For other Amendment(s) see the following page(s):
Care Bill [Lords] Committee 1-7 and 9-15

PUBLIC BILL COMMITTEE

CARE BILL [LORDS]

Norman Lamb

To move, That the Bill be considered in the following order, namely, Clauses 1 to 39; Schedule 1; Clauses 40 to 43; Schedule 2; Clauses 44 to 73; Schedule 3; Clause 74; Schedule 4; Clauses 75 to 94; Schedule 5; Clauses 95 to 102; Schedule 6; Clauses 103 to 107; Schedule 7; Clauses 108 to 111; Schedule 8; Clauses 112 to 125; new Clauses; new Schedules; remaining proceedings on the the Bill.

Paul Burstow

Clause 19, page 18, line 28, leave out ‘may’ and insert ‘should’.

Paul Burstow

Clause 19, page 18, line 28, after ‘needs’, insert ‘and their carer’s needs’.

Paul Burstow

Clause 2, page 3, line 2, at end insert—
“(d) the importance of identifying suitable living accommodation to exercise that duty.”

Paul Burstow

Clause 4, page 4, line 32, at end insert—
“(f) suitable living accommodation, and the choice of providers, available in the authority’s area.’.”
Clause 1, page 1, line 6, at end insert ‘and independent living’.

Clause 1, page 1, line 6, at end insert—
‘(a) any duties relating to independent living should promote the wider definition of independent living as expressed in article 19 of the UN Convention on the Rights of Persons with Disabilities.’.

Clause 1, page 1, line 7, after first ‘Well-being’, insert ‘and independent living’.

Clause 1, page 1, line 12, after ‘control’, insert ‘and choice’.

Clause 1, page 1, line 15, before ‘participation’, insert ‘full and equal access to’.

Clause 1, page 1, line 15, at end insert ‘cultural, public and community life’.

Clause 1, page 1, line 18, after ‘suitability’, insert ‘and choice’.

Clause 1, page 2, line 1, at end insert ‘and their participation and inclusion as equal and valued citizens’.

Clause 1, page 2, line 21, leave out ‘the individual’ and insert ‘an adult or a disabled child’.
Liz Kendall
Mr Jamie Reed

Clause 2, page 2, line 37, at end insert ‘whether or not that adult meets the local authority eligibility criteria set out in Clause 13.’.

Liz Kendall
Mr Jamie Reed

Clause 2, page 3, line 2, at end insert—
‘(d) the importance of working with health bodies in carrying out the function in subsection (c).’.

Liz Kendall
Mr Jamie Reed

Clause 3, page 3, line 32, after ‘support provision with’, insert ‘housing’.

Liz Kendall
Mr Jamie Reed

Clause 3, page 3, line 41, at end insert—
‘(1A) Housing providers must exercise their functions with a view to ensuring integration of services as set out in subsection (1).’.

Liz Kendall
Mr Jamie Reed

Clause 4, page 4, line 19, leave out ‘and maintain’ and insert ‘maintain and facilitate access to’.

Liz Kendall
Mr Jamie Reed

Clause 4, page 4, line 32, at end insert—
‘(f) available housing options, and the choice of providers, available in the authority’s area.’.

Liz Kendall
Mr Jamie Reed

Clause 4, page 4, line 46, at end insert—
‘(c) ensure that such advice is provided by appropriately trained individuals and to an appropriate standard.’.
Clause 4, page 5, line 2, at end insert ‘and anyone else who might benefit from receiving it’.

Clause 4, page 4, line 32, at end insert—
‘(f) how to access advice on housing options’.

Clause 4, page 5, line 3, at end insert—
‘(4A) The advice and information made available to adults with care and support needs must include tailored information for individuals with specific medical conditions and complex individual needs.’.

Clause 5, page 5, line 18, after ‘has a variety of’, insert ‘appropriate’.

Clause 5, page 5, line 40, at end insert—
‘(g) the importance of ensuring adults with needs for care and support have access to suitable living accommodation;’.

Clause 5, page 5, line 40, at end insert—
‘(g) the importance of ensuring the diversity of the market, to ensure that adults with needs for care and support have a choice of types of providers of services, such as the choice between—
(i) private sector providers of services;
(ii) third sector providers of services;
(iii) public sector providers of services; and
(iv) mutual or co-operative providers of services.’.

Clause 5, page 5, line 40, at end insert—
‘(g) the importance of ensuring independent and effective advocacy services from those with the relevant skills.’.
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Liz Kendall
Mr Jamie Reed

Clause 5, page 5, line 42, after ‘sufficient’, insert ‘and appropriate’.

Liz Kendall
Mr Jamie Reed

Clause 6, page 7, line 23, at end insert—
‘(f) sharing information and data so as to ensure high quality care and support.’.

Liz Kendall
Mr Jamie Reed

Clause 6, page 7, line 40, at end insert—
‘(i) housing providers.’.

Liz Kendall
Mr Jamie Reed

Clause 10, page 9, line 41, after ‘adult’, insert ‘or an individual under the age of 18 with caring responsibilities’.

Liz Kendall
Mr Jamie Reed

Clause 10, page 9, line 42, after ‘(an “adult needing care”)’, insert ‘or a disabled child’.

Liz Kendall
Mr Jamie Reed

Clause 12, page 11, line 47, at end insert—
‘(h) specify when an assessment must be carried out face to face.’.

Liz Kendall
Mr Jamie Reed

Clause 12, page 11, line 47, at end insert—
‘(h) require joint working with organisations with appropriate expertise in exercising local authorities’ functions under Clauses 9, 10 and 11.’.

Public awareness campaigns

Liz Kendall
Mr Jamie Reed

To move the following Clause:—
‘The Secretary of State and local authorities shall ensure through national and local public awareness campaigns that there is a high level of public awareness and understanding of the terms and implications of the cap on care costs.’.
Appealing decisions taken by the local authority

Liz Kendall
Mr Jamie Reed

To move the following Clause:—

‘(1) The local authority must have in place a procedure, which includes a review element that is independent of the local authority, by which adults or carers can appeal a decision made by the local authority about—
   (a) whether an adult or carer’s needs meet eligibility criteria under section 13;
   (b) whether to charge for meeting needs under section 14;
   (c) the result of a financial assessment under section 17;
   (d) the content of a care and support plan or support plan under section 25;
   (e) the amount of a personal budget made under section 26 or independent personal budget made under section 28;
   (f) the payment of an “additional cost” under section 30.

(2) Regulations may make further provision about any aspect of the appeals procedure mentioned in subsection (1).

(3) Wherever a decision has been made of a type referred to in subsection (1), the local authority must make the adult or carer aware of their right of to appeal the decision and how to request details of the appeals procedure. Details of the procedure must be made available on request.’.

Promoting health of carers

Liz Kendall
Mr Jamie Reed

To move the following Clause:—

‘(1) In exercising their functions health bodies shall—
   (a) promote and safeguard the health and well-being of carers;
   (b) ensure that effective procedures exist to identify patients who are or are about to become carers;
   (c) ensure that appropriate systems exist to ensure that carers receive appropriate information and advice; and
   (d) ensure the systems are in place to ensure that the relevant general medical services are rendered to their patients who are carers.’.

Local authorities: duties with respect to young carers

Liz Kendall
Mr Jamie Reed

To move the following Clause:—

‘(1) A local authority must ensure that it takes all reasonable steps to ensure that in relation to—
   (a) any school within its area and under its control; and
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(b) any functions it discharges in pursuance of its responsibilities as a children’s services authority, there is in place a policy that both identifies young carers and makes arrangements for the provision of support for pupils who are young carers.

(2) In discharging its duty under subsection (1), a local authority must have regard to any guidance given from time to time by the Secretary of State.’.

Further and higher education: duties with respect to student carers

Liz Kendall
Mr Jamie Reed

To move the following Clause:—

‘(1) The responsible body of an institution to which this section applies must identify or make arrangements to identify student carers and have a policy in place on providing support for student carers.

(2) This section applies to—

(a) a university;
(b) any other institution within the higher education sector; and
(c) an institution within the further education sector.

(3) A responsible body is—

(a) in the case of an institution in subsection (2)(a) or (b), the governing body;
(b) in the case of a college of further education under the management of a board of management, the board of management; and
(c) in the case of any other college of further education, any board of governors of the college or any person responsible for the management of the college, whether or not formally constituted as a governing body or board of governors.’.