

Children's Wellbeing and Schools Bill

AMENDMENTS

TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

[Supplementary to the Eighth Marshalled List]

Clause 36

BARONESS BARRAN

Clause 36, page 80, line 18 leave out line 18 and insert —

“(d) an Academy, University Technical College or studio school;”

Member's explanatory statement

This amendment seeks to include academies, University Technical Colleges and studio schools as excepted institutions for the purposes of the new section 92 in the Education and Skills Act 2008.

Clause 37

BARONESS BARRAN

Clause 37 page 81, line 41 at end insert —

“(3B) A standard may not be prescribed in relation to the proprietor of an academy school, an alternative provision academy, a non-maintained special school, a University Technical College, a city technology college, a city college for the technology of arts or a 16 to 19 Academy.”

Member's explanatory statement

This amendment would exempt academy schools, non-maintained special schools, city technology colleges, city colleges for the technology of arts or 16 to 19 Academies from the standard setting powers in Clause 37.

Clause 49

BARONESS BARRAN

Clause 49, page 113, leave out lines 21 to 33 and insert—

- “(1) Where the proprietor of an Academy —
 - (a) has breached a relevant duty, or
 - (b) otherwise has acted unreasonably with respect to the performance of a relevant duty, the proprietor must take such steps as are necessary to remedy the breach or unreasonable action and secure the proper performance of the relevant duty.
- (2) Where the proprietor of an Academy has acted unreasonably with respect to the exercise of a relevant power, the proprietor must take such steps as are necessary to ensure the reasonable exercise of the relevant power.
- (2A) The proprietor must remedy any breach identified under subsection (1) or (2) within such reasonable period as the circumstances require, having regard to—
 - (a) the nature and seriousness of the breach;
 - (b) the impact or likely impact on pupils' education or welfare;
 - (c) the complexity of the remedial action required;
 - (d) any other relevant circumstances.
- (2B) Where the Secretary of State is reasonably satisfied that the proprietor of an Academy has breached a relevant duty or otherwise has acted unreasonably with respect to the performance of a relevant duty the Secretary of State may serve notice on the proprietor of an Academy specifying —
 - (a) the breach that has been identified;
 - (b) the relevant duty or power in question;
 - (c) the period within which the proprietor must remedy the breach.”

Member's explanatory statement

This amendment seeks to prevent Clause 49 from granting the Secretary of State the wide power to give directions to the proprietors of an Academy.

BARONESS BARRAN

Clause 49, page 114, line 1, leave out “a direction” and insert “notice”

Member's explanatory statement

This amendment, connected with another in the name of Baroness Barran, seeks to prevent Clause 49 from granting the Secretary of State the wide power to give directions to the proprietors of an Academy.

BARONESS BARRAN

Clause 49, page 114, line 10, leave out “direction” and insert “notice”

Member's explanatory statement

This amendment, connected with another in the name of Baroness Barran, seeks to prevent Clause 49 from granting the Secretary of State the wide power to give directions to the proprietors of an Academy.

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