NEW CLAUSES

Financing of pupil referral units

Secretary Michael Gove

To move the following Clause:—

‘(1) Section 45 of SSFA 1998 (financing of maintained schools: maintained schools to have budget shares) is amended as follows.

(2) In subsection (1A), omit “or” at the end of paragraph (b), and after paragraph (c) insert “, or

(d) a pupil referral unit in England.”

(3) In subsection (3)—

(a) in paragraph (a), after “pupil referral units” insert “in Wales”; and

(b) after paragraph (a) insert—

“(aa) references to the governing body of a maintained school or of a school maintained by a local authority shall be read, in relation to a pupil referral unit in England, as references to the management committee for the unit (in spite of paragraph 1 of Schedule 1 to the Education Act 1996);

(ab) references to governors shall be read, in relation to a pupil referral unit in England, as references to the members of the management committee for the unit.”.

Charges at boarding Academies

Secretary Michael Gove

To move the following Clause:—

‘After section 10 of AA 2010 insert—
Education Bill, continued

“10A Charges at boarding Academies

(1) This section applies where—
   (a) a registered pupil at an Academy is provided with board and
       lodging at the Academy, and
   (b) the local authority for the pupil’s area is satisfied that either
       condition A or condition B is met.

(2) Condition A is that education suitable to the pupil’s age, ability and
    aptitude, and to any special educational needs the pupil may have, cannot
    otherwise be provided for the pupil.

(3) Condition B is that payment of the full amount of the charges in respect
    of the board and lodging would involve financial hardship to the pupil’s
    parent.

(4) If the authority is satisfied that condition A is met, the authority must pay
    the full amount of the charges in respect of the board and lodging to the
    proprietor of the Academy.

(5) If the authority is satisfied that condition B is met, the authority must pay
    to the proprietor of the Academy so much of the charges in respect of the
    board and lodging as, in the opinion of the authority, is needed to avoid
    financial hardship to the pupil’s parent.

(6) The proprietor of the Academy must remit the charges that would
    otherwise be payable by the pupil’s parent, to the extent that it receives a
    payment from the local authority in respect of those charges under
    subsection (4) or (5).”.

Tackling educational underachievement

Richard Fuller

To move the following Clause:—

‘(1) The Secretary of State may, by order, in circumstances where an existing school
    has for the preceding two years or for three of the preceding five years failed to
    meet or exceed the “National Floor Standards”, disapply any provisions of the
    Academies Act 2010 to facilitate the making of an academy under section 4 of the
    Academies Act 2010 (Academy orders).

(2) For the purposes of this clause the term “National Floor Standards” means
    standards of educational attainment and progress of pupils established from time
    to time by the Secretary of State and in place at the time of the order and which
    may be applied retrospectively for the purposes of this section.’.
Education Bill, continued

Admissions policy of independent schools opting for Academy status

Mr Graham Brady
Mr Graham Stuart
Priti Patel
Gavin Barwell
Mr Robert Syms
Tracey Crouch

Withdrawn  NC2

To move the following Clause:—

‘(1) Section 6 of the Academies Act 2010 (effect of Academy order) is amended as follows.

(2) In subsection (4) (definition of “selective school”), after paragraph (b), insert—

“, or

(c) it is an independent school with a selective admissions policy converting to an Academy”.’.

Emergency life support skills

Julie Hilling
Justin Tomlinson
Nic Dakin
Dr Julian Huppert
John McDonnell

Not selected  NC3

To move the following Clause:—

‘Emergency life support skills and the national curriculum for England

(1) Section 84 of EA 2002 (curriculum requirements for first, second and third key stages) is amened as follows.

(2) In subsection (3)(h)—

(a) in paragraph (i), omit “and”

(b) after paragraph (ii) insert “, and

(iii) emergency life support skills”.

(3) In subsection (4), at end insert “, and

“emergency life support skills” means skills which enable the individual who has them to assist in keeping another individual alive in an emergency.”.'
Payments in relation to full-time, post-16 education

Nic Dakin
Lisa Nandy
Paul Blomfield
Tom Blenkinsop
Ian Mearns
Stella Creasy

Negatived NC5

To move the following Clause:—

‘(1) EA 1996 is amended as follows.
(2) In section 518, after subsection (2), insert—

“(3) The Secretary of State must make regulations in relation to the payment of any allowance or bursary to any eligible applicant who is over compulsory school age but aged 18 or under and who attends a full-time further education course in England in a school sixth form or at a Further Education College or at a sixth form college, or who is on a Foundation Education programme or who is on a Foundation Education programme or who is on a ‘Programme-Led Apprenticeship’.

(4) Payments under subsection (3) shall be subject to the eligible recipient attending every learning session in connection with an eligible education course unless the recognised educational institution has authorised every absence.”.’.

Education Maintenance Allowance

Nic Dakin
Lisa Nandy
Paul Blomfield
Tom Blenkinsop
Ian Mearns
Stella Creasy

Not called NC6

To move the following Clause:—

‘(1) EA 1996 is amended as follows.
(2) In section 518, after subsection (2), insert—

“(3) The Secretary of State must make regulations in relation to the payment of an Education Maintenance Allowance to any eligible applicant who is over compulsory school age but aged 18 or under and who attends a full-time further education course in England in a school sixth form or at a Further Education college or at a sixth form college, or who is on a Foundation Education programme or who is on a ‘Programme-Led Apprenticeship’.

(4) Payments under subsection (3) shall be subject to the eligible recipient attending every learning session in connection with an eligible education course unless the recognised educational institution has authorised every absence.
(5) The minimum payments under subsection (3) shall be determined by the Secretary of State, to take effect on 1 September of every year.

(6) Regulations may provide for the eligibility criteria or administration of the Education Maintenance Allowance.”.’.

Requirement to be qualified: Academies etc

Kevin Brennan  
Mr Iain Wright  
Andy Burnham  
Caroline Lucas  

To move the following Clause:—

‘(1) EA 2002 is amended as follows.

(2) In section 133 (Requirement to be qualified), in subsection (6) (schools to which this section applies), at the end there is inserted—

“(c) an Academy,
(d) a city technology college, or
(e) a city college for the technology of the arts.”.’.

Requirement to achieve specified standard: suppliers of careers guidance

Kevin Brennan  
Mr Iain Wright  
Andy Burnham  
Caroline Lucas  

To move the following Clause:—

‘(1) EA 2002 is amended as follows.

(2) In section 29 (additional functions of governing body), after subsection (5) insert—

“(6) The governing body and head teacher of a maintained school shall comply with any standards prescribed by the Secretary of State in securing that all relevant registered pupils at the school are provided with independent careers guidance under section 42A (Provision of careers guidance in schools in England) of the Education Act 1997 including the opportunity for pupils to meet at the premises of the school the person providing independent careers guidance.”’.
Education Bill, continued

Fair access to education and training

Kevin Brennan
Mr Iain Wright
Andy Burnham
Caroline Lucas

Not called NC10

To move the following Clause:—

‘(1) EA 1996 is amended as follows.
(2) In section 10 (General duty of the Secretary of State), at the end insert “and ensure fair access to opportunity for education and training.”’.

Enrichment activities for 16 to 18 year olds

Nic Dakin
Lisa Nandy
Paul Blomfield
Tom Blenkinsop
Ian Mearns
Stella Creasy

Not called NC11

To move the following Clause:—

‘(1) EA 2002 is amended as follows.
(2) After section 85A insert—

“85B Enrichment activities for 16 to 18 year olds

(1) A pupil aged 16 to 18 is also entitled to guidance, tutorials and enrichment activities which may include—

(a) learning aims that lead to external qualifications or external certificates of attainment not approved by the Secretary of State;
(b) careers guidance;
(c) sports;
(d) music, dance and drama;
(e) industry-related programmes, including vendor-certificated courses such as those offered by IT companies;
(f) health education;
(g) use of learning resource centres;
(h) activities that support learners to access a progression opportunity and/or employment;
(i) counselling.

(2) The Secretary of State shall take into account the entitlements in subsection (1) when determining funding for pupils aged 16 to 18.”’.

**Education Bill, continued**

*Attainment and assessment at Key Stage 3*

Stephen McPartland  
*Not selected NC12*

To move the following Clause:—

‘(1) The Education Act 2002 is amended as follows.
(2) In section 87, at end insert—

“In respect of the third key stage, the Secretary of State must by order specify in relation to each of the foundation subjects—
(a) such attainment targets,
(b) such programmes of study, and
(c) such assessment arrangements,
as he considers appropriate for those subjects.”.

---

*Schools Causing Concern and disapplication of the Transfer of Undertakings (Protection of Employment) Regulations 2006*

Mr Sam Gyimah  
*Not called NC13*

To move the following Clause:—

‘(1) The Academies Act 2010 shall be amended as follows.
(2) In section 4, at end insert—

“The Secretary of State may by order disapply the Transfer of Undertakings (Protection of Employment) Regulations 2006 when making an academy order under this section if the school is eligible for intervention (within the meaning of Part 4 of the Education and Inspections Act 2006).”.

---

*Requirement to be qualified*

Nic Dakin  
Bill Esterson  
Caroline Lucas  
John McDonnell  
*Not selected NC14*

To move the following Clause:—

‘(1) Section 135(5) of the Education Act 2002 is amended as follows.
(2) In this section “school” means—
(a) a school maintained by a local education authority, or
(b) a special school not so maintained, or


**Education Bill, continued**

(c) a school that is established as an academy under the provisions of the Academies Act 2010.’.

---

**Definition of qualified teacher in England**

Nic Dakin  
Bill Esterson  
Caroline Lucas  
John McDonnell

*Not called*  
NC15

To move the following Clause:—

‘The person employed as a qualified teacher shall—

(a) hold a first degree or equivalent qualification granted by a United Kingdom institution or an equivalent degree or other qualification granted by a foreign institution;

(b) successfully complete a course of initial teacher training at an accredited higher education institution in England that satisfies the requirements for the award of post-graduate degree qualifications in the UK;

(c) undertake any period of practical teaching experience for the purposes of that course of initial teacher training wholly or mainly in a school, city college, academy, independent school or other institution (except a pupil referral unit) in England;

(d) be assessed by the accredited institution as meeting the specified standards; and

(e) fall within Article 3 of EEC Council Directive 89/48 on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years’ duration, as extended by the EEA Agreement and as amended by the Switzerland Agreement.’.

---

**Assigned teachers**

Nic Dakin  
Bill Esterson  
John McDonnell

*Not selected*  
NC16

To move the following Clause:—

‘It shall be the duty of the head teacher to ensure that each class or group timetabled for core and foundation subjects and for religious education and each class or group in the foundation stage has a qualified teacher assigned to teach it and who shall be responsible for the progress of the pupils in the class/group over the course of the academic year.’.
Definition of teaching class or group

Nic Dakin
Bill Esterson
John McDonnell

Not selected  NC17

To move the following Clause:—

‘The Secretary of State shall consult with schools, teachers and other appropriate bodies in England on regulations which make provision for the maximum size of a teaching class or group, which shall take account of—
(a) the need to provide for quality education;
(b) the need to safeguard the health, safety and welfare of pupils and staff;
(c) the specific nature of the educational activities to be undertaken;
(d) the requirements of pupils with special or additional educational needs;
(e) the age of the pupils in the class; and
(f) children’s right to education as enshrined in the United Nations Convention on the Rights of the Child.’.

Regulation of for-profit higher education institutions

Mr Gareth Thomas

Not selected  NC18

To move the following Clause:—

‘To allow the Government to bring forward regulations relating to the running of for-profit higher education institutions educating students in receipt of loans from the Student Loan Company.’.

Purchase by academies of places for pupils aged 14 at a private school

Mr Frank Field

Not called  NC19

To move the following Clause:—

‘(1) An Academy may apply its funds for the purpose of purchasing a place at a private school for a relevant pupil for the whole or part of the pupil’s remaining school career.

(2) For the purposes of this section, a relevant pupil—
(a) is a pupil on the school roll of the Academy; and
(b) is aged 14.’.
Guidance on draft Regulations on pupil registration and school attendance codes

Mr Graham Stuart

To move the following Clause:—

‘The Secretary of State shall provide guidance to local authorities for dealing with families who have chosen to home educate their children prior to the implementation of the Education (Pupil Registration) (England) Regulations and the School Attendance and Absence codes.’.

To divide Ofsted into two inspectorates

Mr Graham Stuart

To move the following Clause:—

‘The Secretary of State shall take the necessary steps to divide the current responsibilities of Ofsted into two new inspectorates: the Inspectorate for Education and the Inspectorate for Children’s Care.’.

Places at independent schools

Mr Frank Field

To move the following Clause:—

‘(1) For the purpose of enabling pupils who attend Academy schools in England to benefit from education at independent schools, Academy schools may operate a scheme whereby—

(a) participating schools remit fees that would otherwise be chargeable in respect of pupils selected for school places under the scheme; and

(b) the respective Academy school reimburses the schools for the fees that are remitted.

(2) In this Clause references to a participating school are references to any independent school providing secondary education with which individual Academy schools make an agreement (a “participation agreement”) for the purposes of the scheme.

(3) The fees in relation to which the schemes is to have effect shall be—

(a) tuition and other fees the payment of which is a condition of attendance at a participating school but excluding boarding fees and such other fees, if any, as may be excluded by the participation agreement; and

(b) entrance fees for public examinations paid by a participating school in respect of candidates from the school.

(4) A participation agreement shall be renewed annually, may apply to pupils aged over 14 only and contain provisions with respect to the number of assisted places
to be available at the school and may contain conditions to be complied with by
the school in addition to those prescribed under subsection (6) below.

(5) (a) Every participation agreement shall provide that it may be terminated.
(b) A participation agreement shall not be capable of being terminated by
either party otherwise than as aforesaid.
(c) The proprietors of the school may terminate a participation agreement by
giving six months written notice to the respective Academy school or
such shorter notice as an Academy school may in any particular case
accept.
(d) Subject to paragraph 4 below, the respective Academy school may
terminate a participation agreement by giving six months written notice
to the proprietors of the school.
(e) If the Academy school—
(i) is not satisfied that appropriate educational standards are being
maintained at the school; or
(ii) is satisfied that any condition applying to the school under the
agreement has been contravened,
the Academy school may at any time terminate the agreement by written
notice to the proprietors of the school
(f) A notice of termination given under this paragraph may provide that it
shall be treated as of no effect if the proprietors of the school satisfy the
Secretary of State within such time as may be specified in the notice that
they have complied with any condition specified therein.
(g) Any notice of termination given under paragraph 3 or 4 above shall
contain a statement of the reason for which it is given.
(h) The termination of a participation agreement shall not affect the
operation of the agreement or of the scheme referred to in Clause X
(including any regulations made under that section) in relation to any
pupil holding an assisted place at the school on the date of the
termination.

(6) The Secretary of State shall by regulations prescribe—
(a) the requirements as to the residence or otherwise which are to be the
conditions of eligibility for selection for a place at a participating school;
(b) the conditions subject to which, the extent to which, and the
arrangements in accordance with which, fees are to be remitted by
participating schools;
(c) the time and manner in which participating schools are to claim and
receive reimbursements from Academy schools;
(d) conditions to be complied with by participating schools with respect to the
selection of pupils for assisted places, the admission of pupils, the fees to
be charged, the keeping and auditing of accounts and the furnishing of
information to Academy schools; and
(e) such other matters as appear to him to be a requisite.

(7) Regulations under subsection (6) above may authorise the Secretary of State to
make provision for any purpose specified in the regulations.

(8) Before making regulations under subsection (6) above the Secretary of State shall
consult such bodies as appear to him to be appropriate and to be representative of
participating schools or, in the case of regulations made within twelve months of
the coming into force of this section, of schools eligible to participate in the
scheme.

(9) Regulations made under subsection (6)(b) above shall be reviewed by the
Secretary of State in consultation with such bodies as appear to him to be
appropriate and to be representative of participating schools—
Education Bill, continued

(a) not later than two years after the date on which the first such regulations are made; and
(b) thereafter at intervals not exceeding two years.

(10) Except where the context otherwise requires, references in this section to a school include references to the proprietors of the school and persons acting with their authority; and references in this section to an independent school are references to an independent school that is finally registered and conducted for charitable purposes only.’.

Removal of limit on infant class sizes in rural areas

Mr Andrew Turner

To move the following Clause:—

‘(1) The School Standards and Framework Act 1998 is amended as follows.
(2) After section 1 insert—

“1A Removal of limit on infant class sizes in certain rural schools

(1) The Secretary of State may by order disapply regulations made under section 1 (duty to set limit on infant class sizes) in the case of a relevant school.

(2) For the purposes of this section, “relevant school” means a school—
(a) in a rural area;
(b) which has one or more infant classes; and
(c) which would otherwise be required by regulations under section 1 to refuse to accept as a pupil a child living in the local area in circumstances where the closest alternative infant provision is more than a mile further away from the domicile of that child than the relevant school.”’.

Secretary Michael Gove

Agreed to 30

Page 6, line 15 [Clause 2], at end insert—

‘( ) In section 569 of EA 1996, in subsection (2A) (regulations subject to affirmative procedure), for “550ZA or 550ZC” substitute “550ZA(3)(f) or 550ZC(7)”’.
Clause 4, at end add ‘The Secretary of State must lay before Parliament an annual report on the numbers of students at all schools in England and Wales subject to these powers including—

(a) details as to whether these pupils have identified special educational needs or additional learning needs,

(b) the numbers of times these powers have been exercised,

(c) the previous and current status of their schooling provision,

(d) whether their exclusion was referred to a review panel, and

(e) where known the outcome of any review panel action including any financial adjustment of the schools budget share for a funding period incurred by schools as a direct consequence of the exclusion.’.

Clause 13, leave out ‘teachers’ and insert ‘school staff’.

Clause 13, leave out ‘teachers’ and insert ‘school staff’.

Clause 13, leave out ‘teacher’ and insert ‘member of the school staff’.

‘( ) The restrictions in subsection (3) also cease to apply if—
Education Bill, \textit{continued}

(a) the Secretary of State publishes information about the person who is the subject of the allegation in connection with an investigation or decision under section 141B (investigation of disciplinary cases by Secretary of State) relating to the same allegation, or

(b) the General Teaching Council for Wales publishes information about the person who is the subject of the allegation in connection with an investigation, hearing or determination under Schedule 2 to the Teaching and Higher Education Act 1998 (investigation of disciplinary cases by the General Teaching Council for Wales) relating to the same allegation.

__________________

Secretary Michael Gove

\textit{Agreed to} 32

Page 21, line 4 [Clause 13], at end insert ‘, or

(b) a document published by the regulator of a profession of which the person who is the subject of the allegation is a member in connection with disciplinary proceedings in relation to the person.’

Bill Esterson
Nic Dakin
John McDonnell

\textit{Not selected} 24

Page 21, line 5 [Clause 13], leave out ‘or engaged as a teacher’.

__________________

Secretary Michael Gove

\textit{Agreed to} 33

Page 22, line 12 [Clause 13], at end insert—

‘( ) Schedule 4 (offence of breaching reporting restrictions: application to providers of information society services) has effect.’

Bill Esterson
Nic Dakin

\textit{Not selected} 26

Page 25, line 17 [Clause 18], at end add—

‘(3) The Secretary of State may not bring this section into force by an order under section 76(3) until the end of the period of 18 months beginning on the day on which this Act is passed.’.
Bill Esterson
Nic Dakin
Esther McVey
John McDonnell

Not called 27

Page 27, line 21 [Clause 26], at end add—
‘(7) The Secretary of State must produce a transition plan to highlight how he will assist schools, colleges and local authorities in the transition from the current system of careers guidance to the new all-age careers service.’.

Bill Esterson
Nic Dakin
John McDonnell

Not called 28

Page 27, line 21 [Clause 26], at end add—
‘(7) Before the commencement of this section, the Secretary of State must report to Parliament on arrangements for the funding of careers guidance between the end of ring-fenced Connexions funding and the establishment of the All Age Careers Service.’.

Bill Esterson
Nic Dakin

Not called 19

Page 27, line 36 [Clause 27], at end insert—
‘(d) an Academy School.’.

Bill Esterson
Nic Dakin
John McDonnell

Not called 29

Page 28, line 3 [Clause 27], at end insert ‘by qualified careers professionals’.

Bill Esterson
Nic Dakin
John McDonnell

Not called 18

Page 28, line 5 [Clause 27], at end insert—
‘(ba) involves at least one guidance session that is delivered in person by a qualified careers professional, and’.

Kevin Brennan
Mr Iain Wright
Andy Burnham

Not selected 8

Page 28, line 24 [Clause 27], at end insert ‘to any standards prescribed by the Secretary of State’.
Education Bill, continued

Nic Dakin

Page 30, line 12 [Clause 27], at end insert—

‘(10) Within a period of three years beginning with the commencement of section 27, the Secretary of State must lay before Parliament a report about the effect of that section.’.

---

Kevin Brennan
Mr Iain Wright
Andy Burnham

Page 33, line 4 [Clause 34], at end insert—

‘(1A) In section 84 (Code for school admissions) in subsection (2) after “other matters”, insert “which ensure fair access to opportunity for education”.’.

---

Kevin Brennan
Mr Iain Wright
Andy Burnham

Page 33, line 5 [Clause 34], leave out subsection (2).

---

Kevin Brennan
Mr Iain Wright
Andy Burnham
Caroline Lucas

Page 33, line 14 [Clause 34], leave out subsection (3) and insert—

For section 88J (changes to admission arrangements by schools adjudicator) substitute—

‘88J Implementation of decisions by adjudicator

(1) This section applies where the adjudicator has made a decision (‘the primary decision’)—

(a) under section 88H(4) on whether to uphold an objection to admission arrangements, or

(b) under section 88I(4)(b) or (5)(b) on whether admission arrangements conform with the requirements relating to admissions.

(2) If the admission authority has not amended its admission arrangements within a period of 14 days of being notified of the primary decision, the local authority for the area in which the school is situated may direct appropriate changes to any aspect of the admission arrangements in consequence of the primary decision.

(3) Following the amendment of the admission arrangements by the admission authority following a primary decision, the local authority for the area, if it considers that the changes to the admission arrangements are not consistent with the primary decision, may direct appropriate changes to any aspect of the admission arrangements in consequence of the primary decision.'
Education Bill, continued

(4) An admission authority which is subject to a direction under subsections (2) or (3) may ask the adjudicator to set aside the direction on the grounds that the changes to the admission arrangements contained in the local authority’s direction are not consistent with the primary decision.”.’.

Secretary Michael Gove

Agreed to 34

Page 42, line 34 [Clause 51], leave out from ‘not’ to end of line 36 and insert ‘otherwise receive suitable education for any period,’.

Secretary Michael Gove

Agreed to 35

Page 42, [Clause 51], leave out lines 40 to 42 and insert—

‘(2) “Suitable education”, in relation to a child, means efficient education suitable to the child’s age, ability and aptitude and to any special educational needs the child may have.’.

Secretary Michael Gove

Agreed to 36

Page 51, line 5 [Clause 65], leave out ‘sections 83B and 83C’ and insert ‘section 83B’.

Secretary Michael Gove

Agreed to 37

Page 52, [Clause 65], leave out lines 26 to 35.

Bill Esterson
Nic Dakin

Not selected 25

Page 54, line 3 [Clause 68], leave out subsections (2)(a), (2)(b) and (2)(c).

Secretary Michael Gove

Agreed to 38

Page 57, line 9 [Clause 76], at end insert—

‘(f) section [Charges at boarding Academies].’.
Page 57, line 9 [Clause 76], at end insert—

‘(2A) Section 68 will come into force on 1 September 2013.’.

Kevin Brennan
Mr Iain Wright

Page 62, line 30 [Schedule 2], leave out paragraph (2) and insert—

‘(2) In section 132 (qualified teacher status), leave out subsection (3) and insert—

“(3) The Secretary of State in England shall consult with school proprietors, associations of teachers and such persons as he considers appropriate before making regulations under this section which make provision by reference to—

(a) the content of a course or programme, or
(b) the standard of education or training provided through a course or programme.”.

John McDonnell
Caroline Lucas

Page 64 [Schedule 3], leave out lines 10 to 39 and insert ‘providing for designated employees of the GTCE to become employees of the Secretary of State (and accordingly to become employed in the civil service of the state) or other permitted transferee.

(1A) Where a staff transfer scheme is made under subsection (1) the scheme must provide for the Transfer of Undertakings (Protection of Employment) Regulations 2006 to apply (to the extent that they would not otherwise apply) as if—

(a) any transfer of functions (however affected and described) to a permitted transferee or the Crown were a transfer of an undertaking;
(b) the transfer of the undertaking took effect on a designated date;
(c) the transfer of the undertaking were a relevant transfer for the purposes of the regulations; and
(d) the employee had for those purposes been assigned to an organised grouping of resources or employees that was subject to the relevant transfer.

(2) A staff transfer scheme may provide for the transfer of an employee to a permitted transferee or so as to become employed in the civil service of the state despite any provisions, of whatever nature, which would otherwise prevent the employee from being so transferred.’.
Schedule 3, at end insert—

“permitted transferee” means a person specified in an order made by the Secretary of State;’.

Page 74 [Schedule 6], leave out lines 20 to 34 and insert ‘providing for designated employees of the TDA to become employees of the Secretary of State (and accordingly to become employed in the civil service of the state) or other permitted transferee.

(1A) Where a staff transfer scheme is made the scheme must provide for the Transfer of Undertakings (Protection of Employment) Regulations 2006 to apply (to the extent that they would not otherwise apply) as if—

(a) any transfer of functions (however affected and described) to a permitted transferee or the Crown were a transfer of an undertaking;
(b) the transfer of the undertaking took effect on a designated date;
(c) the transfer of the undertaking were a relevant transfer for the purposes of the regulations; and
(d) the employee had for those purposes been assigned to an organised grouping of resources or employees that was subject to the relevant transfer.

(2) A staff transfer scheme may provide for the transfer of an employee to a permitted transferee or so as to become employed in the civil service of the state despite any provisions, of whatever nature, which would otherwise prevent the employee from being so transferred.’.

Page 75, line 37 [Schedule 6], at end insert—

“permitted transferee” means a person specified in an order made by the Secretary of State;’.

Page 81 [Schedule 9], leave out lines 18 to 32 and insert ‘providing for designated employees of the QCDA to become employees of the Secretary of State (and accordingly to become employed in the civil service of the state) or Ofqual or other permitted transferee.'
Education Bill, continued

(1A) Where a staff transfer scheme is made the scheme must provide for the Transfer of Undertakings (Protection of Employment) Regulations 2006 to apply (to the extent that they would not otherwise apply) as if—

(a) any transfer of functions (however affected and described) to a permitted transferee or the Crown were a transfer of an undertaking;
(b) the transfer of the undertaking took effect on a designated date;
(c) the transfer of the undertaking were a relevant transfer for the purposes of the regulations; and
(d) the employee had for those purposes been assigned to an organised grouping of resources or employees that was subject to the relevant transfer.

(2) A staff transfer scheme may provide for the transfer of an employee to Ofqual or other permitted transferee or so as to become employed in the civil service of the state despite any provisions, of whatever nature, which would otherwise prevent the employee from being so transferred.

John McDonnell
Caroline Lucas

Page 82, line 37 [Schedule 9], at end insert—

"permitted transferee" means a person specified in an order made by the Secretary of State;'

Kevin Brennan
Mr Iain Wright
Andy Burnham

Page 83, line 4 [Schedule 10], leave out paragraphs 1 to 3.

Secretary Michael Gove

Page 112, line 24 [Schedule 14], at end insert—

'( ) in the opening words, for "subsections (4) and" substitute "subsection";'

John McDonnell
Caroline Lucas

Page 118, line 6 [Schedule 17], leave out from beginning to end of line 23 on page 119 and insert ‘to become employees of the Secretary of State (and accordingly to become employed in the civil service of the state) or other permitted transferee.'
(2) Where a staff transfer scheme is made the scheme must provide for the Transfer of Undertakings (Protection of Employment) Regulations 2006 to apply (to the extent that they would not otherwise apply) as if—

(a) any transfer of functions (however affected and described) to a permitted transferee or the Crown were a transfer of an undertaking;

(b) the transfer of the undertaking took effect on a designated date;

(c) the transfer of the undertaking were a relevant transfer for the purposes of the regulations; and

(d) the employee had for those purposes been assigned to an organised grouping of resources or employees that was subject to the relevant transfer.

(3) A staff transfer scheme may provide for the transfer of an employee to a permitted transferee or so as to become employed in the civil service of the state despite any provisions, of whatever nature, which would otherwise prevent the employee from being so transferred.’.

*Bill read the third time on division, and passed.*