

Children's Wellbeing and Schools Bill

TENTH MARSHALLED LIST OF AMENDMENTS TO BE MOVED

IN COMMITTEE OF THE WHOLE HOUSE

The amendments have been marshalled in accordance with the Instruction of 1st May 2025, as follows –

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]

**Amendment
No.**

After Clause 35

LORD STOREY

426B After Clause 35, insert the following new Clause –

“Review: factory shutdowns and school attendance

- (1) On the day on which this Act is passed, the Secretary of State must order a review of the effect of factory shutdowns on local school attendance.
- (2) The review must consider the merits of varying local school holiday dates to minimise the impact of factory shutdowns on school attendance.
- (3) The review must be published within six months of the day on which this Act is passed and must be laid before both Houses of Parliament.”

LORD MOYNIHAN

426C After Clause 35, insert the following new Clause –

“Access to extracurricular sport and recreation opportunities

A child educated at home is entitled to reasonable access to extracurricular sport and recreation opportunities offered and co-ordinated by local maintained schools.”

Member's explanatory statement

This amendment provides home-educated children with access to sport and recreational activities offered by maintained schools.

LORD WEI

426D After Clause 35, insert the following new Clause —

“Sharing local authority best practice on home education

- (1) All local authorities must provide an annual report to the Secretary of State setting out —
 - (a) the total number of home educators in their area (A),
 - (b) the number of complaints they have received from home educators in the preceding year (B), and
 - (c) the number of School Attendance Orders they have issued in the preceding year (C).
- (2) The Secretary of State must make funding and resources available to any local authority which performs in the top ten percent of both —
 - (a) B as a percentage of A, and
 - (b) C as a percentage of A,to facilitate those local authorities sharing best practice regarding management of home education with local authorities performing in the bottom ten percent of the same metrics.”

LORD WEI

426E After Clause 35, insert the following new Clause —

“Harm to the child: prevention of legal action

- (1) No parent can be subject to criminal prosecution, penalty, or sanction (“legal action”) under any provision in sections 30 to 35 if the condition in subsection (2) applies.
- (2) The condition is that legal action in subsection (1) would result —
 - (a) in harm to a child’s welfare, or
 - (b) on balance, in greater harm to a child’s education than if the legal action was not pursued.
- (3) For the purposes of subsection (2) —
 - (a) harm to a child’s welfare is determined with reference to section 1 of the Children Act 1989 (welfare of the child), and
 - (b) harm to a child’s education is determined with reference to —
 - (i) section 9 of the Education Act 1996 (pupils to be educated in accordance with parents’ wishes), and

- (ii) Article 2 of Protocol 1 of the European Convention on Human Rights (right to education).
- (4) Nothing in this section prevents proportionate civil measures, support, or intervention intended to secure the welfare of the child, provided such measures do not have the effect of undermining the child's access to suitable education."

Member's explanatory statement

This amendment seeks to prevent prosecution of parents if this would lead to any harm to the child's welfare and greater harm the child's education than if legal action was not pursued.

Clause 36

LORD LUCAS

427 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

427A Clause 36, page 79, line 16, at end insert—

“but an institution which provides religious instruction as an addition to the education which its students receive elsewhere is not an independent educational institution.”

LORD LUCAS
BARONESS SPIELMAN

427B Clause 36, page 79, line 29, at end insert—

- “(e) provide that several separate organisations should be considered as one organisation for the purposes of this section.”

Member's explanatory statement

This amendment would allow the government to counter evasion based on dividing a child's education between several institutions.

BARONESS BARRAN

427BA 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.

THE LORD BISHOP OF MANCHESTER
LORD GLASMAN

427C Clause 36, page 80, line 23, at end insert –

- “(h) an institution –
- (i) that is only providing religious instruction or guidance,
 - (ii) where parents or guardians of attendees have registered at their Local Authority that they provide suitable out-of-school education separate from or in addition to any attendance at the institution, and
 - (iii) where the institution demonstrates to the Local Authority that it provides the required safeguarding measures.”

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

428 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.

LORD LEXDEN
LORD BLACK OF BRENTWOOD

429 Clause 37, page 81, line 41, at end insert –

- “(3B) Before the Secretary of State may prescribe any standard under subsection (3A), they must lay before Parliament a statement certifying that the

proposed standard will not limit independent educational institutions' independence with respect to admissions, the curriculum, or examinations, except if necessary to secure the safeguarding, wellbeing, or the spiritual, moral, social, and cultural development of pupils.

- (3C) Before the Secretary of State may issue any guidance or publish any document which a proprietor of any independent educational institution must have regard to by virtue of the independent educational institution standards (including any standard prescribed by virtue of subsection (3A)), the Secretary of State must lay before Parliament a statement certifying that the proposed guidance or document will not interfere with independent educational institutions' independence with respect to admissions, the curriculum, or examinations, except if necessary to secure the safeguarding, wellbeing, or the spiritual, moral, social, and cultural development of pupils."

Member's explanatory statement

This amendment seeks to limit the Government's power to require independent educational institutions to have regard to guidance on topics where these institutions are not already subject to Government control.

BARONESS BARRAN

429A 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.

BARONESS MORGAN OF COTES
BARONESS BERRIDGE
BARONESS SPIELMAN

430 Clause 37, page 82, line 16, at end insert –

- “(3A) Omit sections 106 (Independent inspectorates) and 107 (Quality assurance of independent inspectorates).”

Member's explanatory statement

This amendment would remove sections 106 and 107 of the Education and Skills Act 2008 which give the Secretary of State powers to approve bodies to inspect independent schools (such as the Independent Schools Inspectorate) and requires the Chief Inspector to report on those bodies. The amendment seeks to probe the Government's readiness for the Independent Schools Inspectorate to become part of OFSTED.

BARONESS SMITH OF MALVERN

- 431** 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 37

BARONESS BARRAN
BARONESS SPIELMAN

- 431A** After Clause 37, insert the following new Clause –

“Review of independent educational institution standards

- (1) The Secretary of State must publish a report on the predicted impact of section 37(2) of this Act (independent educational institution standards).
- (2) The review must include the predicted impact of that subsection on –
 - (a) academy schools;
 - (b) alternative provision academies;
 - (c) non-maintained special schools;
 - (d) university technical colleges;
 - (e) city technology colleges;
 - (f) city colleges for the technology of arts;
 - (g) 16 to 19 academies.”

Member's explanatory statement

This amendment, and another in the name of Baroness Barran, seeks to prevent section 37(2) of the Act from coming into force until the Secretary of State has published a report on the predicted impact of that subsection on the academic institutions set out in this amendment.

After Clause 38

LORD LUCAS

- 432** 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.

BARONESS BLACKSTONE
BARONESS MORRIS OF YARDLEY

432A After Clause 38, insert the following new Clause –

“Unregistered independent educational institutions: offences

After section 96 of the Education and Skills Act 2008 (Unregistered independent educational institutions: offence), insert –

“96A Premises of unregistered independent educational institutions: offence

- (1) The proprietor or owner of a property (or their agent) who provides premises for an unregistered independent educational institution under section 96 (Unregistered independent educational institutions: offence) is guilty of an offence.
- (2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale (or to both).

96B Assisting or encouraging the administration of an unregistered independent educational institution: offence

- (1) A person who assists or encourages the administration of an unregistered independent educational institution under section 96 (Unregistered independent educational institutions: offence) is guilty of an offence.
- (2) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale (or to both).”

Member's explanatory statement

This amendment seeks to create two offences: (1) providing premises for an illegal school (including primary or subleasing landlords, and letting agents) and (2) assisting or encouraging the administration of an illegal school.

Clause 39

BARONESS BARRAN

432B Clause 39, page 96, leave out lines 17 and 18

Member's explanatory statement

This amendment seeks to remove the inclusion of a change in the buildings occupied and made available for student use within the definition of a material change.

LORD LEXDEN
LORD BLACK OF BRENTWOOD

433 Clause 39, page 96, line 43, at end insert –

- “(2D) Subsection (2)(i) does not prevent any special institution from making special provision for any child after they have been admitted to the institution if, in the professional opinion of the institution, that child has a type or types of special needs for which the school does not ordinarily make special provision and which could only be identified after admission.
- (2E) In the case of any school relying on the provisions of subsection (2D), they may make a material change application if they reasonably expect that the special provision will be required for more than two academic terms, or if the exemption will apply to three or more pupils on their roll.
- (2F) In making this material change application, it is not to be considered retrospective, nor will a school relying on the provisions of subsection (2D) suffer any detriment or adverse judgement, even if the application is made after the special provision begins, provided that they make the application within two academic terms of the provision beginning.”

Member's explanatory statement

This amendment reflects the concerns of some independent special institutions that the requirement to submit a material change application before offering new special needs provision would make it impossible to support pupils who are admitted presenting one need, but are later discovered to have further special needs.

BARONESS BARRAN

433A Clause 39, page 96, line 43, at end insert –

- “(2D) The Secretary of State must issue guidance for relevant institutions on how subsection (2)(g) is to be understood.”

Member's explanatory statement

This would require the Secretary of State to issue guidance to independent schools on how to apply subsection (2)(g).

Clause 42

BARONESS BLACKSTONE
BARONESS MORRIS OF YARDLEY

434 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.

After Clause 44

LORD BLUNKETT
BARONESS BLOWER
LORD WATSON OF INVERGOWRIE
BARONESS MORRIS OF YARDLEY

435 After Clause 44, insert the following new Clause –

“School inspections: multi-academy trusts

In section 5(2)(d) of the Education Act 2005, after “schools”, insert “and trusts””

BARONESS MORGAN OF COTES
BARONESS BERRIDGE
BARONESS SPIELMAN

436 After Clause 44, insert the following new Clause –

“Transfer of the Independent Schools Inspectorate functions to Ofsted

(1) The Education and Inspections Act 2006 is amended as follows.

(2) After section 156, insert –

“156A Transfer of the Independent Schools Inspectorate functions to the Office

(1) The Secretary of State must by regulations transfer the functions of the Independent Schools Inspectorate to the Office.

(2) The Secretary of State must make regulations under this section within one year of the day on which the Children's Wellbeing and Schools Act 2025 is passed.

(3) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.””

Member's explanatory statement

This probing amendment seeks to clarify the Government's readiness for the Independent Schools Inspectorate to become part of OFSTED.

BARONESS BARRAN
BARONESS SPIELMAN

436ZZA After Clause 44, insert the following new Clause –

“Intervention powers for underperforming multi-academy trusts

- (1) The Secretary of State must monitor the educational performance of multi-academy trusts (“MATs”) to identify those that are significantly underperforming relative to their local peer group.
- (2) For the purposes of subsection (1), a MAT is significantly underperforming if –
 - (a) over a period of three consecutive academic years, the weighted average educational outcomes across all academies within the trust that qualify to be included in the national league tables, fall below the tenth percentile when compared to schools serving similar levels of deprivation within the same local authority area or statistical neighbour group, and
 - (b) the trust demonstrates insufficient progress in addressing identified weaknesses despite support and intervention measures.
- (3) The educational outcomes referred to in subsection (2)(a) include –
 - (a) in respect of the primary phase, Key Stage 2 attainment measures in reading, writing and mathematics;
 - (b) in respect of the secondary phase, Key Stage 4 attainment and progress measures;
 - (c) such other measures as the Secretary of State may specify by regulations.
- (4) When assessing performance under subsection (2), the Secretary of State must adjust comparisons to account for levels of deprivation.
- (5) Where the Secretary of State is satisfied that a MAT meets the criteria in subsection (2), the Secretary of State may –
 - (a) commission Ofsted to inspect the MAT at group level and report to the Department for Education and publicly on areas of weakness,
 - (b) issue a notice to improve specifying areas where improvement is required and timescales,
 - (b) require the trust to engage with a specified school improvement partner,
 - (c) terminate the master funding agreement and all supplemental funding agreements, or
 - (d) take such other steps as appear necessary to secure improvement, including rebrokering all or some of the schools to another local MAT or MATs.
- (6) Before exercising powers under subsection (5), the Secretary of State must –
 - (a) give the trust written notice of the intention to intervene, specifying the grounds and proposed actions,
 - (b) provide the trust with an opportunity to make representations within 28 days,
 - (c) consider any representations made, and
 - (d) notify the trust in writing of the final decision and reasons.

- (7) A MAT may appeal a decision under subsection (5) to the First-tier Tribunal within 28 days of receiving notice of the decision.
- (8) The Secretary of State must publish an annual report on —
 - (a) the number of MATs identified as underperforming,
 - (b) interventions undertaken, and
 - (c) any outcomes achieved through intervention measures.
- (9) The Secretary of State may make regulations by statutory instrument which —
 - (a) specify additional educational outcome measures under subsection (3)(c);
 - (b) prescribe deprivation indicators under subsection (4);
 - (c) set out detailed procedures for performance assessment and intervention;
 - (d) define “local peer group” and “statistical neighbour group” for the purposes of this section.
- (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.”

BARONESS SPIELMAN
BARONESS BARRAN

436ZZB After Clause 44, insert the following new Clause —

“Multi-academy trusts: inspection

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish an inspection regime for multi-academy trusts (MATs), to be discharged by His Majesty’s Chief Inspector of Schools.
- (2) The inspection regime must assess the effectiveness and value for money of MATs.
- (2) The inspections under the regime must prioritise MATs —
 - (a) which are seeking to enter into new partnerships with schools,
 - (b) whose schools are on average significantly under-performing, or
 - (c) which are not providing value for money.
- (3) The inspection regime must take into account —
 - (a) varying MAT models, and
 - (b) the level of centralisation in the structure of the MAT.
- (4) Inspections must be informed by —
 - (a) school-level inspections, and
 - (b) financial information held by the Department for Education regarding the MAT.”

Member's explanatory statement

This amendment seeks to establish an inspection regime for multi-academy trusts.

Clause 45

LORD KNIGHT OF WEYMOUTH

436ZA Clause 45, page 108, line 13, at end insert “qualified,”***Member's explanatory statement***

This amendment seeks to extend investigations to those qualified teachers currently teaching overseas. The effect being that should they return to the UK, or seek employment with employers who make a prohibition check with the Teaching Regulation Authority, incidents carried out overseas will be covered.

LORD KNIGHT OF WEYMOUTH

436ZB Clause 45, page 109, line 28, at end insert –

“(4A) In section 141C (list of persons prohibited from teaching etc) at the end of subsection (5) insert “, including making reasonable efforts to include any changes of name by such persons.”

Member's explanatory statement

This amendment addresses concerns that person prohibited from teaching are using name changes to evade detection in prohibition order checks.

Clause 46BARONESS WOLF OF DULWICH
BARONESS BARRAN**436A** Clause 46, page 110, line 17, at end insert –

“(1A) In section 133 (requirement to be qualified), in subsection (1), after “work” insert “in relation to National Curriculum subjects only””

BARONESS BARRAN

436B Clause 46, page 110, line 17, at end insert –

“(1A) In section 133 (requirement to be qualified) after subsection (1) insert –

“(1A) The requirement in subsection (1)(a) only applies after a person has been carrying out such work in a school for five years.””

Member's explanatory statement

This amendment would allow schools a 5 year period for teaching staff to gain QTS.

BARONESS BARRAN

436C Clause 46, page 110, line 17, at end insert –

“(1A) In section 133 (requirement to be qualified) after subsection (1) insert –

“(1A) Where a person is carrying out such work for the purposes of teaching a shortage subject, the requirement in subsection (1)(a) does not apply.

(1B) For the purposes of this section, “shortage subject” means any subject in relation to which the recruitment targets set by the department for initial teacher training have not been met in the most recent years for which such statistics exist.””

Member's explanatory statement

This amendment seeks to allow schools to employ teachers who do not hold QTS for shortage subjects.

LORD HOLMES OF RICHMOND

437 Clause 46, page 110, line 18, after “qualified),” insert –

“(za) after subsection (1), insert –

“(1A) The specified requirements in subsection (1)(b) may include that the person is a practitioner, in a particular profession, skill, business or other relevant pursuit who has the necessary expertise to assist a child’s learning experience in a formal learning environment.””

LORD AGNEW OF OULTON

437A Clause 46, page 110, line 22, at end insert –

“(2A) In section 133, after subsection (6), insert –

“(7) “qualified teacher” shall include individuals who, though not possessing formal teacher training certification, hold a university-level qualification directly related to the subject they are teaching, and who demonstrate competency through practical teaching experience or relevant professional experience in their subject area.””

Member's explanatory statement

This amendment seeks to include in the definition of “qualified teacher” individuals who have significant subject-specific qualifications and practical teaching or professional experience, recognising the expertise they bring to educational settings without a traditional teaching qualification.

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

438 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.

LORD STOREY

439 After Clause 46, insert the following new Clause –

“Anti-bullying training for school staff and inspectors

- (1) The Secretary of State must ensure that anti-bullying training is a core component of –
 - (a) all initial teacher training programmes;
 - (b) induction training for Ofsted inspectors.
- (2) The Secretary of State must ensure all school staff in England and Ofsted inspectors are provided with continuing professional development (CPD) in anti-bullying strategies with refresher training to be provided at appropriate intervals.”

Clause 47

LORD AGNEW OF OULTON

440 Clause 47, page 111, line 13, at end insert –

“(5A) Subsection (1)(b)(ii) does not apply in relation to an educational institution that has received an OFSTED rating of Good or equivalent in the last three years.”

Member's explanatory statement

This amendment and another in the name of Lord Agnew seeks to ensure that academies which are rated as “Good” are not required to follow the National Curriculum.

LORD ADDINGTON

441 Clause 47, page 111, line 16, at end insert, “, except that an Academy school is not obliged to deliver the National Curriculum to a child with SEND, provided that, if appropriate, assisted technology is used to support the child's learning.”

Member's explanatory statement

This amendment seeks to remove an obligation to deliver the National Curriculum to a child with SEND, provided the child is offered appropriate assistive technology to support their learning.

LORD AGNEW OF OULTON

- 442** Clause 47, page 111, line 28, at end insert “, unless the Academy school has received an OFSTED rating of Good or equivalent in the last three years.”

Member's explanatory statement

This amendment and another in the name of Lord Agnew seeks to ensure that academies which are rated as “Good” are not required to follow the National Curriculum.

LORD CARTER OF HASLEMERE
BARONESS BARRAN

- 443** 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

- 444** 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

444A 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 power to (1) issue a direction to an Academy that is “likely” to have breached a relevant duty, and (2) prescribe exactly how any breach should be remedied. Instead, it seeks to give Academies discretion in how they remedy an actual breach of a relevant duty.

BARONESS BARRAN

444B Clause 49, page 113, leave out lines 24 and 25

Member's explanatory statement

This amendment removes the Secretary of State’s power to direct in cases where proprietor has acted, or proposes to act, unreasonably.

BARONESS BARRAN

444C Clause 49, page 113, line 26, leave out from “may” to the end of line 33 and insert “exercise their powers under the funding agreement to terminate or require performance of the funding agreement in accordance with its terms.”

Member's explanatory statement

This amendment would 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

445 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

445ZA Clause 49, page 113, line 32, leave out from “as” to the end of line 33 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 act unreasonably in respect of the performance of a relevant duty.

BARONESS BARRAN

445ZB Clause 49, page 113, line 33, at end insert –

- “(2A) The Secretary of State must make an annual statement to both Houses of Parliament, which must include –
- (a) the number of times the Secretary of State exercised the powers under this section,
 - (b) the actions taken, and
 - (c) the reasons for taking such actions.”

Member's explanatory statement

This amendment seeks to require the Secretary of State to make a statement to Parliament annually that sets out how often the Secretary of State has directed the powers of the proprietor of an Academy.

BARONESS BARRAN

445ZC 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 power to (1) issue a direction to an Academy that is “likely” to have breached a relevant duty, and (2) prescribe how any breach should be remedied. Instead, it seeks to give Academies discretion in how they remedy an actual breach of a relevant duty.

BARONESS BARRAN

445ZD 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 power to (1) issue a direction to an Academy that is “likely” to have breached a relevant duty, and (2) prescribe how any breach should be remedied. Instead, it seeks to give Academies discretion in how they remedy an actual breach of a relevant duty.

LORD KNIGHT OF WEYMOUTH

445A Clause 49, page 114, line 11, at end insert –

- “(6A) An Academy proprietor may appeal a mandatory order made in this section to a regional advisory body within 28 days of the issuing of the order.
- (6B) A regional advisory body under subsection (6A) must be made up of headteachers of academies, at least half of whom must be elected, and other members must be appointed by the Secretary of State.”

Member's explanatory statement

The amendment seeks to ensure the use of directions is made transparently and fairly following proper process.

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

445B Clause 50, page 114, leave out lines 18 to 39, and insert—

- “(a) in subsection (A1), at the end insert “unless the Secretary of State determines that no suitable sponsor is available”;
- (b) after subsection (A1) insert—
 - “(A2) Where the Secretary of State determines that no suitable sponsor is available, the Secretary of State must, within 14 days, publish a plan to secure appropriate governance and leadership of the school and to secure its rapid improvement.
 - (A3) A plan published under subsection (A2) must include—
 - (a) the parties with responsibility for the school and its improvement,
 - (b) the parties who will take action to improve provision in the school,
 - (c) the resources that will be provided to the relevant parties, including who will provide the resources and when the resources will be provided, and
 - (d) the intended outcomes of the plan, with the relevant timetables for the outcomes.
 - (A4) The Secretary of State must report annually to Parliament on—
 - (a) the number of times the Secretary of State has published a plan under subsection (A2),
 - (b) the resources which have been provided as part of any plans, and
 - (c) the outcomes of any plans.””

Member's explanatory statement

This amendment seeks to retain the existing requirement to make an academy order unless the Secretary of State determines there is no suitable sponsor available.

LORD BLUNKETT
BARONESS MORGAN OF HUYTON

446 Clause 50, page 114, line 20, at end insert –

“(c) after subsection (1) insert –

“(1ZA) When making an order under subsection (1)(b) of this section and within the meaning of section 62 of the Education and Inspections Act 2006 (school requiring special measures), the Secretary of State must make an order to –

- (a) transfer the school to a high performing multi-academy trust, or
 - (b) merge the school with a high performing maintained school serving a similar cohort of children (by demographic background and prior attainment), provided that school is within the same local authority or geographical area,
- unless the Secretary of State believes that there is good reason to undertake another course of action.””

BARONESS BARRAN

446A Clause 50, page 114, line 20, at end insert –

“(c) after subsection (7), insert –

“(7A) No application or petition for judicial review may be made or brought in relation to a decision taken by the Secretary of State to make an Academy order.””

Member's explanatory statement

This amendment seeks to prevent a judicial review being brought if the Secretary of State makes an academy order.

BARONESS BARRAN

446B Clause 50, page 114, line 20, at end insert –

“(c) after subsection (1), insert –

“(1ZA) The Secretary of State must make an Academy order in respect of a maintained school in England if –

- (a) Ofsted has judged the school to require significant improvement, or
- (b) a Regional Improvement for Standards and Excellence team has judged the school to be significantly underperforming when compared with neighbouring schools with similar demographics.””

Member's explanatory statement

This amendment seeks to require an Academy order to be made to a maintained school if Ofsted has judged the school to require significant improvement or a RISE team have judged the school to be significantly underperforming.

BARONESS BARRAN

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

After Clause 50

BARONESS BENNETT OF MANOR CASTLE

447 After Clause 50, insert the following new Clause –

“Review: conversion to maintained schools

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a report setting out proposals for converting –
 - (a) academy chains,
 - (b) individual academies, and
 - (c) free schools,to maintained schools under local authority control.
- (2) The review must consider –
 - (a) legislative changes required to enable the conversion process,
 - (b) how a conversion process for a school would be triggered,
 - (c) the potential role of different levels of local government in school oversight,
 - (d) how conversion would impact the ownership of school land and buildings, and
 - (e) the resources made available to local authorities when schools are converted.
- (3) 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.”

LORD KNIGHT OF WEYMOUTH

447ZA [Withdrawn]

BARONESS BENNETT OF MANOR CASTLE

447ZB After Clause 50, insert the following new Clause—

“Academy order for an academy school to be converted into a school maintained by the local authority

The Academies Act 2010 is amended as follows—

(a) in section 4, after subsection (10) insert—

“(10A) The Secretary of State may make an Academy reversal order to convert an academy school into a school maintained by the local authority if the Secretary of State receives representations from an academy school governing body, staff, parents or the local authority in support of converting the academy school into a maintained school.”;

(b) in section 5, after subsection (1) insert—

“(1A) Before an academy is converted into a maintained school, the Secretary of State must consult such persons as they think appropriate about whether the conversion should take place.””

Member's explanatory statement

This new clause allows the Secretary of State to make an Academy reversal order in the event that the Secretary of State receives representations from an academy school governing body, staff, parents or the local authority supporting an academy school returning to be maintained by the local authority.

Schedule 3

BARONESS BOUSTED
LORD KNIGHT OF WEYMOUTH

447A Schedule 3, page 128, line 24, at end insert—

“1A In section 120(1)(a), after “teachers”, insert—

“(aa) academy schools Chief Executive Officers’ pay,””

After Clause 52

BARONESS BARRAN

448 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.

LORD STOREY
BARONESS BARRAN
LORD HAMPTON

448A After Clause 52, insert the following new Clause—

"Teacher's pay and conditions: right to be accompanied

- (1) Section 123 of the Education Act 2002 (Order under section 122: scope) is amended as follows.
- (2) In subsection (1), after paragraph (j) insert—
 - "(k) make provision for a teacher's right to be accompanied at a disciplinary or grievance hearing by a person who has been certified in writing by a professional body as having relevant experience, or as having received relevant training."
- (3) After subsection (4) insert—
 - "(5) In this section—
 - "professional body" means any organisation, which is authorised by a regulation made by the Secretary of State under subsection (6);
 - "relevant experience" means experience of acting as a worker's companion at disciplinary or grievance hearings;
 - "relevant training" means training to act as a worker's companion at disciplinary or grievance hearings.
- (6) The Secretary of State may make a regulation or regulations authorising any organisation as a professional body for the purposes of this section."

Clause 53

LORD LUCAS

449 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.

BARONESS LONGFIELD
LORD STOREY

450 Clause 53, page 115, line 26, at end 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.”

After Clause 53

LORD STOREY

451 After Clause 53, insert the following new Clause—

“Placement of permanently excluded children of compulsory school age with unregistered providers

In the Education Act 1996, in section 19 (exceptional provision of education in pupil referral units or elsewhere), after subsection (4A) insert—

- “(4B) Local authorities may not discharge their duty of providing suitable education under subsection (1) for children of compulsory school age, by reason of permanent exclusion, through full-time placement in an unregistered school or the equivalent of a full-time placement in multiple

unregistered schools, unless the provider is, or the providers are, working towards registration.””

Member's explanatory statement

This amendment aims to prevent the long-term placement of permanently excluded pupils with unregistered providers, which lack regular inspection and formal oversight. It includes an exception for providers actively working towards registration, acknowledging both the shortage of registered alternative provision in some local authority areas and the valuable support offered by many unregistered settings.

Clause 54

LORD AGNEW OF OULTON

452 Leave out Clause 54, and insert the following new Clause —

“Local authority and academy admission intervention threshold

For section 96 of School Standards and Framework Act 1998 (Direction to admit child to specified school) substitute —

“96 Local authority and academy admission intervention threshold

- (1) A local authority may only directly intervene to admit pupils to a school where —
 - (a) the admission authority has demonstrably failed to meet admissions obligations, or
 - (b) there is clear evidence of disadvantage or unfair treatment of the pupil involved.
- (2) Any local authority direction for admission under subsection (1) must —
 - (a) be justified with clear evidence, or
 - (b) be preceded by formal consultation with the relevant admission authority.
- (3) An admission authority which is an academy trust may independently determine admission criteria for schools under its control, provided such criteria —
 - (a) comply with basic fairness and minimum national standards, and
 - (b) are published and transparent.
- (4) Before making significant changes to admission criteria under subsection (3), the admissions authority must consult —
 - (a) local authorities,
 - (b) parents of pupils attending schools within the Trust, and
 - (c) other relevant stakeholders as determined appropriate by the Trust.””

Member's explanatory statement

This amendment limits local authority powers to intervene in admissions to situations where the admission authority has failed to meet its admissions obligations or has treated pupils unfairly. It also outlines the procedure for academy admissions.

After Clause 54

BARONESS BARRAN

452ZA After Clause 54, insert the following new Clause –

“Power to direct admission not to have regard to maintained or Academy status

In section 96 of the School Standards and Framework Act 1998 (direction to admit child to specified school), after subsection (2) insert –

“(2A) A direction under this section may not take into account whether a school is a maintained school or an Academy.””

Member's explanatory statement

This amendment seeks to ensure that the decisions regarding pupil admissions numbers do not take into account whether the school is an Academy or a local authority maintained school.

Clause 55

BARONESS GARDEN OF FROGNAL

452A Clause 55, page 117, line 20, at end insert –

“(c) a child is otherwise vulnerable, including children with refugee or humanitarian protection, or on resettlement schemes, but who do not qualify as an Unaccompanied Asylum-Seeking Child.”

Member's explanatory statement

This amendment and another in the name of Baroness Garden of Frognal broaden the scope of the LA's new power to include all refugee and asylum-seeking children, not just unaccompanied asylum-seeking children.

BARONESS GARDEN OF FROGNAL

452B Clause 55, page 118, line 2, at end insert "and this may include a child in the asylum process or who has refugee status"

Member's explanatory statement

This amendment and another in the name Baroness Garden of Frognal broaden the scope of the LA's new power to include all refugee and asylum-seeking children, not just unaccompanied asylum-seeking children.

LORD AGNEW OF OULTON

Lord Agnew of Oulton gives notice of his intention to oppose the Question that Clause 55 stand part of the Bill.

After Clause 55

LORD STOREY
BARONESS LONGFIELD

453 After Clause 55, insert the following new Clause —

“Governance of managed moves by the local authority

After section 96 of the School Standards and Framework Act 1998, insert —

“96A Governance of managed moves by the local authority

- (1) Managed moves of a registered pupil from one maintained school or Academy to another must be arranged through the local authority’s fair access panel, as governed by the area’s Fair Access Protocol.
- (2) The duty imposed by subsection (1) does not apply 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 the change of residence is documented and verified.
- (3) The local authority must keep and maintain a record of all managed moves occurring to, from, or within its area and this record 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.
- (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 transfer to the receiving local authority upon the pupil’s registration at the new school.
- (5) Each local authority must submit an annual report to the Secretary of State containing a summary of managed moves conducted under this section.
- (6) The Secretary of State may issue guidance to local authorities and schools on the implementation of this section, to which they must have regard.
- (7) 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 2002,

- (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) a 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.””

Member's explanatory statement

This amendment requires all schools to route all managed moves through the local area's existing Fair Access Protocol (FAP) and local authorities to report on their use to the Department for Education. This would subject managed moves to a collaborative peer review and ensure appropriate local authority and the Department of Education knowledge and oversight.

Clause 56

BARONESS BARRAN

453A Clause 56, page 118, line 29, at end insert—

- “(4A) Where making a decision the adjudicator must take into account—
- (a) the performance of the school, and
 - (b) whether the school is oversubscribed.”

Member's explanatory statement

This amendment seeks to ensure that the adjudicator must consider the performance and the subscription of the school.

BARONESS BARRAN

453B Clause 56, page 118, leave out lines 33 to line 38

Member's explanatory statement

This amendment seeks to remove the regulation-making power which would specify the matters the adjudicator must consider if changing the pupil admissions number.

LORD AGNEW OF OULTON

454 Clause 56, page 119, line 7, at end insert—

“88IB Admission authority appeals

- (1) An admission authority may appeal decisions made by the schools' adjudicator regarding admissions numbers or arrangements.
- (2) Appeals under subsection (1) must be made to an independent panel appointed by the Secretary of State, whose decision is to be final.”

Member's explanatory statement

This amendment seeks to provide admission authorities with an explicit right to appeal adjudicator decisions in relation to admission numbers.

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

455 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

456 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.

BARONESS BURT OF SOLIHULL

457 After Clause 56, insert the following new Clause –

“Reporting of faith-based selection in school admissions

- (1) The Secretary of State must, within 12 months of the day on which this Act is passed, collect and publish data on the individual admission arrangements used by all schools.
- (2) The Secretary of State must, on an annual basis –
 - (a) require schools, via the school census, to report their current admission policy, specifying the proportion of places that may be allocated based on faith-related criteria such as proof of religious affiliation;
 - (b) include information on school admissions and faith-based selection in all relevant education data publications, including national education statistics, Department for Education published data files, and the ‘Get Information About Schools’ service.”

Member's explanatory statement

This new Clause would introduce a requirement for regular and transparent reporting of individual school admission arrangements. It seeks to clarify the extent to which schools with a religious character use faith-based criteria – such as proof of faith – for selecting pupils.

BARONESS BARRAN

457A After Clause 56, insert the following new Clause –

“Limits on objections to changes to PAN

In section 88H of the School Standards and Framework Act 1998 (reference of objections to adjudicator), after subsection (2) insert –

- “(2A) No objection may be referred to the adjudicator which –
- (a) objects to an increase in a school’s published admissions number, or
 - (b) objects to a school’s published admissions number remaining at the same level.””

Member's explanatory statement

This amendment seeks to limit objections pupil admissions numbers if they increase or remain stable.

BARONESS BARRAN

457B After Clause 56, insert the following new Clause—

“High performing schools to be allowed to expand PAN

In section 88D of the School Standards and Framework Act 1998 (determination of admission numbers), after subsection (1) insert—

“(1A) Where a school—

- (a) being a primary school, has over 60% of its pupils meeting the expected standard in reading, writing and maths combined in the Key Stage 2 national curriculum assessments,
- (b) being a secondary school, is performing above +0.5 on Progress 8, wishes to increase its published admissions number, the admission authority must reflect that wish in its determination.””

Member's explanatory statement

This amendment seeks to allow high performing schools to be able to increase their pupil admission numbers.

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
BARONESS KIDRON

458 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.

LORD KNIGHT OF WEYMOUTH
BARONESS KIDRON

As an amendment to Amendment 458

458A After subsection (2)(d) insert –

“(e) may provide for exemptions for educational purposes.”

Member's explanatory statement

The amendment seeks to ensure that schools may return smartphones to students during the school day for educational purposes such as media literacy lessons.

BARONESS BARRAN
LORD HAMPTON
LORD BAILEY OF PADDINGTON

459 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

460 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
LORD WATSON OF INVERGOWRIE

461 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
LORD STOREY
BARONESS FINLAY OF LLANDAFF

462 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

463

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
LORD BOURNE OF ABERYSTWYTH
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

464 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 incidents of racism and faith-based bullying, and any subsequent action taken.”

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
LORD STOREY

465 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
BARONESS MORRIS OF YARDLEY
BARONESS FINLAY OF LLANDAFF
BARONESS CASS

466 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
BARONESS MORRIS OF YARDLEY
BARONESS CASS
BARONESS LUDFORD

467 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

468 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
 BARONESS WALMSLEY

469

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
BARONESS WALMSLEY

470 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

471 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

472 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

473 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

474 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

475 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

476 [Withdrawn]

LORD WEI

477 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

478 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
BARONESS LONGFIELD
BARONESS FINLAY OF LLANDAFF

479 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

480 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.

LORD AGNEW OF OULTON

481 After Clause 62, insert the following new Clause —

“Financial governance of local authority schools

- (1) Local authority maintained schools must —
 - (a) ensure that their accounts are externally audited between the end of the academic year and 31st December annually, and
 - (b) publish these accounts on their school website by no later than 31st January of the following year.
- (2) The relevant local authority must monitor the resolution by the school of any material issues raised in these audit reports.”

Member's explanatory statement

This amendment seeks to ensure that the same standard of financial governance exists between academy schools and local authority schools.

THE LORD BISHOP OF GLOUCESTER

482 After Clause 62, insert the following new Clause —

“Educational attainment of children with a parent in prison

- (1) Within six months of the day on which this Act is passed, the Secretary of State must commission a report on the educational attainment of school age children with a parent who is in prison.

- (2) The report must make recommendations for how the educational attainment of those children can be improved.
- (3) The Secretary of State must publish the report and lay it before Parliament.”

LORD LAYARD
BARONESS TYLER OF ENFIELD
LORD MACPHERSON OF EARL'S COURT
LORD CLARKE OF NOTTINGHAM

483 After Clause 62, insert the following new Clause —

“Apprenticeship provision

The Secretary of State must promote sufficient provision of apprenticeship places up to level 3 to ensure that every qualified applicant aged 16 to 18 receives an offer of a place.”

LORD LUCAS
As an amendment to Amendment 483

483A Leave out “3” and insert “7”

Member's explanatory statement

This amendment seeks to broaden the discussion to include higher levels of apprenticeship.

BARONESS BENNETT OF MANOR CASTLE

484 After Clause 62, insert the following new Clause —

“School: hair requirements

Pupils must not be denied opportunities to take part in classes, or any other school activities, by reason of their hair style or cut, unless for reasons of health and safety.”

Member's explanatory statement

This clause aims to ensure children are not denied education or other school-related opportunities for reasons of hair cut or style.

LORD JACKSON OF PETERBOROUGH

485 After Clause 62, insert the following new Clause—

“Parental complaints (maintained schools)

(1) After section 29 of the Education Act 2002 insert—

“29ZA Parental complaints: appeals

- (1) A complainant may appeal to the First-tier Tribunal (Health, Education and Social Care Chamber) where—
 - (a) the complaint was against a maintained school in England under section 29(1),
 - (b) the complainant was a parent of a registered pupil at the school at the time they first pursued the complaint,
 - (c) the complaint specified one or more legal duties listed in Schedule 1A of which the school was alleged to be in breach,
 - (d) the complaints process under section 29(1) was completed,
 - (e) the complaint was not fully upheld in respect of one or more of the matters specified as described in paragraph (c), and
 - (f) the complainant does not have and has not had any other prescribed right of appeal apart from that provided under section 29(1) and this section.
- (2) The Secretary of State must make regulations about appeals to the First-tier Tribunal in respect of subsection (1), including—
 - (a) making and determining appeals;
 - (b) the powers of the tribunal on determining an appeal.
- (3) Regulations under subsection (2) may include provision conferring power on the First-tier Tribunal, on determining an appeal against a matter, to make recommendations in respect of other matters (including matters against which no appeal may be brought).
- (4) A person commits an offence if without reasonable excuse that person fails to comply with any requirement—
 - (a) in respect of the discovery or inspection of documents, or
 - (b) to attend to give evidence and produce documents,
 where that requirement is imposed by Tribunal Procedure Rules in relation to an appeal under this section or regulations under subsection (2).
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

(2) After Schedule 1 to the Education Act 2002 insert—

“SCHEDULE 1A

LEGAL DUTIES FOR THE PURPOSES OF SECTION 29ZA

- 1 (1) The legal duties to which section 29ZA applies are as follows.

- (2) The Education Act 1996 –
 - (a) section 9 (Education in accordance with parental wishes),
 - (b) section 402 (Obligation to enter pupils for public examinations),
 - (c) sections 403 to 405 (Sex education),
 - (d) sections 406 to 407 (Politics) and
 - (e) section 542(1) (Prescribed standards for school premises);
- (3) The Education Act 2002 –
 - (a) sections 78 to 80B (General duties in respect of the curriculum), and
 - (b) section 175(2) and (3) (Duties ... in relation to welfare of children);
- (4) The School Standards and Framework Act 1998 –
 - (a) section 1(6) (Duty in relation to infant class size),
 - (b) sections 69 to 71 (Religious education and worship), and
 - (c) section 114A (Requirements for food and drink provided on school premises etc);
- (5) Childcare Act 2006, section 40 (Duty to implement Early Years Foundation Stage);
- (6) Children Act 1989, sections 87 and 87C (Welfare of children in boarding schools and colleges and national minimum standards) and
- (7) The Education and Inspections Act 2006, sections 88 to 94 (School Discipline).”

LORD RUSSELL OF LIVERPOOL
LORD YOUNG OF COOKHAM
BARONESS THORNTON

486 After Clause 62, insert the following new Clause –

“Draft legislative proposal: early years strategy

- (1) The Secretary of State must lay before Parliament a draft Bill containing legislative proposals for a comprehensive early years strategy.
- (2) The draft Bill required by subsection (1) must include –
 - (a) provisions to support the rollout of the Start for Life and Family Hubs programme nationally,
 - (b) adequate funding for government departments to improve data collection on the wellbeing of children in social care,
 - (c) a workforce plan for the children’s social care workforce, to complement the NHS Workforce Plan and support multi-disciplinary working in teams for the most vulnerable children, and
 - (d) guidelines for the recording of children’s early health and development as key data points contributing to consistent identifiers required by section 16LB of the Children Act 2004.

- (3) The Secretary of State must lay the draft Bill under subsection (1) before Parliament within six months of the day on which this Act is passed.”

LORD JACKSON OF PETERBOROUGH

487 After Clause 62, insert the following new Clause –

“Parental complaints (independent educational institutions, including academies)

After section 137 of the Education and Skills Act 2008 (Service of notice etc) insert –

“137A Parental Complaints: appeals

- (1) A complainant may appeal to the First-tier Tribunal (Health, Education and Social Care Chamber) where –
 - (a) the complaint was against an independent educational institution in England under Part 7 of the Schedule of The Education (Independent School Standards) Regulations 2014,
 - (b) the complainant was a parent of a registered pupil at the institution at the time they first pursued the complaint, and
 - (c) the complaint specified one or more –
 - (i) Independent School Standard Regulations that apply to the institution, or
 - (ii) terms of any funding agreements between the proprietor of the institution and the Secretary of State, or
 - (iii) obligations under the memorandum and articles of the proprietor company, or
 - (iv) the proprietor’s charitable objects, or
 - (v) legal requirements that apply to the institution under the Academies Act 2010,
 in relation to the institution’s provision for pupils with which the proprietor is alleged to be in breach, and
 - (d) the complaints process under (a) has been completed,
 - (e) the complaint was not fully upheld in respect of one or more of the matters specified as described in (c), and
 - (f) the complainant does not have and has not had any other prescribed right of appeal beyond that provided in Part 7 of the Schedule of The Education (Independent School Standards) Regulations 2014 and this section.
- (2) The Secretary of State must make regulations about appeals to the First-tier Tribunal in respect of subsection (1), including –
 - (a) making and determining appeals,
 - (b) the powers of the tribunal on determining an appeal.
- (3) Regulations under subsection (2) may include provision conferring power on the First-tier Tribunal, on determining an appeal against a matter, to make recommendations in respect of other matters (including matters against which no appeal may be brought).

- (4) A person commits an offence if without reasonable excuse that person fails to comply with any requirement—
 - (a) in respect of the discovery or inspection of documents, or
 - (b) to attend to give evidence and produce documents,
 where that requirement is imposed by Tribunal Procedure Rules in relation to an appeal under this section or regulations under subsection (2).
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.””

Member's explanatory statement

This clause would afford to parents the ability to appeal complaints about an independent educational institution failing to comply with its legal duties in educational provision to the first-tier tribunal in circumstances where the institution's internal complaints process has been completed and has not upheld their complaint. Independent Educational Institutions include academies.

LORD JACKSON OF PETERBOROUGH

488

After Clause 62, insert the following new Clause—

“Parental complaints (non-maintained special schools)

After section 342C of the Education Act 1996 insert—

“342D Parental complaints: appeals

- (1) A complainant may appeal to the First-tier Tribunal (Health, Education and Social Care Chamber) where—
 - (a) they have pursued a complaint against a non-maintained special school in England under paragraph 31 of the Schedule of the Non-Maintained Special Schools (England) Regulations 2015 (S.I. 2015/728),
 - (b) the complainant was the parent of a registered pupil at the school at the time of first pursuing the complaint,
 - (c) the complaint specified one or more—
 - (i) non-maintained Special School Regulations
 - (ii) obligations under the memorandum and articles of any proprietor company, or
 - (iii) obligations imposed under any trust deed of the school in relation to the institution's provision for pupils with which the proprietor is alleged to be in breach,
 - (d) the complaints process under (a) has been completed,
 - (e) the complaint was not fully upheld in respect of one or more of the matters specified as described in (c), and
 - (f) the complainant does not have and has not had any other prescribed right of appeal beyond that provided in paragraph 31 of the Schedule of the Non-Maintained Special Schools (England) Regulations 2015 and this section.

- (2) The Secretary of State must make regulations about appeals to the First-tier Tribunal in respect of subsection (1), including –
 - (a) making and determining appeals;
 - (b) the powers of the tribunal on determining an appeal.
- (3) Regulations under subsection (2) may include provision conferring power on the First-tier Tribunal, on determining an appeal against a matter, to make recommendations in respect of other matters (including matters against which no appeal may be brought).
- (4) A person commits an offence if without reasonable excuse that person fails to comply with any requirement –
 - (a) in respect of the discovery or inspection of documents, or
 - (b) to attend to give evidence and produce documents,
 where that requirement is imposed by Tribunal Procedure Rules in relation to an appeal under this section or regulations under subsection (2).
- (5) A person guilty of an offence under subsection (4) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

Member's explanatory statement

This clause would afford to parents the ability to appeal complaints about a non-maintained special school failing to comply with its legal duties in educational provision to the first-tier tribunal in circumstances where the school's internal complaints process has been completed and has not upheld their complaint.

LORD JACKSON OF PETERBOROUGH

489

After Clause 62, insert the following new Clause –

“Amendment of the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010

The Secretary of State may by regulations make such amendments to the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010, the Tribunal Procedure (First-tier Tribunal) (Health, Education and Social Care Chamber) Rules 2008, and any other relevant subordinate legislation as are necessary or expedient in consequence of, or in connection with, sections (Parental Complaints (Maintained Schools)), (Parental Complaints (Independent educational institutions, including academies)), and (Parental Complaints (Non-maintained Special Schools)) of this Act.”

Member's explanatory statement

This clause allows the Secretary of State to make amendments to secondary legislation for tribunals as a consequence of the amendments proposed on parental complaints.

LORD HOLMES OF RICHMOND
BARONESS GREY-THOMPSON

490 After Clause 62, insert the following new Clause –

“Royal Commission on the education attainment gap

- (1) On the day on which this Act is passed, the Secretary of State must make arrangements to establish a Royal Commission to investigate the education attainment gap for children with special educational needs and disabilities (SEND).
- (2) The Commission must investigate and make recommendations relating to –
 - (a) the education attainment gap for individual special educational needs and disabilities;
 - (b) the education attainment gap at each level of examination, including Key Stage 2, GCSE, A-Level and other relevant qualifications;
 - (c) the level of understanding of the social model of disability in teacher training and schools.
- (3) The Commission must publish recommendations and recommend a deadline by which the SEND education attainment gap must be closed.”

LORD HOLMES OF RICHMOND
BARONESS GREY-THOMPSON
LORD WATSON OF INVERGOWRIE

491 After Clause 62, insert the following new Clause –

“School mentorship scheme for children with SEND

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish a school mentorship scheme for children with special educational needs and disabilities (SEND).
- (2) The mentorship scheme must –
 - (a) involve members of local communities, business and wider society who are disabled people or have other relevant lived experience to offer to support children with SEND,
 - (b) offer appropriate, relevant and contextualised advice from mentors, and
 - (c) include the delivery of mentors’ advice gained from lived experience, work experience opportunities and other experience as appropriate.”

LORD HOLMES OF RICHMOND
BARONESS GREY-THOMPSON
LORD MOYNIHAN
BARONESS SATER

492 After Clause 62, insert the following new Clause —

“Curriculum review: recommended physical activity

Within six months of the day on which this Act is passed, the Secretary of State must undertake a curriculum review on how the levels of physical activity recommended by the Chief Medical Officer can form part of physical education provision within schools.”

LORD HOLMES OF RICHMOND
BARONESS KIDRON

493 After Clause 62, insert the following new Clause —

“Education technology: guiding principles

- (1) The Secretary of State must by regulations made by statutory instrument make provision for the regulation of education technology deployed in schools in England.
- (2) The regulations made under subsection (1) must ensure that education technology used in schools in England —
 - (a) is inclusive by design,
 - (b) is accessible to all,
 - (c) is transparent with regard to its training data and, where applicable, its algorithmic make-up,
 - (d) is labelled clearly if it uses artificial intelligence,
 - (e) does not sell or provide data to third parties, and
 - (f) does not store personal data at a location other than that of the school in which it is being used.
- (3) A statutory instrument that contains regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.”

LORD HOLMES OF RICHMOND
BARONESS KIDRON

494 After Clause 62, insert the following new Clause —

“Procurement standard for education technology

Within six months of the day on which this Act is passed, the Secretary of State must publish guidance for schools on procurement standards for education technology.”

LORD HOLMES OF RICHMOND
BARONESS GREY-THOMPSON
LORD MOYNIHAN
BARONESS SATER

495 After Clause 62, insert the following new Clause –

“Teacher training review

- (1) Within six months of the day on which this Act is passed, the Secretary of State must establish a review of teacher training in England.
- (2) The review must assess the extent to which teacher training includes physical and mental literacy and the challenges of new technologies.
- (3) The review must –
 - (a) report within 12 months of the day on which it is established, and
 - (b) recommend a new teacher training offer which includes –
 - (i) artificial intelligence,
 - (ii) sport and physical literacy,
 - (iii) data literacy,
 - (iv) media literacy, and
 - (v) financial literacy.”

LORD HOLMES OF RICHMOND

496 After Clause 62, insert the following new Clause –

“Character education

Within six months of the day on which this Act is passed, the Secretary of State must establish a review of the research, evidence and practice in relation to character education in schools in England.”

LORD HOLMES OF RICHMOND

497 After Clause 62, insert the following new Clause –

“Curriculum review: AI

- (1) Within six months of the day on which this Act is passed, the Secretary of State must undertake a curriculum review to explore how children can receive teaching, learning and a curriculum which recognises any opportunities and challenges of technologies including, but not limited to, artificial intelligence.
- (2) The curriculum review must investigate how children can be equipped with the learning and skills to flourish through their use of technology in all subjects in the National Curriculum.”

LORD HOLMES OF RICHMOND
BARONESS GREY-THOMPSON
LORD WATSON OF INVERGOWRIE

498 After Clause 62, insert the following new Clause —

“SEND provision review

- (1) Within six months of the day on which this Act is passed, the Secretary of State must undertake a review of provision for children with special educational needs and disabilities (SEND provision) in schools in England.
- (2) The review must report within 12 months of the day on which it is established.
- (3) The review must produce recommendations, including on how the Secretary of State should fund SEND provision required by law.”

LORD HOLMES OF RICHMOND
LORD WEI

499 After Clause 62, insert the following new Clause —

“Attendance code of practice

- (1) The Secretary of State must issue an attendance code of practice giving guidance to the following bodies on their functions in relation to school attendance —
 - (a) local authorities in England,
 - (b) admission authorities in England,
 - (c) the governing bodies of schools,
 - (d) the proprietors of Academies, and
 - (e) the management committees of pupil referral units.
- (2) The Secretary of State may revise the code from time to time.
- (3) The bodies listed in subsection (1) must have regard to the code in exercising their functions in relation to school attendance.
- (4) Those who exercise functions on behalf of the bodies in subsection (1) in relation to school attendance must also have regard to the code.”

LORD HOLMES OF RICHMOND
BARONESS GREY-THOMPSON
LORD MOYNIHAN

500 After Clause 62, insert the following new Clause —

“Review: physical and mental wellbeing standards

- (1) Within six months of the day on which this Act is passed, the Secretary of State must publish standards for schools in England on the physical and mental wellbeing —

- (a) teaching,
 - (b) training, and
 - (c) care and support,
- which they provide to children.

- (2) The standards must include delivery targets to which schools must adhere.”

LORD STOREY

501 After Clause 62, insert the following new Clause –

“National survey on bullying

- (1) The Secretary of State must arrange for the collection and publication of national data on bullying experienced by children and young people in schools in England on an annual basis.
- (2) The survey must include –
 - (a) the groups of children most at risk of experiencing bullying;
 - (b) the nature and type of bullying experienced, including, but not limited, to sexual, sexist, racial, and online bullying;
 - (c) the interventions and responses perceived as most effective in reducing bullying;
 - (d) how schools in England are responding to bullying, including in both in-person and online contexts.
- (3) The report must be published annually and the Secretary of State must lay the report before Parliament which outlines the findings and a proposed policy response.”

BARONESS COFFEY
BARONESS FOX OF BUCKLEY

502 [Withdrawn]

LORD STOREY

502A After Clause 62, insert the following new Clause –

“Review: number of teachers unable to stand in local elections

With six months of the day on which this Act is passed, the Secretary of State must publish a review of the anticipated impact of this Act on the number of teachers in maintained schools who will, because of their employment, be unable to stand for election to local education authorities.”

BARONESS BENNETT OF MANOR CASTLE
LORD FARMER
BARONESS WILLIS OF SUMMERTOWN

502B After Clause 62, insert the following new Clause —

“Right to access to nature

- (1) The Secretary of State shall have a duty to promote school pupils' access to nature, with the aim of ensuring that each pupil spends an average of one hour per week as a minimum during term time in a natural setting during class time.
- (2) The Secretary of State must, within 12 months of the day on which this Act is passed, and every 12 months thereafter, lay before Parliament a report on progress on achieving this goal.
- (3) For the purposes of this section, “natural environment” has the same meaning as in section 44 of the Environment Act 2021.”

Member's explanatory statement

This amendment aims to improve pupils' exposure to and knowledge of natural environments.

LORD NORTON OF LOUTH

502C After Clause 62, insert the following new Clause —

“Review of the Act

- (1) The Secretary of State must —
 - (a) carry out a review of the operation and effect of this Act,
 - (b) set out the conclusions of the review in a report,
 - (c) publish the report, and
 - (d) lay a copy of the report before Parliament.
- (2) The report must be published before the end of the period of five years beginning with the day on which this Act is passed.
- (3) The report must, in particular —
 - (a) assess the extent to which the objectives intended to be achieved by this Act have been achieved, and
 - (b) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved more effectively in any other way.
- (4) In carrying out the review, the Secretary of State must publish an invitation for interested parties to make submissions on the operation of the Act.”

BARONESS SATER
LORD FARMER

502D After Clause 62, insert the following new Clause –

“Financial education in primary schools

- (1) All primary schools must teach financial education from Year 1.
- (2) For the purposes of this section, “financial education” is the teaching of knowledge, skills and behaviours that allow an individual to understand and manage money.”

LORD CARLILE OF BERRIEW

502E After Clause 62, insert the following new Clause –

“Anti-Bullying Lead

- (1) In pursuance of their duty under section 89 (1)(b) of the Education and Inspections Act 2006, the head teacher of a relevant school in England must appoint a member of staff who is the school’s Anti-Bullying Lead.
- (2) The role of the Anti-Bullying Lead will include developing the school’s written anti-bullying strategy.
- (3) The anti-bullying strategy must include details of –
 - (a) the steps taken by the school to prevent all forms of bullying among pupils, including those with protected characteristics.
 - (b) how the school records incidences of bullying.
 - (c) the training that the school makes available for staff related to bullying.”

Member's explanatory statement

This amendment seeks to protect children from bullying by requiring head teachers to appoint an Anti-Bullying Lead to develop an Anti-Bullying Strategy in applicable schools.

LORD BANNER
BARONESS HALE OF RICHMOND
LORD MESTON

502F After Clause 62, insert the following new Clause –

“Duty on public authorities

- (1) A public authority must, in the exercise of a relevant function, have due regard to the desirability of exercising that function in a way that is consistent with the UNCRC requirements.
- (2) The Secretary of State may by regulations make provision about how a public authority is to comply with the duty under subsection (1) (including provision about things that the authority may, must or must not do to comply with the duty).

- (3) A court or tribunal is exempt from subsection (1).
- (4) The Secretary of State may, by regulations, exempt from the duty in subsection (1) –
 - (a) a public authority, or
 - (b) a relevant function.
- (5) The power under subsection (4) may only be exercised if the Secretary of State is satisfied that the duty under subsection (1) should not apply to a public authority or a relevant function because it will not result in any adverse impacts on the wellbeing and safety of children.
- (6) Regulations made under subsections (2) and (4) are to be made by statutory instrument and may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (7) A power to make regulations under this section includes the power to make –
 - (a) consequential, incidental, supplementary, transitional or saving provision;
 - (b) different provision for different purposes.
- (8) The Secretary of State must –
 - (a) on or before 31 January 2026, and
 - (b) at or before the end of each successive period of five years,publish a report on how the Government has complied with the duty under this section.
- (9) The Government must lay before Parliament a copy of each report published under subsection (8).
- (10) For the purposes of this section –
 - “public authority” has, subject to the specific provision made above about courts and tribunals, the same meaning as in section 6 of the Human Rights Act 1998;
 - “relevant function” means a function exercised under this Act.
- (11) In this section –
 - “the Convention” means the United Nations Convention on the Rights of the Child adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989;
 - “the UNCRC requirements” means the rights and obligations from the Convention, and the articles of the first optional protocol and the second optional protocol as referred to above.
- (12) The UNCRC requirements have effect for the purposes of this Act subject to any reservations, objections or interpretative declarations by the United Kingdom as may be in force from time to time.”

LORD CARTER OF HASLEMERE

502G After Clause 62, insert the following new Clause—

“Application of Part 2

Nothing in Part 2 of this Act shall apply if it would have the effect of impeding the right of parents to ensure access to such education and teaching for their children as is in conformity with their own religious and philosophical convictions.”

Member's explanatory statement

This amendment disapplies any provision of Part 2 if its effect would be to impede the right of parents to educate their children consistently with their own religious and philosophical beliefs.

LORD MOYNIHAN
LORD ADDINGTON
BARONESS SATER
BARONESS GREY-THOMPSON

502H After Clause 62, insert the following new Clause—

“National strategy for physical education and sport in schools

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must publish a national strategy for physical education and sport in schools.
- (2) The strategy must include recommendations related to—
 - (a) the delivery of a minimum of 60 minutes of school sport and physical activity per day;
 - (b) physical and mental wellbeing;
 - (c) incentivising pupils to continue sport and physical activity throughout their school careers;
 - (d) full and integrated sports provision for disabled students;
 - (e) integrating physical education and sport into the teaching of other school subjects;
 - (f) integrating outdoor recreation, non-traditional sport, physical activity and natural facilities into sports provision in schools;
 - (g) meeting swimming attainment standards through school sport provision;
 - (h) the levels of investment in and effectiveness of primary physical education and sport premium funding;
 - (i) the role of volunteering in the teaching of sport and physical education in schools, including qualifications, standards, and engagement of external coaches and parents with qualifications recognised by the governing bodies of sport in Great Britain;
 - (j) a duty of care for all schoolchildren participating in sport;
 - (k) the development of a list of key performance indicators to measure outcomes of the national strategy.

- (3) The national strategy must be reviewed, updated and laid before both Houses of Parliament annually.”

LORD MOYNIHAN
LORD ADDINGTON
BARONESS SATER
BARONESS GREY-THOMPSON

502J After Clause 62, insert the following new Clause –

“Curriculum review: physical education programmes of study

Within six months of the day on which this Act is passed, the Secretary of State must undertake a curriculum review which investigates how sport provision in schools can help ensure that pupils –

- (a) develop competence in a broad range of competitive and physically demanding activities;
- (b) are physically active for a sustained period of time equal to or in excess of the minimum time recommended by the Chief Medical Officer;
- (c) can engage in competitive sports and activities in a way which supports their health and fitness;
- (d) can lead healthy, active lives and help embed values such as fairness and respect.”

BARONESS KIDRON
BARONESS CASS

502K After Clause 62, insert the following new Clause –

“Code of practice on the efficacy of education technology in schools

- (1) The Secretary of State must prepare a statutory code of practice on the efficacy of educational technology (“EdTech”) for supporting learning in schools.
- (2) The code of practice must set standards for the use of EdTech in schools, including digital products, software or services used for teaching, learning, assessment, administration, or communication.
- (3) The standards under subsection (2) must –
 - (a) consider all types of schools;
 - (b) require transparency and efficacy of EdTech products and services in line with pedagogical standards currently used for measurement of attainment and the wellbeing of children in the provision of education.
- (4) In preparing a code or amendments under this section, the Secretary of State must –
 - (a) have regard to the fact that children may have different requirements at different ages and stages of development,
 - (b) have regard to the costs of EdTech products and services to school budgets,

- (c) have regard to the need to support innovation to enhance children's education and learning opportunities, including testing of novel products and supporting the certification and development of standards, and
 - (d) ensure that the benefits from EdTech products and services developed using children's data accrue to the United Kingdom.
- (5) In preparing a code or amendments under this section, the Secretary of State must consult with—
 - (a) educators,
 - (b) children,
 - (c) parents,
 - (d) persons who appear to the Secretary of State to represent the interests of teachers,
 - (e) persons who appear to the Secretary of State to represent the interests of children,
 - (f) persons who appear to the Secretary of State to represent the interests of schools,
 - (g) child development experts,
 - (h) curriculum and subject experts,
 - (i) trade associations,
 - (j) the AI Security Institute, and
 - (k) the relevant education department for each nation of the United Kingdom.
- (6) The Secretary of State must prepare a report, in consultation with persons listed in subsection (5), on the steps required to develop a certification scheme for EdTech products and services to enable the industry to demonstrate the efficacy of its products in line with the standards under subsection (2).
- (7) The certification scheme under subsection (6) must be a minimum requirement for the procurement of EdTech products and services in schools (of any status) in England.
- (8) Where requested, evidence of compliance with the code under subsection (1) or a certification standard prepared under subsection (6) must be provided by relevant providers of EdTech products and services in a manner that satisfies the obligations of education providers under the Code.”

Member's explanatory statement

This is a probing amendment that considers the rapid introduction of Ed Tech in school and seeks to understand what pedagogical standards Ed Tech in schools is or will be subject to after the passage of the Bill.

BARONESS KIDRON
BARONESS CASS

LORD YOUNG OF ACTON
LORD BRADY OF ALTRINCHAM

502M After Clause 62, insert the following new Clause –

“Duty to keep schools open for in person attendance

- (1) So far as reasonably possible, public authorities must ensure that, during the period of any civil emergency, schools are kept open for in person attendance by children and young people.
- (2) The Secretary of State must, by regulations, make provision about how public authorities should discharge the duty under subsection (1), including provision specifying –
 - (a) steps that a public authority may or must take to comply with the duty, and
 - (b) actions that a public authority is prohibited from taking.
- (3) Regulations made under subsection (2) must be made by statutory instrument.
- (4) A statutory instrument containing regulations under subsection (2) may not be made unless a draft has been laid before, and approved by a resolution of, each House of Parliament.
- (5) A power to make regulations under this section includes the power to make –
 - (a) consequential, incidental, supplementary, transitional or saving provision;
 - (b) different provision for different purposes.
- (6) A public authority must not, in response to a civil emergency, take or facilitate any action (including making regulations, issuing directions, issuing orders, giving guidance, or making recommendations) that –
 - (a) results in, or encourages, the closure of schools, or
 - (b) otherwise prevents or restricts lawful attendance at such institutions or premises by children and young people,
 unless the requirements of subsection (7) are met.
- (7) Before taking any action of the kind described in subsection (6), the public authority must first, unless the urgency of the civil emergency precludes this –
 - (a) request the advice of the Children’s Commissioner on the likely impact of such action on the children and young people who will be affected by the action,
 - (b) provide the Children’s Commissioner with full and complete information about the nature of and reasons for the proposed action, and
 - (c) have due regard to the Children’s Commissioner’s advice in determining whether to proceed with the action.
- (8) If any action of the kind described in subsection (6) is taken prior to seeking the advice of the Children’s Commissioner due to urgency –
 - (a) as soon as reasonably practicable and in any event within 7 days of taking the action, the public authority must provide the Children’s Commissioner

- with full and complete information about the nature of and reasons for that action;
- (b) the Children's Commissioner must then promptly, and in any event within 14 days of the action having been taken, provide the public authority with its advice in relation to the impact of that action on children and young people;
 - (c) the public authority, having due regard to the Commissioner's advice, shall determine whether the action continues to be justified or whether it should be revoked.
- (9) If action of the kind described in subsection (6) continues beyond 14 days, and in relation to each such period of 14 days thereafter, the Secretary of State must –
- (a) lay before Parliament a copy of the Children's Commissioner's advice, and
 - (b) seek approval from the House of Commons for the continuation of the action.
- (10) If the House of Commons does not approve continuation under subsection (9)(b) within 14 days of the advice of the Children's Commissioner being laid before Parliament under subsection 9(a), the relevant action automatically lapses, and any measures (including regulations, directions, orders, guidance, or recommendations made in support of or continuance of the relevant action) become legally void.
- (11) Where under any of the above provisions the advice of the Children's Commissioner is sought, the Children's Commissioner shall set out in writing his or her advice on the following matters –
- (a) the foreseeable impacts of any closures of schools on the affected children and young people,
 - (b) any reasonable actions that could be taken to mitigate those impacts,
 - (c) whether the anticipated benefits for those children of the closures identified by the public authority appear to him or her to outweigh the foreseeable impacts of closures for those children, and
 - (d) any other matters which appear to him or her to be relevant.
- (12) The Children's Commissioner is entitled to require the public authority or the Secretary of State to provide such further information, assistance, and resources as he or she considers necessary in order to set out his or her advice on a particular action and the public authority or the Secretary of State, as the case may be, shall provide such information, assistance or resources as soon as reasonably practicable.
- (13) For the purposes of this section –
- “children” means persons under the age of 18;
 - “civil emergency” shall include any emergency situation which could constitute an emergency for the purposes of section 1 of the Civil Contingencies Act 2004 or which has otherwise been identified as a risk in the UK's National Security Risk Assessment. For the avoidance of doubt an emergency need not be the subject of measures taken under the Civil Contingencies Act 2004 to be a civil emergency for the purposes of this Act.

“closure” in relation to schools, means any action to discourage, restrict or prevent in person attendance at those institutions or premises by children and young people who would ordinarily be entitled to attend, or any sub-group or class of such children or young people;

“open for in person attendance” in relation to schools, means being open for the attendance by all of the children who would ordinarily, and but for the occurrence of a civil emergency, be entitled to attend those institutions or premises, during their normal hours of operation;

“open for in person attendance” does not include the provision of online learning or other remote learning services nor the keeping of such institutions or premises open for physical attendance only for a sub-group or class of those children or young people who would ordinarily be entitled to attend;

“public authority” has the same meaning as in section 6 of the Human Rights Act 1998” save that a court or tribunal is not included for these purposes.”

Member's explanatory statement

The purpose of the amendment is to enact a statutory duty to keep schools open for in person attendance in future public health and other civil emergencies, unless Parliament expressly approves, and continues every two weeks to approve, any closures.

BARONESS GREY-THOMPSON

502N After Clause 62, insert the following new Clause—

“Use of seclusion (including isolation rooms) in schools

- (1) For the purposes of this section, "seclusion" means the involuntary confinement and isolation of a child or young person, in a room or space from which they are not free to leave, whether or not a member of staff is physically present.
- (2) The Secretary of State may by regulations, following consultation with relevant stakeholders, make provision for the regulation and oversight of the use of seclusion in schools.
- (3) If regulations are made under this section, they must include provision ensuring that—
 - (a) seclusion is not used as a form of discipline or behaviour management;
 - (b) any use of seclusion is recorded, and reported to the child's parent or carer on the same day;
 - (c) any incident involving seclusion is reviewed by a person with lead responsibility for safeguarding within the setting;
 - (d) data on the use of seclusion is collected, monitored, and made available for external scrutiny.
- (4) For the purposes of subsection (3)(c), “a person with lead responsibility for safeguarding within the setting” means the individual who holds primary designated responsibility for child protection or safeguarding matters in that educational setting.

- (5) Before making regulations under this section, the Secretary of State must consult such persons as they consider appropriate, including representative organisations of education staff, providers, children and young people, and families, and organisations representing those with special educational needs or disabilities.
- (6) When making regulations under this section, the Secretary of State must have regard to relevant duties under the Equality Act 2010 and the Human Rights Act 1998.
- (7) A statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of either House of Parliament.”

Member's explanatory statement

This clause is proposed as a probing amendment to support parliamentary debate on legal safeguards for the use of seclusion in schools. It does not impose direct duties on schools. Instead, it invites the Secretary of State to consider enabling regulation, following sector-wide consultation.

BARONESS BOYCOTT
LORD GASCOIGNE

502P After Clause 62, insert the following new Clause –

“Safe and Resilient Schools Plan

- (1) All new school buildings must be net zero in operation, and designed for a 2°C rise in average global temperatures and future-proofed for a 4°C rise.
- (2) All new school buildings must be built to adapt to the risks of climate change, including increased flooding and higher indoor temperatures.
- (3) The Secretary of State must within two years of the day on which this Act is passed –
 - (a) publish a national Safe and Resilient Schools Plan which sets out how existing school buildings can reach net zero and be resilient to climate risks, and
 - (b) set a target date, using the affirmative resolution procedure, and delivery roadmap for implementation of the Safe and Resilient Schools Plan.”

Member's explanatory statement

This amendment would make the Department for Education's guidance around new school buildings statutory, and require government to publish and implement a plan which ensures that existing school buildings are resilient to climate risks, like overheating and flooding, and reach net zero.

LORD CARLILE OF BERRIEW

502Q After Clause 62, insert the following new Clause –

“Preventing school exclusion and strengthening support for vulnerable children

- (1) Where a child is subject to police involvement or is known to youth justice services, a youth justice practitioner must be invited to attend any school exclusion hearing

or appeal concerning that child, to assist the child and their family and the school in identifying appropriate support to maintain the child's engagement in education.

- (2) In cases where a child has suspected or recognised special educational needs and disabilities (SEND) or neurodivergence, there shall be a presumption against permanent or fixed-term exclusion.
- (3) An alternative educational plan must be developed, including a timely assessment of the child's learning needs.
- (4) Where police are called to a school in relation to a child known to youth justice or other statutory services, the school must notify the relevant agency to ensure coordinated decision-making and safeguarding."

LORD CARLILE OF BERRIEW
BARONESS BULL

502R After Clause 62, insert the following new Clause –

“Mandatory training in SEND and neurodivergence

- (1) Within one year of the passing of this Act, all school teaching staff must receive mandatory training in the identification and support of children with SEND and neurodivergence.
- (2) The Secretary of State must issue guidance on the content, frequency and delivery of such training, and ensure it is embedded in initial teacher training and continuing professional development.”

LORD CARLILE OF BERRIEW

502S After Clause 62, insert the following new Clause –

“Duty on schools to work with youth courts to provide assessment of special educational needs and neurodivergence

Schools must, when requested, provide courts with an assessment of a child's special educational needs or neurodivergence, including but not limited to –

- (a) whether the child has SEND or neurodivergence;
- (b) whether appropriate adaptations and support were in place during their schooling;
- (c) whether further expert assessment is required.”

LORD CARLILE OF BERRIEW

502T After Clause 62, insert the following new Clause—

“Duty on schools to support reintegration and rehabilitation for children post-custody

- (1) Schools must collaborate with social services, mental health providers and youth justice services to embed post-custody reintegration planning for children with special education needs.
- (2) The Secretary of State must publish an annual assessment of how effectively schools in England support the reintegration and rehabilitation of children post-custody.”

BARONESS GREY-THOMPSON

502U After Clause 62, insert the following new clause—

“Inclusive education standards for teachers

- (1) All teachers employed in state-funded special schools in England and Wales must possess Qualified Teacher Status (QTS) in addition to the Special Educational Needs Coordinators National Professional Qualification, unless—
 - (a) they are undergoing a recognised programme of initial teacher training leading to QTS, or
 - (b) they are under the direct supervision of a qualified teacher.
- (2) The Secretary of State must ensure that all approved providers of initial teacher training include in their curriculum—
 - (a) mandatory training in inclusive education principles and practice,
 - (b) understanding of the barriers faced by Disabled pupils and those with special educational needs, and
 - (c) practical strategies for supporting diverse learners in mainstream and specialist settings.
- (3) The Secretary of State must, within six months of the day on which this Act is passed, issue regulations made by statutory instrument requiring schools to ensure that all teaching staff participate in regular continuing professional development that includes—
 - (a) inclusive pedagogy,
 - (b) Universal Design for Learning, and
 - (c) working in multidisciplinary teams to support Disabled pupils.
- (4) A statutory instrument containing regulations under subsection (3) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) All schools must ensure that Disabled pupils’ access to the curriculum and opportunities is not reliant on a single member of staff, including by—
 - (a) developing inclusive practice as a whole-school approach, and

- (b) ensuring consistency in teaching quality and support across subjects and key stages.
- (6) The Secretary of State must publish statutory guidance on the implementation of inclusive education training and qualification requirements under this section within 12 months of the day on which this Act is passed.
- (7) In preparing the guidance, the Secretary of State must consult –
 - (a) the Children's Commissioner for England,
 - (b) teaching unions,
 - (c) organisations led by Disabled people, and
 - (d) experts in inclusive and special education.”

BARONESS GREY-THOMPSON

502V After Clause 62, insert the following new Clause –

“Transparency and reporting of special educational needs and disabilities funding in state funded schools

- (1) All state-funded schools in England, including maintained schools and academies, must submit to the Secretary of State an annual report detailing the allocation and expenditure of funds designated for supporting pupils with special educational needs and disabilities (SEND).
- (2) Each school's report must include –
 - (a) the total amount of –
 - (i) the notional SEND budget allocated to the school;
 - (ii) any additional high-needs (top-up) funding received via the local authority;
 - (iii) any funding received through the Early Years SEN Inclusion Fund or similar grants;
 - (b) a detailed breakdown of how SEND funding was allocated, including but not limited to the following categories –
 - (i) staffing costs specifically for SEND provision, including Special Educational Needs and Disabilities Coordinators, teaching assistants, therapists and any other relevant roles;
 - (ii) costs of external specialist services, including speech and language therapy, educational psychology and any other relevant services;
 - (iii) training and professional development related to SEND, inclusion, or disability equality;
 - (iv) assistive technology, specialist equipment, and adaptive learning materials;
 - (v) SEND-specific interventions or curriculum adaptations, including small-group and individual support;
 - (vi) expenses related to preparing and delivering provision under education, health and care plans (EHCPs);

- (c) identification of funding spent on system-level or whole-school inclusive practice, such as –
 - (i) universal design for learning strategies;
 - (ii) inclusive classroom design or accessibility improvements;
 - (iii) engagement of families of children with SEND;
 - (d) a statement evaluating the outcomes of SEND funding, including –
 - (i) progress made by pupils with SEND, including those with EHCPs;
 - (ii) how funding contributed to meeting pupils' individual needs and EHCP objectives;
 - (iii) any measurable improvements in attendance, engagement, or inclusion of pupils with SEND;
 - (e) any underspend or unallocated SEND funding and how the school plans to use it in the following academic year.
- (3) The Secretary of State must issue statutory guidance outlining an annual deadline and the standardised format and content requirements for the SEND funding report to ensure consistency and comparability across schools.
- (4) Schools must adhere to this guidance when preparing their annual SEND funding reports.
- (5) School governing bodies are responsible for ensuring compliance with the requirements set out in this clause.
- (6) Failure to comply with the publication requirements may result in appropriate remedial actions as determined by the Secretary of State.
- (7) The Secretary of State must publish all schools' reports received under this section within one month of receiving them."

LORD CARLILE OF BERRIEW

502W After Clause 62, insert the following new Clause –

“Cross-sector data collection and reporting

- (1) The Secretary of State must establish a cross-sector data management system to track children through education, health and social care systems using a unique reference number.
- (2) The Secretary of State must publish annual reports using data collected from the cross-sector management system under subsection (1) to assess how many children who are –
 - (a) excluded from school, and
 - (b) in social care settings,have been diagnosed with special educational needs.
- (3) Annual reports must include disaggregation by diagnosis and Education, Health and Care Plan (EHCP) status.”

BARONESS BENNETT OF MANOR CASTLE
BARONESS BOYCOTT

502X After Clause 62, insert the following new Clause –

“Education about food growing and preparation

- (1) The Secretary of State shall have a duty to promote school pupils’ knowledge of food growing and food preparation, with the aim of ensuring that each pupil spends an average of one hour per week as a minimum during term time in education on such topics.
- (2) The Secretary of State must, within 12 months of the day on which this Act is passed, and every 12 months thereafter, lay before Parliament a report on progress on achieving this goal.”

Member's explanatory statement

This amendment aims to improve pupils’ exposure to and knowledge of food growing and preparation, with a view towards both improving public health and food security, particularly in times of crisis.

BARONESS WILLIS OF SUMMERTOWN
BARONESS PARMINTER
BARONESS BOYCOTT

502Y After Clause 62, insert the following new Clause –

“Benefits of nature-based learning to children’s wellbeing

- (1) The Secretary of State must, within six months of the passing of this Act, conduct a review on the benefits of nature-based learning to children's health and wellbeing, including but not limited to –
 - (a) the desirability of bringing nature into schools through greening physical spaces and encouraging horticulture,
 - (b) the desirability of outdoor learning for developing skills, including those relevant to a nature-positive economy, and
 - (c) the barriers to nature-based learning, and potential policy solutions to overcome those barriers.
- (2) A report on the review must be published within six months of the conclusion of the review.”

Member's explanatory statement

This amendment would require government to review and report on the benefits of nature based learning to children’s health and wellbeing

BARONESS FINLAY OF LLANDAFF

502YA After Clause 62, insert the following new Clause —

“Civil preparedness

Every school must demonstrate appropriate age-specific training for all children across the school for local individual or mass casualty emergencies.”

BARONESS BENNETT OF MANOR CASTLE

502YB After Clause 62, insert the following new Clause —

“Review of climate adaptation of schools

- (1) Within 12 months of the day on which this Act is passed, and then biannually thereafter, the Secretary of State must publish a review of the level of preparedness of grant maintained schools, and other schools, for increasing extremes of climate, particularly high temperatures, taking into consideration —
 - (a) the preparedness of buildings and grounds;
 - (b) the suitability of uniform provision;
 - (c) the suitability of transport provision;
 - (d) the level of emergency planning to protect pupil health and wellbeing, including regulations or rules about maximum temperatures in classrooms;
 - (e) such other issues as may be considered relevant.
- (2) In preparing such a report, the Secretary of State shall take advice from the Committee on Climate Change, the chief medical officer, and such other individuals as the Secretary of State considers appropriate.
- (3) Within six months of the completion of the review, the Secretary of State must publish and lay before Parliament a report on the findings of the review and any recommendations for improvements.”

BARONESS BARRAN

502YC After Clause 62, insert the following new Clause —

“Education Act 2002: exemptions related to school performance

In section 216 (commencement) of the Education Act 2002, after subsection (3), insert —

- “(3A) The following provisions come into force on the day on which the Children’s Wellbeing and Schools Act 2025 is passed —
- (a) section 6,
 - (b) section 7,
 - (c) section 8,
 - (d) section 9, and
 - (e) section 10.””

Member's explanatory statement

This amendment seeks to commence Chapter 2 of Part 1 of the Education Act 2002 (Exemptions related to school performance), which would allow well-performing schools to be exempt from curriculum provision and pay and conditions provision.

LORD HAMPTON

502YD After Clause 62, insert the following new Clause —

“Exemption from duty to follow National Curriculum

- (1) The Education Act 2002 is amended as follows.
- (2) In section 78 (general requirements in relation to curriculum), after subsection (1), insert —
 - “(1A) Any school which has an Ofsted rating of outstanding or any equivalent Ofsted rating is exempt from the requirements under this section.”
- (3) In section 80 (basic curriculum for every maintained school in England), after subsection (2A), insert —
 - “(2B) Any school which has an Ofsted rating of outstanding or any equivalent Ofsted rating is exempt from the requirements under this section.””

BARONESS BARRAN
LORD SANDHURST

502YE After Clause 62, insert the following new Clause —

“Guidance for schools on gender questioning children

- (1) The Secretary of State must publish statutory guidance for schools on gender questioning children on the day on which this Act is passed.
- (2) A relevant school must have regard to the guidance on gender questioning children published by the Secretary of State under this section.”

Member's explanatory statement

This amendment seeks to require the Department for Education to publish the guidance for schools on gender questioning children and schools must have regard for the guidance.

LORD NASH
BARONESS BARRAN
LORD BAILEY OF PADDINGTON

502YF After Clause 62, insert the following new Clause –

“Permanent exclusion: assessment

After being informed that a pupil has been permanently excluded from a school or academy, the local authority must carry out an assessment under paragraph 3 (assessment of children’s needs) of Schedule 2 of the Children Act 1989.”

Member's explanatory statement

This amendment seeks to require the local authority to undertake an assessment of the needs of the child if they are permanently excluded from school.

BARONESS MORGAN OF COTES
BARONESS HELIC
BARONESS WALMSLEY
LORD LEVY

502YG After Clause 62, insert the following new Clause –

“Allergy safety provisions in schools

- (1) Within 12 months of the day on which this Act is passed, all schools in England must –
 - (a) adopt a school allergy and anaphylaxis policy,
 - (b) obtain individual healthcare and anaphylaxis action plans for all pupils with allergies,
 - (c) purchase and store in-date adrenaline auto-injectors on school property,
 - (d) provide training for school staff on allergy awareness and administering adrenaline auto-injectors, and
 - (e) record any allergic reactions in the pupil’s individual healthcare and anaphylaxis action plan.
- (2) The Secretary of State must provide guidance to schools on the implementation of subsection (1) within six months of the day on which this Bill is passed.”

Member's explanatory statement

This amendment seeks to introduce mandatory allergy safety policies for all schools in England.

BARONESS KIDRON

502YH After Clause 62, insert the following new Clause—

“Statutory standards of filtering and monitoring systems deployed in schools

- (1) The Secretary of State must by regulations made by statutory instrument specify minimum standards for filtering and monitoring technologies used to safeguard children in schools.
- (2) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) These regulations apply to any filtering and monitoring systems procured by or deployed in schools.
- (4) The standards in subsection (1) must—
 - (a) meet the standards of the Department for Education’s *Keeping children safe in education* statutory guidance;
 - (b) meet the standards of the Department for Education’s *Meeting digital and technology standards in schools* guidance, including its filtering and monitoring standards for schools and colleges;
 - (c) meet the standards of the Department for Education’s *Generative AI: product safety expectations*;
 - (d) prevent filtering and monitoring systems’ barriers to accessing illegal content from being switched off.
- (5) Filtering and monitoring standards set out in subsection (4) must be certified by an accreditation scheme sanctioned by the Department for Education.
- (6) Certification must be dependent on the completion of a real-time test each term, delivered remotely or in person, to ensure compliance with the requirements of subsection (4).
- (7) When inspecting a school, the Secretary of State must require OFSTED to ensure that—
 - (a) schools have a certified filtering and monitoring system;
 - (b) real-time tests, set out in subsection (6), are conducted and recorded;
 - (c) incidents or breaches are recorded.
- (8) In this section, “school” means an entity that provides education to children in the United Kingdom including early years providers, nursery schools, primary schools, secondary schools, sixth form colleges, city technology colleges, academies, free schools, faith schools, special schools, state boarding schools, and private schools.”

BARONESS KIDRON

502YI After Clause 62, insert the following new Clause—

“Code of practice on Children’s Data and Education

- (1) The Information Commissioner’s office must prepare a code of practice which contains such guidance as the Commissioner considers appropriate on the processing of data in connection with the provision of education to children.
- (2) Guidance under subsection (1) must include consideration of—
 - (a) all aspects of the provision of education including learning, school management and safeguarding;
 - (b) all types of schools and learning settings;
 - (c) the need for transparency and evidence of efficacy on the use of artificial intelligence (AI) systems in the provision of education;
 - (d) the collection of data for the purpose of training AI systems used in schools, including the collection of data by the Department for Education during trials of AI systems,
 - (e) the impact of profiling and automated decision-making on children’s access to education opportunities;
 - (f) the principle that children have a right to know what data about them is being generated, collected, processed, stored and shared;
 - (g) the principle that those with parental responsibility have a right to know how their children's data is being generated, collected, processed, stored and shared;
 - (h) the safety and security of children’s data;
 - (i) the need to ensure children's access to and use of counselling services and the exchange of information for safeguarding purposes are not restricted.
- (3) In preparing a code or amendments under this section, the Commissioner must have regard to—
 - (a) the fact that children are entitled to a higher standard of protection than adults with regard to their personal data as set out in the United Kingdom GDPR, and the ICO’s Age Appropriate Design code;
 - (b) the need to prioritise children's best interests and to uphold their rights under UN Convention on the Rights of the Child and General Comment 25;
 - (c) the fact that children may require different protections at different ages and stages of development;
 - (d) the need to support innovation to enhance United Kingdom children’s education and learning opportunities, including facilitating testing of novel products and supporting the certification and the development of standards;
 - (e) ensuring the benefits from product and service developed using United Kingdom children’s data accrue to the United Kingdom.
- (4) In preparing a code or amendments under this section, the Commissioner must consult with—

- (a) children,
 - (b) educators,
 - (c) parents,
 - (d) persons who appear to the Commissioner to represent the interests of children,
 - (e) the AI Safety Institute, and
 - (f) the relevant Education department for each nation of the United Kingdom.
- (5) The Code applies to data processors and controllers that –
 - (a) are providing education in school or other learning settings;
 - (b) provide services or products in connection with the provision of education;
 - (c) collect children's data whilst they are learning;
 - (d) use education data, education data sets or pupil data to develop services and products;
 - (e) build, train or operate AI systems and models that impact children's learning experience or outcomes;
 - (f) are public authorities that process education data, education data sets or pupil data.
- (6) The Commissioner must prepare a report, in consultation with the EdTech industry and other stakeholders set out in subsection (4), on the steps required to develop a certification scheme under Article 42 of the United Kingdom GDPR, to enable the industry to demonstrate the compliance of EdTech services and products with the United Kingdom GDPR, and conformity with this Code.
- (7) Where requested by an education service, evidence of compliance with this Code must be provided by relevant providers of commercial products and services in a manner that satisfies the education service's obligations under the Code.
- (8) In this section –
 - “AI” means technology enabling the programming or training of a device or software to perceive environments through the use of data, interpret data using automated processing designed to approximate cognitive abilities, and make recommendations, predictions or decisions; and includes generative AI, meaning deep or large language models able to generate text and other content based on the data on which they were trained,
 - “EdTech” means a service or product that digitise education functions including administration and management information systems, learning and assessment and safeguarding, including services or products used within school settings and at home on the recommendation, advice or instruction of a school,
 - “education data” means personal data that forms part of an educational record,
 - “education data sets” means anonymised or pseudonymised data sets that include Education Data or Pupil Data,
 - “efficacy” means that the promised learning outcomes can be evidenced,

“learning setting” means a place where children learn including schools, their home and extra-curricular learning services, for example online and in-person tutors,

“pupil data” means personal data about a child collected whilst they are learning which does not form part of an educational record, and

“safety and security” means that it has been adequately tested.”

BARONESS BENNETT OF MANOR CASTLE

502YK After Clause 62, insert the following new Clause –

“Prevention of the transmission of respiratory and other diseases

- (1) The Secretary of State shall have a duty to ensure that the levels of ventilation and where necessary filtration of air within classrooms and other school buildings are at the best possible levels for the reduction of the transmission of respiratory diseases, and that other appropriate measures are in place to reduce the transmission of all diseases.
- (2) The Secretary of State must, within 12 months of the day on which this Act is passed, and every 12 months thereafter, lay before Parliament a report on progress on achieving this goal.”

Member's explanatory statement

This amendment seeks to ensure that schools provide the safest and most resilient environment possible against the spread of infectious diseases.

BARONESS BENNETT OF MANOR CASTLE

502YL After Clause 62, insert the following new Clause –

“Education for voting

- (1) The Secretary of State shall have a duty to promote school pupils' knowledge of the electoral system at all levels of government and the process of voting within it, such that by the age of 16 all pupils have had contact with and practical experience of all the processes involved in an election, including schools facilitating mock elections giving all students opportunities to experience standing for election, campaigning and voting.
- (2) The Secretary of State must, within 12 months of the day on which this Act is passed, and every 24 months thereafter, lay before Parliament a report on progress on achieving this duty.”

Member's explanatory statement

In the light of the Government's intention of lowering the age of voting to 16 in General Elections, this amendment seeks to probe what practical steps the Government is taking to ensure full preparation for the change within schools.

BARONESS SPIELMAN
BARONESS BARRAN

502YM After Clause 62, insert the following new Clause –

“School complaints procedure

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must establish a central complaints handling system for use by –
 - (a) the Department for Education,
 - (b) His Majesty’s Chief Inspector of Schools (“Ofsted”),
 - (c) the Teacher Regulation Agency, and
 - (d) schools in England.
- (2) The system must review the complaint and direct it to the most appropriate person or body.
- (3) The system must enable complaints to be submitted via the GOV.UK website.
- (4) Complaints submitted under the system must be stored in a single database, to which the Department for Education and Ofsted must have access.”

Member's explanatory statement

This amendment seeks to establish a central complaints system for the education system in England, to avoid the duplication of complaints to multiple organisations.

LORD WEI

502YN After Clause 62, insert the following new Clause –

“Annual review of burdens and sunset of ineffective measures

- (1) The Secretary of State must, within 12 months of the day on which this Act is passed and annually thereafter, conduct a review of the operation of all measures introduced by this Act to determine whether they –
 - (a) achieve their stated purpose, and
 - (b) impose unnecessary or disproportionate bureaucratic burdens on local authorities, parents, schools, or the Department.
- (2) Where a review under subsection (1) finds that any measure does not achieve its stated purpose, or imposes unnecessary burdens disproportionate to its benefits, the Secretary of State must –
 - (a) by regulations made by statutory instrument repeal that measure, or
 - (b) provide exemptions, modifications, or other adjustments to reduce the burden, consistent with the principle of value for money.
- (3) Any measure introduced by this Act which has failed the tests under subsection (1) and which has not been rectified by regulations under subsection (2) shall automatically cease to have effect two years after the date of the review in which it was identified.

- (4) A report on each review under subsection (1) must be laid before both Houses of Parliament, setting out –
 - (a) the evidence relied upon,
 - (b) the costs and benefits assessed, and
 - (c) the steps taken under subsection (2).
- (5) 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 establishes an annual review of all measures in the Act to ensure they achieve their purpose without imposing unnecessary bureaucratic burdens. Measures found ineffective or disproportionately burdensome must be repealed or amended, with a sunset clause ensuring that no such measure can persist beyond two years without correction.

LORD WEI

502YP After Clause 62, insert the following new Clause –

“Substantive fairness in ministerial action

- (1) In exercising any function under this Act, whether by issuing guidance or by reviewing parental appeals, the Secretary of State must act in a manner that is substantively fair, proportionate, and consistent with the best educational interests of the child.
- (2) To be compliant with subsection (1) it is not sufficient for the Secretary of State to frame guidance or decisions in terms which appear compatible with the Human Rights Act 1998 or the European Convention on Human Rights where the effect in practice is to impose unfair, excessive, or coercive obligations on parents.
- (3) In any challenge brought before a court, the court must have regard to the actual operation and impact of the guidance or decision on parents and children, and not merely to its formal wording or stated purpose.
- (4) Guidance issued under this Act must –
 - (a) not extend beyond what is necessary to secure lawful compliance by local authorities and schools, and
 - (b) avoid creating undue burdens on parents.
- (5) Nothing in this section prevents the Secretary of State from issuing guidance designed to protect children from significant harm, provided such guidance is necessary, proportionate, and capable of practical implementation without undermining parental rights.”

Member's explanatory statement

This amendment prevents the Secretary of State from relying on superficial or merely formal compliance with human rights standards to shield their actions from judicial review. It ensures that courts may assess the real-world impact of guidance and appeal decisions, thereby protecting parents and children from unfair or coercive state interference.

LORD WEI

502YQ After Clause 62, insert the following new Clause—

“Restriction on collection of data relating to children in education

- (1) Public authorities, schools, or any state body may only collect, retain, or process personal data relating to a child in an educational setting where such collection is strictly necessary to protect the child from significant harm as defined by section 31 of the Children Act 1989 (care and supervision).
- (2) Data collected under subsection (1) must not exceed what is proportionate and essential to the specific risk of harm identified.
- (3) No personal data may be collected for the purposes of profiling, monitoring, or assessing a child beyond what is necessary for safeguarding under subsection (1).
- (4) The Secretary of State must, within six months of the day on which this Act is passed, publish guidance setting out the limits of permissible data collection in accordance with this section.”

Member's explanatory statement

This amendment seeks to prevent the excessive collection of children's data in educational settings by limiting state powers of collection to circumstances strictly necessary for protecting a child from harm, as defined by the statutory threshold in the Children Act 1989.

LORD WEI

502YR After Clause 62, insert the following new Clause—

“Use of powers in the Act

- (1) From the day six months after the day on which this Act is passed the Secretary of State must ensure that the measure in subsection (2) is ready to be enforced at any time.
- (2) In the event of a national emergency or authoritarian governance, the courts have the final authority to safeguard the primacy of parental rights to determine their child's education in their best interests.
- (3) Authoritarian governance means a situation where 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 rights of parents to determine their child's education in exceptional national circumstances by placing judicial oversight above executive restrictions.

BARONESS BARRAN

502YS★ After Clause 62, insert the following new Clause—

“Right to opt out from device-based homework

- (1) Before the beginning of the 2026/27 academic year, the Secretary of State must, by regulations made by statutory instrument, confer a right for parents to elect, by giving notice in writing to a school, for their child to receive, complete and submit homework tasks otherwise than by means of a computer or a personal electronic device.
- (2) Any regulations made under subsection (1)—
 - (a) must apply to all schools in England;
 - (b) may provide for parents to withdraw any notice previously given to a school, provided they give reasonable warning;
 - (c) may provide for schools temporarily to disregard any such notice in relation to certain or all subjects—
 - (i) by agreement with the parents,
 - (ii) if the headteacher reasonably considers in relation to a particular pupil that it is necessary to do so to accommodate the medical or educational needs of that pupil and provided that the school has first consulted with the parents, or
 - (iii) in exceptional circumstances if the headteacher reasonably considers that it is necessary to do so to maintain continuity of educational provision for particular pupils or for all pupils attending the school.
- (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.
- (4) For the purposes of this section “parent”, “pupil” and “school” have the meanings given in the Education Act 1996 (see sections 3, 4 and 576 of that Act).”

Member's explanatory statement

This amendment establishes a right for parents to ensure their child is able to complete homework without the use of a computer or personal device.

BARONESS BARRAN
LORD NASH

502YT★ After Clause 62, insert the following new Clause—

“Device-based examinations: secondary education examinations

- (1) Before the beginning of the 2026/27 academic year the Secretary of State must, by regulations made by statutory instrument, require examination boards to ensure that all secondary education examinations are completed by pupils by hand, and not by means of a computer or a personal electronic device.

- (2) Any regulations made under subsection (1) may provide for exceptions –
 - (a) in relation to the examination of subjects for which computer or device use proficiency is a core element of the subject, such as computing and music technology, or
 - (b) where completing an exam by means of a computer or a personal electronic device –
 - (i) is more appropriate for a pupil with special educational needs or disabilities, or
 - (ii) is required by a pupil's education, health and care plan.
- (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
- (4) For the purposes of this section “pupil” has the meaning given by the section 3 of the Education Act 1996 (definition of pupil etc).”

Member's explanatory statement

This amendment seeks to ensure that secondary education examinations are completed by hand and without pupils needing to use a computer or a personal electronic device, subject to relevant subject or SEND exceptions.

BARONESS BARRAN
LORD NASH

502YU★ After Clause 62, insert the following new Clause –

“Device-based examinations: reception baseline assessments

- (1) Before the beginning of the 2026/27 academic year, the Secretary of State must, by regulations made by statutory instrument, require that reception baseline assessments are completed by pupils otherwise than by means of a computer or a personal electronic device.
- (2) Any regulations made under subsection (1) may provide for exceptions for pupils with special educational needs or disabilities.
- (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.
- (4) For the purposes of this section “pupil” has the meaning given by the section 3 of the Education Act 1996 (definition of pupil etc).”

Member's explanatory statement

This amendment would ensure that the reception baseline assessment is completed without pupils needing to be able to use a computer or a personal electronic device, unless relevant SEND exceptions apply.

Clause 65

BARONESS SMITH OF MALVERN

503 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

504 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 BARRAN

504A Clause 66, page 124, line 4, at end insert “, subject to subsection (2A)”

BARONESS BARRAN

504B Clause 66, page 124, line 4, at end insert —

“(aa) section (*Guidance for schools on gender questioning children*);”

Member's explanatory statement

This amendment ensures another amendment in the name of Baroness Barran would take effect on the day the Act is passed.

BARONESS FINLAY OF LLANDAFF

LORD HAMPTON

BARONESS WALMSLEY

505 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 BARRAN

505A Clause 66, page 124, line 18, at end insert –

- “(2A) Section 15 may not come into force until the Secretary of State has published a report that contains –
- (a) details of the number of available placements in relevant establishments or agencies, and
 - (b) an analysis of the expected impact of this section on the number of available placements in relevant establishments or agencies.”

Member's explanatory statement

This amendment seeks to require a report that would clarify the supply and capacity of independent children's homes and independent fostering agencies before the clause is commenced.

BARONESS BARRAN
THE EARL OF EFFINGHAM

505B Clause 66, page 124, line 18, at end insert –

- “(2A) Section 27 may only come into force after the Secretary of State has laid before Parliament a report containing the following information –
- (a) what form breakfast club provision by schools currently takes;
 - (b) how much breakfast club provision costs schools, and how much is charged by schools for such provision;
 - (c) how much funding is estimated to be required to enable schools to meet the requirements of section 27;
 - (d) what additional staff will be required to deliver the breakfast clubs;
 - (e) the grounds on which the Secretary of State would use the power under section 551C of the Education Act 1996.”

Member's explanatory statement

This amendment would delay the commencement of clause 27 until the Secretary of State has laid before Parliament a report containing information on breakfast club provision, costs and resources.

LORD WATSON OF INVERGOWRIE

505C Clause 66, page 124, line 18, at end insert –

- “(2A) Sections 12 to 18 may not come into force until the Secretary of State has published a statement regarding the human rights obligations of publicly-funded private providers of children's social care.”

BARONESS SMITH OF MALVERN

506 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 FOX OF BUCKLEY

506A Clause 66, page 124, line 21, at end insert –

“(3A) Section 47 comes into force when all the following conditions are met –

- (a) the period of six months, beginning on the day that the Secretary of State publishes the final report of the Curriculum and Assessment Review, has elapsed;
- (b) the Secretary of State has published a draft Bill making legislative provision for the changes recommended by the Curriculum and Assessment Review;
- (c) the Secretary of State has undertaken a consultation on the findings of the Curriculum and Assessment Review.”

LORD WATSON OF INVERGOWRIE

506B Clause 66, page 124, line 21, at end insert –

“(3A) Section 11 may not come into force until regulations under section 11 (qualifying for civil legal aid) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 providing legal aid on a non-means tested basis in relation to proceedings that may result in the deprivation of a child's liberty have come into force.”

Member's explanatory statement

This amendment would provide that the provisions in the Bill on accommodation for the deprivation of liberty for children cannot come into force until legal aid has been provided on a non-means tested basis for children at risk of this and their families.

LORD BELLINGHAM

506C Clause 66, page 124, line 21, at end insert –

“(3A) Section 10 may not come into force until the Secretary of State has published an evaluation of the impact, cost and effectiveness of the Regional Care Cooperatives pathfinder areas.”

Member's explanatory statement

This amendment would delay the implementation of regional cooperation arrangements until the pilots can be fully evaluated.

BARONESS BARRAN

506D Clause 66, page 124, line 21, at end insert –

“(3A) Section 37(2) may not be brought into force until the review required by section (Review of independent educational institution standards) has been published and laid before Parliament.”

Member's explanatory statement

This amendment, and another in the name of Baroness Barran, seeks to prevent section 37(2) of the Act from coming into force until the Secretary of State has published a report on the predicted impact of that subsection on the academic institutions set out in the new clause amendment.

BARONESS SMITH OF MALVERN

507 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 BARRAN

508 Clause 66, page 124, line 23, at end insert –

“(4A) Section 3 may not come into force until the Secretary of State has made a statement confirming that safeguarding partners which are party to an agreement under section 16J(1) of the Children Act 2004 (combining safeguarding partner areas and delegating functions) have equal responsibility for the effective delivery of the multi-agency child protection team.”

Member's explanatory statement

This amendment would require the Secretary of State to clarify that safeguarding partners which are party to an agreement under section 16J of the Children Act 2004 have equal responsibility for the effective delivery of the MACPT.

BARONESS BARRAN

509 Clause 66, page 124, line 23, at end insert —

“(4A) Section 3 may not come into force until the Secretary of State has published guidance to clarify how the duties in section 3 will be delivered and funded, including for non-statutory agencies.”

Member's explanatory statement

This amendment seeks to clarify what resources and funding will be provided to ensure effective delivery of the additional duties set out in clause 3.

BARONESS SMITH OF MALVERN

510 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

511 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

512 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

513 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

514 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

TENTH MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

8 September 2025

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