

# Children's Wellbeing and Schools Bill

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## AMENDMENTS TO BE MOVED ON REPORT

*[Supplementary to the Marshalled List]*

Amendment  
No.

Clause 24

LORD MOHAMMED OF TINSLEY

79A★ Clause 24, page 41, line 40, at end insert –

- “(3A) Guidance given under this section must be laid before both Houses of Parliament.
- “(3B) Guidance laid under subsection (3A) may not be given until the end of the period of 40 days beginning with the day on which it is laid.
- “(3C) If, within that period, either House resolves that the guidance should not be given, the Secretary of State may not give the guidance.”

After Clause 27

LORD NASH  
BARONESS CASS  
BARONESS BENJAMIN  
BARONESS BERGER

*This amendment is intended to replace Amendment 94*

94A★ 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) or subsection (5) 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” shall have the meaning given to it in the Online Safety Act 2023, subject to any modification, addition or exclusion as the Secretary of State may specify in regulations made by statutory instrument under this subsection.”

***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.*

LORD STOREY

110A★ After Clause 27, insert the following new Clause—

**“Action to promote the wellbeing of children through age of consent rise for harmful social media data processing**

- (1) Article 8 of the UK GDPR (conditions applicable to child's consent in relation to information society services) is amended as follows.
- (2) After paragraph 1 insert—
 

“1A. References to 13 years old in paragraph 1 shall be read as 16 years old in the case of social networking services processing personal data for the purpose of delivering personalised content, including targeted advertising and algorithmically curated recommendations, which has been deemed by OFCOM to have a negative impact on the wellbeing of children.

1B. For the purposes of paragraph 1A “social networking services” means any online service that—

- allows users to create profiles and interact publicly or privately with other users, and
- facilitates the sharing of user-generated content, including text, images, or videos, with a wider audience.

1C. Paragraph 1B does not apply to—

- educational platforms and learning management systems provided in recognised educational settings, where personal data processing is solely for educational purposes, or
- health and well-being services, including NHS digital services, mental health support applications, and crisis helplines, where personal data processing is necessary for the provision of care and support.””

***Member's explanatory statement***

*This new clause would raise the age for processing personal data in the case of social networking services from 13 to 16, with the aim of improving the wellbeing of children.*

LORD STOREY

**110B★** After Clause 27, insert the following new Clause—

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

- The Secretary of State must make regulation to promote the wellbeing of children by preventing, detecting and responding to the creation, distribution and possession of child sexual abuse material.
- For the purposes of subsection (1), regulations made under this Act may make provision requiring providers of regulated services to—
  - assess and mitigate the risk of their services being used to create, distribute or access child sexual abuse material,
  - implement proportionate safety and safeguarding measures, including reporting mechanisms, human moderation and age-appropriate protections,
  - preserve and disclose relevant information to law enforcement authorities where required to do so by law, and
  - cooperate with public authorities in the investigation and prosecution of offences relating to child sexual abuse material.
- For the purposes of subsection (1), regulations made under this Act may contain provision regarding sanctions for providers who fail to comply with those regulations.
- The Secretary of State must issue guidance on measures to—
  - improve the identification of children who are victims of sexual exploitation,

- (b) strengthen pathways for reporting and referral,
- (c) support victims and survivors, and
- (d) enhance the capability and resourcing of specialist law enforcement and safeguarding bodies.

(5) In exercising functions under this Act for the purposes of combating child sexual abuse material, the Secretary of State and any relevant authority must ensure that measures taken are effective, evidence-based and proportionate to the risk addressed.

(6) Nothing in this Act authorises or requires the routine or indiscriminate monitoring of the content of private communications or data stored on personal devices.

(7) In particular, this Act does not require –

- (a) the installation of software on personal devices for the purpose of generalised scanning of communications, images or files, or
- (b) the analysis of private digital content in the absence of reasonable grounds for suspicion relating to a specific individual, account or device.

(8) Technical measures which interfere with private communications or personal data for the detection of child sexual abuse material may be used only where –

- (a) they are authorised by a warrant or court order,
- (b) they are targeted to a named individual, account or device, and
- (c) they are limited in scope and duration to what is strictly necessary.

(9) In this section –

- “personal device” means a device primarily used for private communication or storage;
- “data protection legislation” has the meaning given in section 3 of the Data Protection Act 2018;
- “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.

(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.”

LORD CRISP

*As an amendment to Amendment 125*

**125A★** After inserted subsection (1)(f), insert –

- “(g) that the local authority must record and collate any evidence provided by the parent as to failings in the education provided by

the school to be published in a formal annual report to the authority's relevant committee and to Ofsted."

***Member's explanatory statement***

*This amendment seeks to ensure that where parents are dissatisfied with the education provided for their children these instances will be recorded to help make improvements in the education provided.*

**Clause 37**

THE LORD BISHOP OF MANCHESTER

**175A★** Clause 37, page 83, line 42, at end insert –

- “(fa) 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;”

***Member's explanatory statement***

*This Amendment seeks to mitigate the adverse impact on institutions providing religious instruction, but not wider or general education, as identified in the Equality Impact Statement.*

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*13 January 2026*

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