



House of Commons

Thursday 14 March 2013

PUBLIC BILL COMMITTEE

New Amendments handed in are marked thus ★

☆ *Amendments which will comply with the required notice period at their next appearance*

CHILDREN AND FAMILIES BILL

NOTE

The Amendments have been arranged in accordance with the Order of the Committee [5 March 2013].

Lisa Nandy
Mrs Sharon Hodgson

Clause 6, page 4, leave out lines 27 to 35.

9

Mr. Edward Timpson

Schedule 1, page 116, line 14, leave out paragraph 11 and insert—

‘11 (1) Sections 125 to 131 cease to have effect in relation to Scotland.

(2) Accordingly, in section 149 (extent), in subsection (4) omit paragraph (b).’.

15

Children and Families Bill, *continued*

Lisa Nandy
Mrs Sharon Hodgson

10

- Clause 7, page 5, line 27, at end insert—
(2A) In subsection (1), after paragraph (d) insert—
“(e) his siblings (whether of the whole or half blood).”.
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Mr Edward Timpson

16

- Clause 8, page 7, line 46, at end insert—
(3A) In section 96(3) of that Act (section 95 does not prohibit payment of legal or medical expenses in connection with applications under section 26 etc) after “26” insert “, 51A”.
(3B) In section 1(1) of the Family Law Act 1986 (orders which are Part 1 orders) after paragraph (ab) insert—
“(ac) an order made under section 51A of the Adoption and Children Act 2002 (post-adoption contact), other than an order varying or revoking such an order;”.
(3C) In section 2 of that Act (jurisdiction of courts in England and Wales to make Part 1 orders: pre-conditions) after subsection (2B) insert—
“(2C) A court in England and Wales shall not have jurisdiction to make an order under section 51A of the Adoption and Children Act 2002 unless—
(a) it has jurisdiction under the Council Regulation or the Hague Convention, or
(b) neither the Council Regulation nor the Hague Convention applies but the condition in section 3 of this Act is satisfied.”.

Mr Edward Timpson

17

- Clause 8, page 8, line 4, at end insert—
(5) In section 17(4) of the Armed Forces Act 1991 (persons to be given notice of application for service family child assessment order) before paragraph (e) insert—
“(db) any person in whose favour an order under section 51A of the Adoption and Children Act 2002 (post-adoption contact) is in force with respect to the child;”.
(6) In section 18(7) of that Act (persons who may apply to vary or discharge a service family child assessment order) before paragraph (e) insert—
“(db) any person in whose favour an order under section 51A of the Adoption and Children Act 2002 (post-adoption contact) is in force with respect to the child;”.
(7) In section 20(8) of that Act (persons who are to be allowed reasonable contact with a child subject to a protection order) before paragraph (d) insert—
“(cb) any person in whose favour an order under section 51A of the Adoption and Children Act 2002 (post-adoption contact) is in force with respect to the child;”.
(8) In section 22A(7) of that Act (persons who are to be allowed reasonable contact with a child in service police protection) before paragraph (d) insert—

Children and Families Bill, *continued*

“(cb) any person in whose favour an order under section 51A of the Adoption and Children Act 2002 (post-adoption contact) is in force with respect to the child,”.

Bill Esterson

Clause 9, page 8, line 15, at end add—

2

‘(3D) A person appointed by a local authority under subsection (3B) shall be responsible for oversight of the way in which pupil premium for children looked after by that authority is spent.’.

Lisa Nandy
Mrs Sharon Hodgson

Clause 9, page 8, line 15, at end add—

18

‘(3D) A person appointed by a local authority under subsection (3B) is responsible for promoting the educational attainment of children in all schools in the local authority area receiving public funding, including Academies.

(3E) A person appointed by a local authority under subsection (3B) has responsibility for allocating the pupil premium for the education of looked after children paid to the local authority pursuant to section 14 of the Education Act 2002.’.

Lisa Nandy
Sharon Hodgson

Clause 10, page 8, line 20, at end insert ‘unless in the view of the court it is unreasonable to do so’.

19

Lisa Nandy
Sharon Hodgson

Clause 10, page 8, line 34, at end insert “‘approved mediator’ means a mediator who satisfies such training and quality assurance standards as the Lord Chancellor may by regulations specify;’.

20

Lisa Nandy
Sharon Hodgson

Clause 10, page 8, line 36, after ‘held’, insert ‘with an approved mediator’.

21

Children and Families Bill, *continued*

Lisa Nandy
Sharon Hodgson

Clause 11, page 9, line 17, at end insert—

- (2B) “Involvement” means any kind of direct or indirect involvement that promotes the welfare of the child, but shall not be taken to mean any particular division of a child’s time.’.

23

Lisa Nandy
Sharon Hodgson

Page 9, line 11, leave out Clause 11.

22

Lisa Nandy
Sharon Hodgson

Clause 12, page 9, leave out lines 38 to 41, and insert—

- (a) with whom a child is to—
 (i) live,
 (ii) spend time, or
 (iii) otherwise have contact; and
 (b) when, with any person, a child is to—
 (i) live,
 (ii) spend time, or
 (iii) otherwise have contact.’.

24

Lisa Nandy
Sharon Hodgson

Clause 12, page 9, line 42, at end add—

- (5) “Rights of custody” under the Hague Convention are determined by an order made under subsection (3)(a)(i).’.

25

Lisa Nandy
Sharon Hodgson

Clause 13, page 10, line 14, leave out subsection (5).

26

Lisa Nandy
Sharon Hodgson

Clause 13, page 10, line 15, at end insert—

- (5A) The court shall raise with the parties at the first hearing the issue of whether the use of expert evidence is likely to be necessary in the proceedings and shall have

27

Children and Families Bill, *continued*

particular regard to setting a timetable for consideration of applications for permission to put expert evidence before the court.’.

Lisa Nandy
Sharon Hodgson

28

Clause 14, page 12, line 15, after ‘issued’, insert ‘unless the court considers it necessary in order to safeguard or promote the child’s welfare to permit additional time for the disposing of the application.’.

Lucy Powell

33

Clause 14, page 12, line 35, at end insert ‘or promote the child’s long-term welfare.’.

Lisa Nandy
Sharon Hodgson

29

Clause 14, page 13, line 4, after ‘weeks’, insert ‘or, having taken into consideration the safeguarding and promotion of the child’s welfare, following evidence presented to the court relating to a planned programme of intervention, such longer time period as the court deems appropriate.’.

Lisa Nandy
Sharon Hodgson

30

Clause 15, page 14, line 6, at end insert—
 ‘(A1) Section 22 of the Children Act 1989 (general duty of local authority in relation to children looked after by them) is amended as follows—
 In subsection (4), after “proposing to look after,”, insert “including when making any fundamental change to the care plan before or after a care order has been made.”.’.

Lisa Nandy
Sharon Hodgson

31

Clause 15, page 14, line 10, after ‘provisions’, insert ‘and sibling placement arrangements’.

Lisa Nandy
Sharon Hodgson

32

Clause 15, page 14, line 13, at end insert ‘unless it deems such consideration necessary in assessing the permanence provisions of the section 31A plan for the child concerned and making the care order, taking into account the circumstances of the

Children and Families Bill, *continued*

application and the safeguarding and promotion of the child's welfare.'.

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- Mr Edward Timpson 55
- ★ Clause 21, page 18, line 19, leave out 'all forms of'.
- Mr Edward Timpson 56
- ★ Clause 21, page 18, line 20, leave out '(whether or not)'.
-
- Mr Robert Buckland 40
- ★ Clause 22, page 18, line 33, at end add—
'(2) Regulations must make provision for how local authorities exercise their functions referred to in subsection (1).'
- Mr Robert Buckland 54
- ★ Clause 22, page 18, line 33, at end insert—
'(2) Regulations must make provision for the collection and publication of data relating to children and young people by type of Special Education Need.'
-
- Mr Edward Timpson 57
- ★ Clause 26, page 19, line 38, leave out 'clinical commissioning groups' and insert 'commissioning bodies'.
- Mr Edward Timpson 58
- ★ Clause 26, page 20, line 6, leave out 'special educational needs of the children and young people concerned' and insert 'learning difficulties and disabilities which result in the children and young people concerned having special educational needs'.
- Mr Robert Buckland 47
- ★ Clause 26, page 20, line 7, leave out 'special educational' and insert 'educational, health and care'.
- Mr Edward Timpson 59
- ★ Clause 26, page 20, line 32, leave out subsection (8) and insert—
'(8) A local authority's "partner commissioning bodies" are—

Children and Families Bill, *continued*

- (a) the National Health Service Commissioning Board, to the extent that it is under a duty under section 3B of the National Health Service Act 2006 to arrange for the provision of services or facilities for any children and young people for whom the authority is responsible who have special educational needs, and
 - (b) each clinical commissioning group that is under a duty under section 3 of that Act to arrange for the provision of services or facilities for any such children and young people.
- (9) Regulations may prescribe circumstances in which a clinical commissioning group that would otherwise be a partner commissioning body of a local authority by virtue of subsection (8)(b) is to be treated as not being a partner commissioning body of the authority.’.

Mr Robert Buckland

- 48**
- ★ Clause 27, page 20, line 40, after ‘needs’, insert ‘and disabled children and young people.’.

Mr Robert Buckland

- 49**
- ★ Clause 27, page 20, line 43, after ‘needs’, insert ‘and disabled children and young people.’.

Mr Robert Buckland

- 50**
- ★ Clause 27, page 21, line 3, at end insert—
- ‘(2A) If the education and care provision referred to in subsection (1)(a) and (b) is deemed insufficient to meet the needs of children and young people under subsection (2), a local authority must—
- (a) publish these findings; and
 - (b) improve that provision until it is deemed by those consulted in subsection (3) to be sufficient to meet all the needs identified under section (22).’.

Mr Edward Timpson

- 60**
- ★ Clause 28, page 22, line 21, leave out from ‘which’ to end of line 22 and insert ‘is under a duty under section 3 of the National Health Service Act 2006 to arrange for the provision of services or facilities for any children and young people for whom the authority is responsible;’.

Mr Robert Buckland

- 34**
- ★ Clause 28, page 22, line 27, at end insert—
- ‘(2A) The Local Government Ombudsman has jurisdiction for the purposes of this Part over the partners set out in subsections (2)(a) to (2)(i).
- (2B) The NHS Ombudsman has jurisdiction for the purposes of this Part over the partners set out in subsections (2)(j) to (2)(m).’.

Children and Families Bill, *continued*

Mr Edward Timpson

61

- ★ Clause 28, page 22, line 39, at end insert—
(4) Regulations may prescribe circumstances in which a clinical commissioning group that would otherwise be a local partner of a local authority by virtue of subsection (2)(k)(ii) is to be treated as not being a local partner of the authority.’
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Mr Robert Buckland

51

- ★ Clause 30, page 23, line 33, after ‘employment’, insert ‘, retaining employment and accessing benefits’.

Mr Robert Buckland

52

- ★ Clause 30, page 24, line 2, at end insert—
(7A) Regulations must make provision about a national framework, including—
(a) the principles underpinning the local offer;
(b) how services in the local offer are to be reviewed;
(c) the scope of what should be covered by the local offer;
(d) the format in which a local offer will be prepared and published; and
(e) how services can be held to account for failing to deliver what is set out in the local offer.’
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Mr Robert Buckland

36

- ★ Clause 32, page 25, line 1, after ‘information’, insert ‘in an appropriately accessible form’.
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Mr Robert Buckland

41

- ★ Clause 36, page 28, line 9, at end insert—
(c) the child or young person may be a disabled child under section 17 of the Children Act 1989 or section 28 of the Chronically Sick and Disabled Person’s Act 1970.’

Mr Robert Buckland

42

- ★ Clause 36, page 28, line 9, at end insert—
(c) they are a disabled child or young person under section 6 of the Equality Act 2010 who may need healthcare provision in order to manage their impairment.’

Children and Families Bill, *continued*

Mr Robert Buckland

37

- ★ Clause 36, page 28, line 10, leave out subsection (10).

Mr Robert Buckland

43

- ★ Clause 36, page 28, line 28, after ‘assessments’, insert ‘including—
- (i) triggering assessments under section 17 of the Children’s Act; and
 - (ii) healthcare assessments.’.

Mr Edward Timpson

62

- ★ Clause 37, page 29, line 3, leave out from ‘provision’ to end of line 4 and insert ‘reasonably required by the learning difficulties and disabilities which result in him or her having special educational needs.
- (2A) An EHC plan may also specify other health care and social care provision reasonably required by the child or young person.’.

Mr Robert Buckland

44

- ★ Clause 38, page 29, line 27, at end insert—
- ‘(g) an institution of higher education which the young person has accepted an offer from.’.

Mr Edward Timpson

63

- ★ Clause 42, page 31, line 34, at end insert—
- ‘(Z1) This section applies where a local authority maintains an EHC plan for a child or young person.’.

Mr Edward Timpson

64

- ★ Clause 42, page 31, line 35, leave out subsection (1) and insert—
- ‘(1) The local authority must secure the specified special educational provision for the child or young person.
 - (1A) If the plan specifies health care provision, the responsible commissioning body must arrange the specified health care provision for the child or young person.
 - (1B) “The responsible commissioning body”, in relation to any specified health care provision, means the body (or each body) that is under a duty to arrange health care provision of that kind in respect of the child or young person.’.

Children and Families Bill, *continued*

Mr Edward Timpson

65

- ★ Clause 42, page 31, line 37, leave out ‘Subsection (1) does not apply if’ and insert ‘Subsections (1) and (1A) do not apply to the extent that’.

Mr Edward Timpson

66

- ★ Clause 42, page 31, line 38, after ‘suitable’, insert ‘alternative’.

Mr Edward Timpson

67

- ★ Clause 42, page 31, line 38, at end insert—
 ‘(3) “Specified”, in relation to an EHC plan, means specified in the plan.’.

 Mr Robert Buckland

45

- ★ Clause 44, page 32, line 18, after ‘maintains’, insert ‘, or has ever maintained,’.

 Mr Robert Buckland

46

- ★ Clause 45, page 33, line 5, leave out from ‘authority’ to end of line 6 and insert ‘must maintain an EHC plan for a child or young person up to their 25th birthday unless’.

Mr Robert Buckland

38

- ★ Clause 45, page 33, line 18, leave out subsection (4) and insert—
 ‘(4) A local authority may only cease to maintain an EHC Plan if—
 (a) the authority has completed a transition review meeting with the child or young person and their family, at which there is agreement from all parties that the specified outcomes to the EHC plan have been achieved; and
 (b) a transition plan has been completed in partnership with the child or young person and their family and other agencies, which supports their progression into the next phase, including higher education or employment.’.

Mr Robert Buckland

39

- ★ Clause 45, page 33, line 36, at end insert—
 ‘(d) the procedure to be followed for transition review meetings and transition plan development.’.
-

Children and Families Bill, continued

Mr Robert Buckland

35

- ★ Clause 50, page 35, line 42, at end insert—
- (g) the social care provision specified in an EHC plan;
 - (h) the healthcare provision specified in an EHC plan.’
-

Mr Robert Buckland

53

- ★ Page 47, line 15, leave out Clause 69.
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*NEW CLAUSES**Amendments to the Health Act 2006*

Alex Cunningham
 Bill Esterson
 Mr Steve Reed
 Pat Glass

NC1

To move the following Clause:—

- (1) The Health Act 2006 is amended as follows.
- (2) After section 8, insert—

“8A Offence of failing to prevent smoking in a private vehicle when children are present

- (1) It is the duty of any person who drives a private vehicle to ensure that that vehicle is smoke-free whenever a child or children under the age of 18 are in such vehicle or part of such vehicle.
- (2) A person who fails to comply with the duty in subsection (1) commits an offence.
- (3) A person convicted of an offence under this section who has not previously been convicted of such an offence shall have the option of attending a smoke-free driving awareness course in place of paying a fine under subsection (4).
- (4) A person who does not wish to attend an awareness course or who has previously been convicted of an offence under this section is liable on summary conviction to a fine of £60.
- (5) The Secretary of State may introduce regulations to alter the level of penalty payable under subsection (4).
- (6) The Secretary of State shall update all relevant regulations regarding the offence created under subsection (2) within six months of this section coming into force.

Children and Families Bill, *continued*

- (7) The Secretary of State shall introduce regulations within six months of this section coming into force to prescribe the format of the awareness course in subsection (3).”
- (3) In section 79(4)(a), leave out “or 8(7)” and insert “, 8(7), or 8A(5).”.

Information sharing

Bill Esterson
Ann Coffey

NC2

To move the following Clause:—

‘Before the end of one year beginning with the day on which this Act receives Royal Assent, the Secretary of State must—

- (a) carry out a review of the benefits and risks to children, young people and their families of increased information sharing between front-line practitioners who provide services to them; and
- (b) publish a report of the conclusions of the review.’.

Assessment and provision of adoption support services

Bill Esterson
Ann Coffey

NC3

To move the following Clause:—

- ‘(1) Part 1 of the Adoption and Children Act 2002 is amended as follows.
- (2) In section 4, leave out subsection (1) and insert the following new subsections—
 - “(1) Subject to subsection (1A), a local authority must in each year offer an assessment of those persons’ needs for adoption support services to—
 - (a) any of the persons mentioned in paragraphs (a) to (c) of section 3(1), or
 - (b) any other person who falls within a description prescribed by regulations (subject to subsection (7)(a)).
 - (1A) Any requirement for an annual assessment under subsection (1) can be postponed for one or more years with the agreement of the persons concerned.
 - (1B) Following any assessment under subsection (1) the local authority must—
 - (a) provide the persons concerned with the findings of the assessment;
 - (b) specify in writing what services will be provided to meet these needs;

Children and Families Bill, *continued*

- (c) explain in writing where the local authority is unable to provide services to meet identified needs; and
- (d) keep a record of all unmet needs and the reasons for them.”’.

Continuity in the arrangements for the people with whom a child is to live

Bill Esterson

NC4

To move the following Clause:—

- ‘(1) In section 1 of the Children Act 1989, insert the following after subsection (2A)—
 - “(2B) In any family proceedings, unless the contrary is shown, a court is to presume that continuity in the arrangements relating to the person or people with whom a child is to live will further the child’s welfare.”’.
- (2) In section 22 of the Children Act 1989, insert the following after subsection (3)—
 - “(3ZA) A local authority is to presume, unless the contrary is shown, that continuity in the arrangements relating to the person or people with whom a child looked after by that local authority is to live will help to fulfil its duty under subsection (3)(a) to safeguard and promote the welfare of that child.”’.

Long-term post-adoption and fostering support

Bill Esterson
Ann Coffey

NC5

To move the following Clause:—

‘A local authority must ensure that its adoption support services, special guardianship support services and fostering support services are provided in a way which is in the long-term interests of those for whom they are provided.’.

Status, rights and remuneration of non-biological parents

Bill Esterson
Ann Coffey

NC6

To move the following Clause:—

- ‘(1) Before the end of one year beginning with the day on which this Act receives Royal Assent, the Secretary of State must—

Children and Families Bill, *continued*

- (a) carry out a review of—
 - (i) options for the professional recognition of carers who look after children who are not their biological children, to include foster parents, residential social workers and adoptive parents;
 - (ii) the status and rights of these carers; and
 - (iii) arrangements for the remuneration of these carers; and
 - (b) publish a report of the conclusions of the review.’
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Minimum four-day week requirement for special educational provision at further education institutions

Dr Julian Lewis
Caroline Nokes

NC7

To move the following Clause:—

‘Where an institution within the further education sector in England admits a young person aged under 19 for whom an EHC plan is maintained, it must deliver the special educational provision required by that young person on at least four days in every week in which that provision is delivered.’

Special guardianship support services: personal budgets

Lucy Powell

NC8

To move the following Clause:—

‘In Part 2 of the Children Act 1989, after section 14F (Special guardianship support services), insert—

“14G Special guardianship support services: personal budgets

- (1) This section applies where—
 - (a) after carrying out an assessment under section 14F, a local authority in England decides to provide any special guardianship support services to a person (“the recipient”), and
 - (b) the recipient is a child being cared for by a special guardian or a special guardian.
- (2) The local authority must prepare a personal budget for the recipient if asked to do so by the recipient or (in prescribed circumstances) a person of a prescribed description.
- (3) The authority prepares a “personal budget” for the recipient if they identify an amount as available to secure the special guardianship support services that they have decided to provide, with a view to the recipient being involved in securing those services.

Children and Families Bill, continued

- (4) Regulations may make provision about personal budgets, in particular—
- (a) about requests for personal budgets;
 - (b) about the amount of a personal budget;
 - (c) about the sources of the funds making up a person budget;
 - (d) for payments (“direct payments”) representing all or part of a personal budget to be made to the recipient, or (in prescribed circumstances) a person of a prescribed description, in order to secure any special guardianship support services to which the budget relates;
 - (e) about the description of special guardianship support services to which personal budgets and direct payments may (and may not) relate;
 - (f) for a personal budget or direct payment to cover the agreed cost of the special guardianship support services to which the budget or payment relates;
 - (g) about when, how, to whom and on what conditions direct payments may (and may not) be made;
 - (h) about when direct payments may be required to be repaid and the recovery of unpaid sums;
 - (i) about conditions with which a person or body making direct payments must comply before, after or at the time of making a direct payment;
 - (j) about arrangements for providing information, advice or support in connection with personal budgets and direct payments.
- (5) If the regulations include provision authorising direct payments, they must—
- (a) require the consent of the recipient, or (in prescribed circumstances) a person of a prescribed description, to be obtained before direct payments are made;
 - (b) require the authority to stop making direct payments where the required consent is withdrawn.
- (6) Any special guardianship support services secured by means of direct payments made by a local authority are to be treated as special guardianship support services provided by the authority for all purposes, subject to any prescribed conditions or exceptions.
- (7) In this section “prescribed” means prescribed by regulations.’.

Special guardianship support services: duty to provide information

Lucy Powell

NC9

To move the following Clause:—

‘In Part 2 of the Children Act 1989, after section 14G (Special guardianship support services: personal budgets), insert—

Children and Families Bill, *continued*

“14H Special guardianship support services: duty to provide information

- (1) Except in circumstances prescribed by regulations, a local authority in England must provide the information specified in subsection (2) to—
- (a) any person who has contacted the authority to request information about special guardianship support,
 - (b) any person within the authority’s area who the authority are aware is a special guardian for a child, and
 - (c) any person within the authority’s area who is a special guardian and has contacted the authority to request any of the information specified in subsection (2).
- (2) The information is—
- (a) information about the special guardianship support services available to people in the authority’s area;
 - (b) information about the right to request an assessment under section 14F (assessments etc for special guardianship support services), and the authority’s duties under that section and regulations made under it;
 - (c) information about the authority’s duties under section 14G (special guardianship support services: personal budgets) and the regulations made under it;
 - (d) any other information prescribed by regulations.’.

Review of impact of under-occupancy penalty on prospective adopters, prospective special guardians and foster parents

Lisa Nandy
Mrs Sharon Hodgson
Bill Esterson

NC10

To move the following Clause:—

- ‘Before the end of one year beginning with the day on which this Act receives Royal Assent, the Secretary of State must—
- (a) carry out a review of the impact of the housing under-occupancy penalty on prospective adopters, prospective special guardians and foster parents, and
 - (b) publish a report of the conclusions of the review.’.
-

Children and Families Bill, *continued*

Pre-proceedings work with families

Lisa Nandy
Mrs Sharon Hodgson

NC11

To move the following Clause:—

- ‘(1) Section 47 of the Children Act 1989 (Local authority’s duty to investigate) is amended as follows—
- (2) After subsection (12) insert—
 - “(13) Where, as a result of complying with this section, a local authority concludes that a child may need to become looked after in order to safeguard and promote the child’s welfare, the local authority must, unless emergency action is required,—
 - (a) identify, and consider the willingness and suitability of any relative, friend or other person connected with the child, to care for them as an alternative to them becoming looked after by unrelated carers;
 - (b) offer the child’s parents or other person with parental responsibility a family group conference to develop a plan which will safeguard and promote the child’s welfare.”.’

Provision of health services for children looked after by local authorities

Annette Brooke

NC12

To move the following Clause:—

- ‘(1) Following a medical assessment at the time of a child being taken into care, the clinical commissioning group has a duty to health services, where appropriate.
- (2) Health services includes, but is not limited to, therapeutic counselling and other mental health services.’

Welfare of the child - quality of parental relationship

Lisa Nandy
Sharon Hodgson

NC13

To move the following Clause:—

- ‘Section 1 of the Children Act 1989 (welfare of the child) is amended by the addition at the end of subsection (3) of the following paragraph:

Children and Families Bill, *continued*

“(h) the quality of the relationship that the child has with each of his parents, both currently and in the foreseeable future.”.

Arrangements for the provision of evidence by staff of a local authority or of an authorised applicant in children proceedings

Lisa Nandy
Sharon Hodgson

NC14

To move the following Clause:—

- ‘(1) The Secretary of State must make arrangements to support a person who is instructed to provide evidence for use in children proceedings if they are a member of the staff of a local authority or of an authorised applicant under section 13(8)(a)(i).
 - (2) The arrangements described in subsection (1) may include—
 - (a) training prior to the proceedings,
 - (b) coaching whilst at court,
 - (c) designated facilities at court to enable preparation for the proceedings, and
 - (d) any other arrangements the Secretary of State believes will enable members of the staff of a local authority or of an authorised applicant to provide evidence in the proceedings.’.
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Duty to assess young carers’ needs for support

Mr Robert Buckland [R]
Annette Brooke

NC15

☆ To move the following Clause:—

- ‘(1) Where it appears to a local authority that a child within their area may provide or be about to provide care to an adult or a child who is disabled, and may be taken to be a child in need under section 17(10) of the Children Act 1989, the authority must assess—
 - (a) whether the child does have needs for support (or is likely to do so in the future), and
 - (b) if the child does, what those needs are (or are likely to be in the future).
 - (2) A local authority, in carrying out an assessment under subsection (1), must consider whether, with a view to safeguarding and promoting the child’s welfare—
 - (a) the adult may need to be assessed for care and support need,
 - (b) the adult is an “adult needing care”,
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[R] Relevant registered interest declared.

Children and Families Bill, continued

- (c) the disabled child may need to be assessed for care and support needs.
- (3) For the purpose of this section a child shall be taken to be in need if—
- (a) he is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining a reasonable standard of health or development without the provision for him of services by a local authority,
 - (b) his health or development is likely to be significantly impaired, or further impaired, without provision for him of such services, or
 - (c) he is disabled.
- (4) A child who “may provide care” is a child who may provide or be about to provide care for an adult (an “adult needing care”) or a child who is a child in need.
- (5) “Child in need” means a child for whom, or for whose family or for a member of whose family, services are being provided under section 17 of the Children Act 1989 (services for children in need, their families and others).
- (6) “Adult” means an “adult needing care”.

Duty to secure social care provision in accordance with EHC Plan

Mr Robert Buckland

NC16

★ To move the following Clause:—

- ‘() A local authority that maintains an EHC plan for a child or young person must secure the social care provision identified through an assessment under section 17 of the Children Act 1989 specified in the plan.’

ORDER OF THE HOUSE [25 FEBRUARY 2013]

That the following provisions shall apply to the Children and Families Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 23 April 2013.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Children and Families Bill, *continued*
Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
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ORDER OF THE COMMITTEE [5 MARCH 2013]

That—

- (1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 5 March) meet—
- (a) at 2.00 pm on Tuesday 5 March;
 - (b) at 11.30 am and 2.00 pm on Thursday 7 March;
 - (c) at 9.25 am and 2.00 pm on Tuesday 12 March;
 - (d) at 11.30 am and 2.00 pm on Thursday 14 March;
 - (e) at 9.25 am and 2.00 pm on Tuesday 19 March;
 - (f) at 11.30 am and 2.00 pm on Thursday 21 March;
 - (g) at 9.25 am and 2.00 pm on Tuesday 16 April;
 - (h) at 11.30 am and 2.00 pm on Thursday 18 April; and
 - (i) at 9.25 am and 2.00 pm on Tuesday 23 April;
- (2) the Committee shall hear oral evidence in accordance with the following Table:

TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 5 March	Until no later than 10.00 am	Department for Education; Department for Business, Innovation and Skills
Tuesday 5 March	Until no later than 10.45 am	The Thomas Coram Foundation for Children (Coram); Professor Julie Selwyn, Professor of Child and Family Social Work, University of Bristol; TACT
Tuesday 5 March	Until no later than 11.25 am	David Norgrove, Chair of Family Justice Review and Chair of Family Justice Board; Lord Justice Munby, President of the Family Division; Coram Children's Legal Centre
Tuesday 5 March	Until no later than 2.45 pm	Council for Disabled Children; Every Disabled Child Matters; Special Education Consortium
Tuesday 5 March	Until no later than 3.30 pm	Achievement for All; Independent Parental Special Education Advice; Institute of Education

Children and Families Bill, *continued*

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 5 March	Until no later than 4.15 pm	National Association for Special Educational Needs; The Communication Trust; Association of Educational Psychologists
Tuesday 5 March	Until no later than 5.15 pm	Association of Colleges; National Association of Head Teachers; David Bartram, Assistant Head, Lampton School, Hounslow
Tuesday 5 March	Until no later than 5.45 pm	Office of the Children's Commissioner
Thursday 7 March	Until no later than 12.15 pm	Ofsted; Daycare Trust and the Family and Parenting Institute; National Childminding Association
Thursday 7 March	Until no later than 1.00 pm	Dr Roger Morgan, Children's Rights Director of England; Children England
Thursday 7 March	Until no later than 2.45 pm	Working Families; Fawcett Society
Thursday 7 March	Until no later than 3.30 pm	Fatherhood Institute; Federation of Small Businesses
Thursday 7 March	Until no later than 4.15 pm	Association of Directors of Children's Services; Barnardo's

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 6; Schedule 1; Clauses 7 to 12; Schedule 2; Clauses 13 to 71; Schedule 3; Clauses 72 and 73; Schedule 4; Clauses 74 to 85; Schedule 5; Clause 86; Schedule 6; Clauses 87 to 96; Schedule 7; Clauses 97 to 104; new Clauses; new Schedules; Clauses 105 to 110; and remaining proceedings on the Bill; and
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 23 April.
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