



House of Commons

Tuesday 19 March 2013

PUBLIC BILL COMMITTEE PROCEEDINGS

CHILDREN AND FAMILIES BILL

[NINTH AND TENTH SITTINGS]

Lisa Nandy
Mrs Sharon Hodgson

Withdrawn 28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

Not called 33

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

Lisa Nandy
Mrs Sharon Hodgson

Not called 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.’.

Clause agreed to.

Lisa Nandy
Mrs Sharon Hodgson

Withdrawn 30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.”.’.

Children and Families Bill, *continued*

Lisa Nandy
Mrs Sharon Hodgson

Negatived on division **31**

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

Lisa Nandy
Mrs Sharon Hodgson

Not called **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 application and the safeguarding and promotion of the child’s welfare.’.

Clause agreed to.

Clauses 16 to 18 agreed to.

Mrs Sharon Hodgson
Lisa Nandy

Withdrawn **68**

Clause 19, page 17, line 17, leave out ‘a local authority’ and insert ‘local authorities and NHS bodies’.

Mrs Sharon Hodgson
Lisa Nandy

Withdrawn **69**

Clause 19, page 17, line 30, at end add—
‘(e) the well-being of the child or young person’.

Mrs Sharon Hodgson
Lisa Nandy

Not called **70**

Clause 19, page 17, line 30, at end add—
‘(2) The Secretary of State shall make regulations defining the objectives that—
 (a) a local authority in England, or
 (b) a local partner of that local authority, pursuant to section 28, subsection (2), paragraphs (j) to (m),
shall pursue in exercising a function under this Part.
(3) Objectives under subsection (2) must include, but are not limited to—
 (a) increasing, maintaining and promoting positive family relationships;
 (b) increasing, maintaining and promoting the participation of children and young people and their families in local community activities;
 (c) where possible, increasing the proximity of services for children and young people and their families to where they are needed, and
 (d) where possible, increasing the accessibility of services with regard to the financial circumstances and working arrangements of the children and young people and their families they cater to.’.

Children and Families Bill, continued

Clause agreed to.

Mrs Sharon Hodgson
Lisa Nandy

Withdrawn 71

Clause 20, page 17, leave out lines 40 to 42 and insert—
'(b) is a disabled person as defined by section 6 of the Equality Act 2010.'

Mrs Sharon Hodgson
Lisa Nandy

Not called 72

Clause 20, page 17, line 42, at end insert—
'(c) has a chronic illness or long-term health condition which impacts on his or her ability to access the same learning opportunities as their peers without additional or extra provision.'

Clause agreed to.

Mr Robert Buckland

Withdrawn 189

Clause 21, page 18, line 16, at end insert 'including the private, voluntary and independent early years sector and home-based early years provision.'

Mr Edward Timpson

Agreed to 55

Clause 21, page 18, line 19, leave out 'all forms of'.

Mr Edward Timpson

Agreed to 56

Clause 21, page 18, line 20, leave out '(whether or not'.

Clause, as amended, agreed to.

Mr Robert Buckland

Withdrawn 195

Clause 22, page 18, line 32, after 'identifies', insert 'as early as possible'.

Mr Robert Buckland

Not called 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).'

Children and Families Bill, continued

Mr Robert Buckland

Not selected 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.’

*Clause agreed to.**Clause 23 agreed to.*

 Mr Robert Buckland
Withdrawn 206

Clause 24, page 19, line 3, leave out ‘who is under compulsory school age’.

Clause agreed to.

 Mr Robert Buckland
Withdrawn 187

Clause 25, page 19, line 21, leave out ‘in its area who have special educational needs and insert—

- ‘(i) in its area who have special educational needs, or
- (ii) outside its area for children or young people for whom it is responsible who have special educational needs.’

Mrs Sharon Hodgson
Lisa Nandy*Not called* 73

Clause 25, page 19, line 28, leave out subsection (2).

Annette Brooke

Not called 198

Clause 25, page 19, line 36, at end insert—

‘(h) communication, language and literacy.’

Clause agreed to.

 Mr Edward Timpson
Agreed to 57

Clause 26, page 19, line 38, leave out ‘clinical commissioning groups’ and insert ‘commissioning bodies’.

Mr Robert Buckland

Withdrawn 204

Clause 26, page 19, line 42, at end insert—

Children and Families Bill, continued

- ‘(1A) A local authority in England must, in exercising its functions under this Part, consider how it may encourage through any process of procurement it shall carry out—
- (a) a diversity of provision of education; and
 - (b) non-discrimination between maintained schools and non-maintained schools.’.

Mr Robert Buckland

Not called 214

Clause 26, page 19, line 42, at end insert—

- ‘(1A) Local authorities and Health and Wellbeing Boards must put in place arrangements for jointly reviewing services and developing joint outcomes frameworks.’.

Mrs Sharon Hodgson
Lisa Nandy

Not called 74

Clause 26, page 20, line 3, at end insert—

- ‘(d) any other provision deemed necessary to meet the special educational, health or social care needs of a child or young person.’.

Mr Edward Timpson

Agreed to 58

Clause 26, page 20, line 7, 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

Not called 47

Clause 26, page 20, line 7, leave out ‘special educational’ and insert ‘educational, health and care’.

Mrs Sharon Hodgson
Lisa Nandy

Not called 75

Clause 26, page 20, line 17, at end insert—

- ‘(h) compliance with the disability provisions of the Equalities Act.’.

Mrs Sharon Hodgson
Lisa Nandy

Not called 76

Clause 26, page 20, line 23, at end insert—

- ‘(d) ensuring reasonable adjustments required are made.’.

Annette Brooke

Not called 199

Clause 26, page 20, line 23, at end insert—

- ‘(d) securing the provision set out in section 30 [Local offer for children and young people with special educational needs].’.

Children and Families Bill, *continued*

Mr Edward Timpson

Agreed to 59

Clause 26, page 20, line 32, leave out subsection (8) and insert—

- ‘(8) A local authority’s “partner commissioning bodies” are—
- (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.’

Mrs Sharon Hodgson

Lisa Nandy

Not called 77

Clause 26, page 20, line 34, at end add—

- ‘(9) The local authority must publish joint commissioning agreements in digital format within one calendar month of said agreement being finalised or revised, and make printed copies available on request.
- (10) In providing printed copies of joint commissioning agreements by virtue of subsection (9), the local authority may charge a fee, the level of which should not exceed the cost of supplying the copy.’

Clause, as amended, agreed to.

[Adjourned until Thursday at 11.30 am]