**“Curriculum materials**

All external resources used in schools 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, so that parents can at all times know what their children are being taught.*

## LORD ADDINGTON

After Clause 62, insert the following new Clause —

**“Review of off-rolling in schools**

- (1) Within 12 months of the passing of this Act, the Secretary of State must publish a review into the practice of off-rolling in schools.
- (2) The review must produce proposals outlining the steps necessary to eliminate the practice of off-rolling in schools.”

***Member's explanatory statement***

*This amendment requires the Secretary of State to review the practice of off-rolling and to produce proposals to eliminate the practice.*



LORD WEI

★ After Clause 62, insert the following new Clause —

**“Educational cessation**

Where a child has demonstrably completed a course of education equivalent to five GCSEs at grades 4–9, they shall no longer be subject to compulsory education requirements under Part VI of the Education Act 1996.”

***Member's explanatory statement***

*This amendment seeks to allow children who have already completed the equivalent of GCSE-level work to be exempt from further compulsory education. This acknowledges that some children may exceed the educational requirements before the traditional age of 16.*

LORD WEI

★ After Clause 62, insert the following new Clause —

**“Experimental home education zones**

The Secretary of State may designate up to three local authority areas as experimental education zones, exempt from national education regulation for a period of ten years.”

***Member's explanatory statement***

*This amendment seeks to create experimental zones where communities may opt out of national education laws to trial alternative education systems including in relation to home education and gather long-term data.*

LORD WEI

★ After Clause 62, insert the following new Clause —

**“Early graduate certificate for advanced learners**

A child who has demonstrably completed education equivalent to A-levels before the age of 16 is entitled to an official certificate of graduation issued by the Secretary of State.”

***Member's explanatory statement***

*This amendment enables early academic achievers to receive formal recognition, ensuring they can progress to further education or employment without being held back by age-based constraints.*

## LORD WATSON OF INVERGOWRIE

★ After Clause 62, insert the following new Clause –

**“Wellbeing Support for Schools**

- (1) The Secretary of State must provide statutory guidance for all relevant schools on whole school approaches to mental health and wellbeing.
- (2) Such guidance should include, but not be limited to –
  - (a) identifying and measuring children and young people’s mental health and wellbeing;
  - (b) the collation of appropriate wellbeing data to adapt both internal and external support within settings;
  - (c) appropriate training and development for teachers and other school staff;
  - (d) access to mental health support within schools;
  - (e) further specialist provision as required within community services.
- (3) The Secretary of State must report to Parliament each year on progress made in implementing the guidance and how wellbeing data collected is informing appropriate support offered through community services.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to provide statutory guidance on whole school approaches to mental health and wellbeing and to report to Parliament annually on progress.*

## BARONESS BARRAN

★ After Clause 62, insert the following new Clause –

**“Approved free schools in pre-opening**

The Secretary of State must make provision for the opening of all free schools whose applications were approved prior to October 2024.”

***Member's explanatory statement***

*This new clause would require the Secretary of State to proceed with the opening of free schools whose opening was paused in October 2024.*

**Clause 65**

## BARONESS SMITH OF MALVERN

Clause 65, page 123, line 33, at end insert –

“(b) section (*Employment of children in Scotland*) extends to Scotland only.”

***Member's explanatory statement***

*This amendment provides for the clause inserted after clause 26 (by my amendment) to extend to Scotland.*

**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.*

BARONESS SMITH OF MALVERN

Clause 66, page 124, line 19, leave out subsection (3) and insert –

“(3) Subject to subsection (1), the following come into force, in relation to Wales, on such day as the Welsh Ministers may by regulations made by statutory instrument appoint –

- (a) section (*Employment of children in England and Wales*);
- (b) sections 30 to 35 and Schedule 2.

(3A) Subject to subsection (1), section (*Employment of children in Scotland*) comes into force on such day as the Scottish Ministers may by regulations appoint.”

***Member's explanatory statement***

*This amendment provides for certain provision for Wales or Scotland to be brought into force by (respectively) the Welsh Ministers or Scottish Ministers.*

BARONESS SMITH OF MALVERN

Clause 66, page 124, line 22, leave out “(3)” and insert “(3A)”

***Member's explanatory statement***

*This amendment is consequential on my amendment to clause 66 inserting new subsection (3A).*

BARONESS SMITH OF MALVERN

Clause 66, page 124, line 24, after “(3)” insert “, (3A)”

***Member's explanatory statement***

*This amendment is consequential on my amendment to clause 66 inserting new subsection (3A).*

BARONESS SMITH OF MALVERN

Clause 66, page 124, line 28, leave out from “Act” to end of line 29 and insert “other than —

- (a) the provisions listed in subsection (3) in relation to Wales;
- (b) section (*Employment of children in Scotland*).”

***Member's explanatory statement***

*This amendment is consequential on my amendments to clause 66 inserting new subsections (3), (3A) and (7A).*

BARONESS SMITH OF MALVERN

Clause 66, page 124, leave out line 32 and insert “any provision listed in subsection (3) in relation to Wales.”

***Member's explanatory statement***

*This amendment is consequential on my amendment to clause 66 inserting new subsection (3).*

BARONESS SMITH OF MALVERN

Clause 66, page 124, line 32, at end insert —

- “(7A) The Scottish Ministers may by regulations make transitional or saving provision in connection with the coming into force of section (*Employment of children in Scotland*).”

***Member's explanatory statement***

*This amendment provides for the Scottish Ministers to make transitional and saving provision in connection with certain provision relating to Scotland.*

BARONESS SMITH OF MALVERN

Clause 66, page 124, line 33, leave out “or (7)” and insert “, (7) or (7A)”

***Member's explanatory statement***

*This amendment is consequential on my amendment to clause 66 inserting new subsection (7A).*



# Children's Wellbeing and Schools Bill

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

*Tabled up to and including*

*14 May 2025*

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*14 May 2025*

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