

Children’s Wellbeing and Schools Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

*Tabled up to and including
14 November 2025*

[Amendments marked ★ are new or have been altered]

After Clause 4

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

After Clause 4, insert the following new Clause –

“Child contact centres: training

- (1) Providers of child contact centres and services must ensure all staff and volunteers have undergone accredited training and know how to –
 - (a) detect domestic abuse;
 - (b) respond to disclosure of abuse;
 - (c) work with multiple organisations and agencies with responsibilities for safeguarding.
- (2) Accredited training under subsection (1) must be provided by the National Association of Child Contact Centres.”

Clause 11

THE LORD BISHOP OF MANCHESTER

Clause 11, page 17, line 8, at end insert –

“(5A) After subsection (4) insert –

“(4A) Where an application is made under this section with respect to a child, the appropriate local authority must, within such time as the court may

direct, prepare a plan setting out the action to be taken to end the deprivation of liberty of that child (“recovery plan”).”

Member's explanatory statement

This amendment requires local authorities to prepare a recovery plan for any child who is deprived of their liberty.

THE LORD BISHOP OF MANCHESTER

Clause 11, page 17, line 25, at end insert –

“(9A) Section 27 of the Children Act 1989 (co-operation between authorities) is amended as follows.

(9B) After subsection (2) insert –

“(2A) In cases where children have been deprived of their liberty, the authorities listed in subsection (3) shall work with the local authority responsible for that child to ensure that support is jointly arranged, funded and delivered by multi-agency teams.”

Member's explanatory statement

This amendment requires other relevant bodies to work with local authorities to ensure that children deprived of their liberty receive multi-agency support. This amendment would require authorities to take joint responsibility for the care of children deprived of their liberty, and signal that systems must work closer together to ensure joined up care.

THE LORD BISHOP OF MANCHESTER

Clause 11, page 17, line 40, at end insert –

“(12) The relevant Secretaries of State for Education and for Health and Social Care must collaborate to lay before parliament, annually, a review of the impact of the measures contained in this section.

(13) The review must, as a minimum, consider and report on the following matters –

- (a) the numbers of new section 25 orders made during the last year in England and in Wales, the ages of the children placed under them, and an analysis of whether and where the rate of use is increasing or decreasing;
- (b) the durations of child detention or other restriction of liberty under such orders (minimum, maximum, mean and median);
- (c) the types of accommodation in which section 25 orders have been applied, including their registration status with Ofsted or the Care Quality Commission;
- (d) the approval and use of ‘recovery plans’ for all children to move on from section 25 orders in a short a period as safely possible;
- (e) the involvement of Independent Reviewing Officers, independent advocates and children themselves in the making and reviewing of section 25 orders;

- (f) the types of accommodation where children live following the end of a section 25 order.”

Member's explanatory statement

This amendment would require a review to be laid before Parliament, outlining the quantity and impact of section 25 orders that year.

Clause 21

THE LORD BISHOP OF MANCHESTER

Clause 21, page 39, line 28, at end insert –

- “(e) to have due regard to the need to remove or minimise the disadvantages suffered by looked-after children and relevant young persons.”

Member's explanatory statement

This amendment strengthens the current duty to be “alert to” the needs of looked-after children by requiring public bodies to have due regard to removing or reducing the disadvantages they face. It builds on awareness by turning it into action, ensuring that understanding leads to measurable improvement. This approach embeds care-experienced voices in decision-making and creates a shared responsibility across agencies, helping to break down silo working and deliver joined-up support.

THE LORD BISHOP OF MANCHESTER

Clause 21, page 39, line 34, at end insert –

- “(2A) A relevant authority exercising the duty under subsection (1) must take reasonable steps to avoid, reduce or otherwise mitigate any adverse impact of its policies and practices on looked-after children and relevant young persons.”

Member's explanatory statement

This amendment ensures that public bodies move beyond being merely aware of care-experienced young people's needs to taking reasonable and practical steps to prevent harm caused by their policies. It complements the cultural aims of the Bill by providing a clear framework for shared action and accountability. By requiring active consideration of how decisions affect care-experienced people, it will amplify their voices, strengthen collaboration, and provide a mechanism to break down silo working across education, health, housing, and social care.

Clause 22

LORD MORAES

Clause 22, page 40, line 8, leave out subsections (1) and (2) and insert –

- “(1) If the duty under section 21(1) would require anything of the Secretary of State that is already required by section 55 of the Borders, Citizenship and Immigration

Act 2019 (duty regarding the welfare of children), then the duty under section 21(1) does not apply to the Secretary of State.

- (2) In the exercise of—
- (a) the duty under section 21(1) of this Act (insofar as it applies), and
 - (b) the duty under section 55 of the Borders, Citizenship and Immigration Act 2019,

the Secretary of State must ensure that nationality functions in relation to the acquisition of British citizenship by statutory right are distinguished from other nationality and immigration functions.”

Member's explanatory statement

This amendment would ensure there is no duplication of duties on the Secretary of State while ensuring that (i) the duties on corporate parents under section 21(1) concerning the wellbeing of young people include appropriate consideration and attention to matters of nationality rights and other matters of status in the UK; and (ii) it is made clear, for these purposes, that statutory rights to British citizenship must not be wrongly categorised or treated as if matters of immigration or discretion.

After Clause 27

BARONESS GREY-THOMPSON

After Clause 27, insert the following new Clause—

“Report: barriers to parental support in the care and wellbeing of critically ill children

- (1) Within twelve months of the passing of this Act, the Secretary of State must lay before each House of Parliament a report on the barriers preventing parents of critically ill children aged between 29 days and 16 years from being by their children's bedsides during periods of hospital care and the impact and potential harms this has on children's care, wellbeing and family life.
- (2) A report laid under subsection (1) must include assessments of—
 - (a) the adequacy of existing measures in facilitating the care, wellbeing and family life of critically ill children aged between 29 days and 16 years by their parents,
 - (b) the barriers facing parents of such children, including—
 - (i) financial pressures,
 - (ii) pressures arising from the parent's existing or future employment commitments, and
 - (iii) mental health difficulties,
 - (c) options for providing additional support to the parents of such children during periods of hospital care, and
 - (d) the impact such additional support would be likely to have on such children's care, wellbeing and family life.

- (3) In preparing the report laid under subsection (1), the Secretary of State must consult—
 - (a) parents of children who have received care in hospital for an extended period,
 - (b) healthcare professionals, and
 - (c) charities and civil society organisations offering support to parents of children receiving care in hospital.
- (4) In preparing a report laid under subsection (1), the Secretary of State must have regard to the UK's international obligations, including under 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.
- (5) A Minister of the Crown must within the period of 28 Commons sitting days beginning with the laying of a report under subsection (1) make arrangements for a debate on the report by the House of Commons.
- (6) A Minister of the Crown must within the period of 28 Lords sitting days beginning with the laying of a report under subsection (1) make arrangements for a debate on the report by the House of Lords.”

Member's explanatory statement

This amendment would require the Secretary of State to report to Parliament on the barriers preventing parents of critically ill children aged between 29 days and 16 years from being by their bedside during periods of hospital care, including financial and workplace pressures, and mental health needs, and the impact this has on the child's care, wellbeing and family life. The amendment would also provide an opportunity for the consideration of that report by each House of Parliament.

BARONESS PENN
LORD STOREY

After Clause 27, insert the following new Clause –

Guidance on the use of screens and communication with parents and carers in early years settings

- (1) The Secretary of State must, within six months of the day on which this Act is passed, update the early years foundation stage statutory framework for children aged 0 to 5 in early years settings to include guidance on—
 - (a) the appropriate and safe use of screens and digital technology in early years settings, and
 - (b) effective communication with parents and carers about screen use and digital technology.
- (2) The guidance must draw on advice from education and health professionals, researchers and academics including on the following areas—
 - (a) the benefits, harms or risks of harm associated with the exposure of children of differing ages, including children with special educational needs or disabilities, to screens and other digital devices,

- (b) the balance between screen-based and non-digital activities for children in early years development and play,
- (c) age-appropriate limits for screen time for children in early years settings,
- (d) safeguarding policies for the use of personal devices and other screens in early years settings,
- (e) the impact of carers' and parents' use of personal devices and screens on child wellbeing and development,
- (f) the importance of screen-free times and environments, such as during meals, bedtimes, and outdoor play, and
- (g) practical examples and communication strategies for early years practitioners to share with parents and carers to support healthy screen use and promote positive parent-child interaction, including alternatives such as reading together, helping with daily tasks, and engaging with the natural environment.”

LORD NASH
BARONESS CASS

After Clause 27, insert the following new Clause –

“Action to prohibit the provision of VPN services to children in the United Kingdom

- (1) Within 12 months of the day on which this Act is passed the Secretary of State must, for the purpose of furthering the protection and wellbeing of children, make regulations which prohibit the provision to UK children of a Relevant VPN Service (the ‘child VPN prohibition’).
- (2) Regulations under subsection (1) –
 - (a) may make provision for the provider of a Relevant VPN Service to apply to any person seeking to access its service in or from the UK age assurance which is highly effective at correctly determining whether or not that person is a child;
 - (b) must apply the child VPN prohibition to the provider of any Relevant VPN Service which is, or is likely to be –
 - (i) offered or marketed to persons in the United Kingdom;
 - (ii) provided to a significant number of persons.
 - (c) must make provision for the monitoring and effective enforcement of the child VPN prohibition.
- (3) OFCOM may produce guidance for providers of Relevant VPN Services to assist them in complying with the child VPN prohibition.
- (4) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) For the purposes of this section –
 - “child” means a person under the age of 18.

- “consumer” means a person acting otherwise than in the course of a business.
- “Relevant VPN Service” means a service of providing, in the course of a business, to a consumer, a virtual private network for accessing the internet.
- “UK child” means any child who is in the United Kingdom.”

Member's explanatory statement

This new clause would require the Secretary of State to take action to promote and protect children's wellbeing, and to further support child protective measures in the Online Safety Act, by prohibiting the provision to children in the United Kingdom of VPN services which can facilitate evasion of OSA age-gating processes.

LORD NASH

BARONESS CASS

Revised version of the amendment published on 16 October

After Clause 27, insert the following new Clause –

“Action to promote the wellbeing of children by combating child sexual abuse material (CSAM)”

- (1) Within 12 months of the passing of this Act the Secretary of State must, for the purpose of promoting the wellbeing of children, make and bring into force regulations which require manufacturers, importers and distributors of relevant devices to satisfy the CSAM requirement specified in subsection (2).
- (2) The ‘CSAM requirement’ is that any relevant device supplied for use in the UK must have installed tamper-proof system software which is highly effective at preventing the recording, transmitting (by any means, including livestreaming) and viewing of CSAM using that device.
- (3) The duties of manufacturers, importers and distributors to comply with the CSAM requirement specified by regulations under subsection (1) must be subject to enforcement as if the CSAM requirement was a security requirement for the purposes of Part 1 of the Product Security and Telecommunications Infrastructure Act 2022.
- (4) Regulations under subsection (1) must enable the Secretary of State, by further regulations, to expand the definition of ‘relevant devices’ to include other categories of device which may be used to record, transmit or view CSAM.
- (5) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (6) For the purposes of this section –
 - “child sexual abuse material” means images, video recordings or live videos involving child sexual abuse, including –
 - (a) any indecent photograph or pseudo-photograph of a child within the meaning of the Protection of Children Act 1978, and

- (b) any prohibited image of a child, within the meaning of section 62 of the Coroners and Justice Act 2009, that is not an excluded image within the meaning of section 63 of that Act;

“relevant devices” are smartphones or tablet computers which are either internet-connectable products or network-connectable products for the purposes of section 5 of the Product Security and Telecommunications Infrastructure Act 2022; and

“manufacturer”, “importer”, “distributor”, and “supply” is each as defined in the Product Security and Telecommunications Infrastructure Act 2022.”

Member's explanatory statement

This new clause would require the Secretary of State to take action to promote and protect children's wellbeing by mandating the installation of software which prevents the creation, viewing and sharing of child sexual abuse material on smartphones and tablets which are supplied for use in the UK.

LORD NASH
BARONESS CASS

After Clause 27, insert the following new Clause—

“Action to promote the wellbeing of children in relation to social media

- (1) Within 12 months of the day on which this Act is passed, the Secretary of State must, for the purposes of promoting the wellbeing of children—
 - (a) direct the Chief Medical Officers of the United Kingdom (“the UK CMOs”) to prepare and publish advice for parents and carers on the use of social media by children at different ages and developmental stages, and
 - (b) by regulations made by statutory instrument require all regulated user-to-user services to use highly-effective age assurance measures to prevent children under the age of 16 from becoming or being users.
- (2) Any advice published under subsection (1)(a) must have regard to—
 - (a) the paper published on 7 February 2019 entitled “United Kingdom Chief Medical Officers’ commentary on ‘Screen-based activities and children and young people’s mental health and psychosocial wellbeing: a systematic map of reviews’”, and
 - (b) any scientific or other developments since the publication of that paper which appear to the UK CMOs to be relevant.
- (3) Any regulations under subsection (1)(b) must be treated as an enforceable requirement within the meaning of section 131 (and for the purposes of Part 7) of the Online Safety Act 2023.
- (4) A statutory instrument containing regulations under subsection (1)(b) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (5) For the purposes of this section—

“the Chief Medical Officers of the United Kingdom” means the Chief Medical Officers for –

- (a) England,
- (b) Wales,
- (c) Scotland, and
- (d) Northern Ireland;

“regulated user-to-user services” is as defined in the Online Safety Act 2023.”

Member's explanatory statement

This new clause would require the Secretary of State to take action to promote children's wellbeing in relation to their use of social media by commissioning advice from the Chief Medical Officers and introducing regulations to prevent under 16s from accessing social media.

THE LORD BISHOP OF MANCHESTER

After Clause 27, insert the following new Clause –

“National Care Offer

- (1) The Secretary of State must, within 18 months of the passing of this Act, publish a document (the “National Care Offer”) which sets out the minimum standards of information that local authorities must publish under section 2 of the Children and Social Work Act 2017 (local offer for care leavers).
- (2) Before publishing or revising the National Care Offer, the Secretary of State must consult with persons that appear to the Secretary of State to represent the interests of care leavers.
- (3) Where a consultation under subsection (2) results in recommendations to be made to the National Care Offer, the Secretary of State must –
 - (a) make the recommended changes or otherwise implement the recommendations, or
 - (b) where not intending to make the recommended changes or otherwise implement the recommendations, publish a response to the consultation outlining the reasons for the Secretary of State's decision and the action that will be taken instead.”

THE LORD BISHOP OF MANCHESTER

After Clause 27, insert the following new Clause –

“Care-experience in equality impact assessments

- (1) A public authority undertaking an impact assessment in the exercise of its duties under –
 - (a) section 149 of the Equality Act 2020;
 - (b) the Equality Act 2010 (Statutory Duties) (Wales) Regulations 2011;
 - (c) the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012;
 - (d) section 75 of the Northern Ireland Act 1998,

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

Member's explanatory statement

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

BARONESS FINLAY OF LLANDAFF

After Clause 27, insert the following new Clause –

“Power to repeal section 58 of the Children Act 2004 following independent review

- (1) The Secretary of State may, by regulations, repeal Section 58 of the Children Act 2004 (reasonable punishment: England), which provides for the defence of reasonable punishment in proceedings for common assault on a child.
- (2) The power under subsection (1) may only be exercised if –
 - (a) a report is published by an independent statutory authority, or a body appointed by the Secretary of State, and
 - (b) the report demonstrates benefit to the wellbeing of children.
- (3) Regulations made under this section shall be made by statutory instrument and are subject to the affirmative resolution procedure.
- (4) Regulations under this section may make consequential, transitional, or saving provisions as the Secretary of State considers appropriate in connection with the repeal of Section 58 of the Children Act 2004.
- (5) In this section –
 - “Secretary of State” means the Secretary of State for Education;
 - “Report” includes any formal review, inquiry, or assessment commissioned or recognised by the Secretary of State.”

Clause 30

LORD YOUNG OF ACTON
BARONESS SPIELMAN

Clause 30, page 52, line 40, at end insert –

“unless the branded item of school uniform has been provided or lent to the primary pupil or the secondary pupil free of charge by the appropriate authority or by anyone else.”

Member's explanatory statement

The amendment would exclude from the restriction on branded clothing items of school uniform which have been provided or lent to a pupil free of charge.

Clause 31

BARONESS BARRAN

★ Clause 31, page 55, line 2, at end insert –

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

Member's explanatory statement

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

LORD CRISP

Clause 31, page 55, line 19, after “school” insert “, and a court confirms their view”

Member's explanatory statement

This amendment provides the opportunity for an independent assessment of what is in a child’s best interest.

LORD CRISP

Clause 31, page 56, line 28, at end insert –

- “(11A) If a question is referred under subsection (11), the Secretary of State or the Welsh Ministers must –
- (a) publish their requirements for the evidence to be presented before they will consider such a reference;
 - (b) issue guidance as to how the process of reference works, including worked examples of complaints that would have, and would not have, succeeded;
 - (c) set target times for the consideration of a reference;
 - (d) keep the above information updated.
- (11B) If a question is referred under subsection (11), the Secretary of State or the Welsh Ministers (as the case may be) may delegate their functions under subsection (11) to a tribunal, and may alternatively or additionally provide that cases under this subsection shall fall within the remit of the Local Government Ombudsman.”

Member's explanatory statement

This amendment seeks to clarify how a referral to the Secretary of State or Welsh Ministers under (11)(a) above will be undertaken.

Clause 32

LORD CRISP

Clause 32, page 64, line 36, at end insert –

- “(2A) A local authority must, in general and at the outset of any relationship with an individual family, act supportively towards home educating families.
- (2B) A local authority must ensure that there are arrangements within its area to enable home educated children to take English and Maths GCSE examinations upon payment of the requisite exam board fee only.
- (2C) The Secretary of State must support, through negotiations with the relevant national bodies, the ability of local authorities to put arrangements under subsection (2B) in place at a reasonable cost.”

Member's explanatory statement

This amendment seeks to address the difficulty many home educated children have in accessing public exams in their area and doing so at a reasonable cost.

Clause 57

BARONESS BARRAN

- ★ Leave out Clause 57

After Clause 63

LORD NORTON OF LOUTH

After Clause 63, 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.”

LORD HARRIES OF PENTREGARTH
LORD HODGSON OF ASTLEY ABBOTTS

After Clause 63, insert the following new Clause –

“Citizenship education: British values

- (1) In any statement relating to British values for education purposes at primary and secondary level in England and Wales, the Secretary of State, OFSTED and any other public authority must include –
 - (a) democracy,
 - (b) the rule of law,
 - (c) freedom,
 - (d) equal respect for every person, and
 - (e) respect for the environment.
- (2) Any statement in subsection (1) must refer to British values as “values of British citizenship”.
- (3) The values listed under paragraphs (1)(a) to (e) must be taught as part of citizenship education for key stages 1, 2, 3 and 4.
- (4) In section (1)(a) “democracy” includes –
 - (a) an independent judiciary,
 - (b) in a Parliamentary system, a Government that is accountable to Parliament, regular election, and
 - (c) decentralised decision-making, accountable at an appropriate level to the electorate.
- (5) In subsection (1)(c) “freedom” includes –
 - (a) freedom of thought, conscience and religion,
 - (b) freedom of expression, and
 - (c) freedom of assembly and association.
- (6) In subsection (1)(e) “respect for the environment” means taking into account the systemic effect of human actions on the health and sustainability of the environment both within the United Kingdom and the planet as a whole, for present and future generations.”

LORD YOUNG OF ACTON

After Clause 63, 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 seven 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 both Houses of Parliament for the continuation of the action.
- (10) If Parliament 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 MORGAN OF COTES
BARONESS LISTER OF BURTERSETT

After Clause 63, 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 MORGAN OF COTES

★ After Clause 63, 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 BARRAN

★ After Clause 63, 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—

“smartphone” means a mobile telephone that is able to connect to the internet and whose main purpose is not the support of learning or study;

“the school day” includes all time between the start of the first lesson period and the end of the final lesson period.”

Member's explanatory statement

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

BARONESS BARRAN

★ After Clause 63, 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.

BARONESS BARRAN

★ After Clause 63, 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 BARRAN

★ After Clause 63, insert the following new Clause –

“Behaviour improvement: presumption against reinstatement for children who engage in extremely serious behaviour

(1) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (S.I. 2012/1033) are amended as follows.

(2) In regulation 6, after paragraph (3) insert –

“(3A) For any pupil engaged in any of the circumstances set out in sub-paragraphs (a) to (c), the presumption should be that the governing body must not reinstate the pupil unless a risk assessment has been carried out which demonstrates that the student does not present a heightened risk factor to other students and staff –

- (a) where a pupil's possession of a knife or other offensive weapon was a factor in the decision to exclude the child;
- (b) where the pupil's behaviour which led to their being excluded included sexual assault;
- (c) where the pupil's behaviour which led to their being excluded included assault against a teacher.

(3B) Any risk assessment required under paragraph (3A) must demonstrate how this risk has been eliminated or negated.

(3C) Where a pupil has not been reinstated as a result of conditions under paragraph (3A), the pupil must be relocated to an environment that is more suitable to their challenging behaviour, such as a People Referral Unit or Alternative Provision or similar.””

Member's explanatory statement

This amendment seeks to probe the Government's willingness to introduce a presumption against the reinstatement of a child who has been excluded for possession of a knife or other offensive weapon, sexual assault, or assault against a teacher. It would instead mean that the pupil must be relocated to an environment that is more suitable to challenging behaviour.

BARONESS BARRAN

★ After Clause 63, insert the following new Clause –

“Behaviour improvement: presumption against reinstatement in a mainstream school for children who have been permanently excluded on two occasions

(1) The School Discipline (Pupil Exclusions and Reviews) (England) Regulations 2012 (2012/1033) are amended as follows.

(2) In regulation 6, after paragraph (3) insert –

“(3A) Where a pupil has been permanently excluded on two occasions, the presumption should be the governing body of any mainstream school must not reinstate the pupil unless a risk assessment has been carried out which demonstrates that the student does not present a heightened risk factor to other students and staff, in which case the school must be able to demonstrate how this risk has been eliminated or negated.

(3B) Where a pupil has not been reinstated as a result of conditions under paragraph (3A), the pupil must be relocated to an environment that is more suitable to their challenging behaviour, such as a People Referral Unit or Alternative Provision or similar.””

Member's explanatory statement

This amendment seeks to probe the Government's willingness to introduce a presumption against the reinstatement of a child who has been permanently excluded on two occasions from any mainstream school from being moved to another mainstream school and relocated to an environment that is more suitable to their challenging behaviour, such as a Pupil Referral Unit or Alternative Provision or similar.

BARONESS BARRAN

★ After Clause 63, 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.

Clause 67

BARONESS BARRAN

★ Clause 67, page 127, line 28, 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.

Children's Wellbeing and Schools Bill

RUNNING LIST OF ALL AMENDMENTS ON REPORT

Tabled up to and including

14 November 2025

14 November 2025

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