Clause 56, page 48, line 39, leave out ‘may’ and insert ‘must’.

Paul Burstow
Clause 56, page 48, line 44, at end add ‘including the charges levied on the provider by other services regulated by the Commission and their impact on the financial sustainability of the provider’s business.’.

Liz Kendall
Mr Jamie Reed
Clause 56, page 49, line 4, at end insert—
‘(8) Where this section applies to a registered care provider, the provider must disclose in full any relevant information that the Care Quality Commission considers it necessary to have in order to make an assessment under subsection (1), including information relating to any holding companies or other associated corporate entities.’.

Clause agreed to.

Clauses 57 to 59 agreed to.

Norman Lamb
Clause 60, page 51, line 37, leave out ‘”Parent” and “carer” each have’ and insert ‘”Carer” has’.
Clause, as amended, agreed to.

Paul Burstow

Clause 61, page 51, line 39, after ‘child’, insert ‘has or’.

Paul Burstow

Clause 61, page 51, line 40, leave out ‘after the child becomes 18’.

Paul Burstow

Clause 61, page 51, line 41, leave out ‘significant’.

Paul Burstow

Clause 61, page 51, line 44, at beginning insert ‘where the child is 16 or over’.

Norman Lamb

Clause 61, page 52, line 20, leave out ‘with “parent” having the meaning given in section 59’.

Clause, as amended, agreed to.

Norman Lamb

Clause 62, page 53, line 10, leave out subsections (5) and (6).

Norman Lamb

Clause 62, page 53, line 19, at end insert—

‘(5A) Where, in the case of a carer to whom a child’s carer’s assessment relates, the child becomes 18, the local authority must decide whether to treat the assessment as a carer’s assessment; and if the authority decides to do so, this Part applies to the child’s carer’s assessment as if it were a carer’s assessment that had been carried out after the child had become 18.

(5B) In considering what to decide under subsection (5A), a local authority must have regard to—

(a) when the child’s carer’s assessment was carried out, and

(b) whether it appears to the authority that the circumstances of the carer to whom the child’s carer’s assessment relates have changed in a way that might affect the assessment.’.
Clause, as amended, agreed to.

Norman Lamb

Clause 63, page 53, line 30, at end insert—

‘(4) “Carer” has the same meaning as in section 61.’.

Clause, as amended, agreed to.

Norman Lamb

Clause 64, page 54, line 20, leave out subsection (7).

Clause, as amended, agreed to.

Norman Lamb

Clause 65, page 55, line 40, leave out subsection (9).

Clause, as amended, agreed to.

Clause 66 agreed to.

Norman Lamb

Clause 67, page 56, leave out lines 43 to 46 and insert—

‘(1) Subsections (2) to (4) apply where a local authority in England providing services for a child in need in the exercise of functions conferred by section 17—

(a) are required by section 59(1) or 64(1) of the Care Act 2014 to carry out a child’s needs assessment or young carer’s assessment in relation to the child, or

(b) are required by section 61(1) of that Act to carry out a child’s carer’s assessment in relation to a carer of the child.’.

Norman Lamb

Clause 67, page 57, line 1, leave out ‘requested’.

Agreed to
Norman Lamb

Clause 67, page 57, line 3, after ‘60(6)’ insert ‘62(5A)’.

Agreed to 10

Norman Lamb

Clause 67, page 57, line 7, leave out ‘requested’.

Agreed to 11

Norman Lamb

Clause 67, page 57, line 9, after ‘60(6)’ insert ‘62(5A)’.

Agreed to 12

Norman Lamb

Clause 67, page 57, line 15, leave out ‘decide to comply with the request but’.

Agreed to 13

Norman Lamb

Clause 67, page 57, line 21, at end insert—

‘(4A) Subsection (5) applies where a local authority in England providing services for a child in need in the exercise of functions conferred by section 17—

(a) receive a request for a child’s needs assessment or young carer’s assessment to be carried out in relation to the child or for a child’s carer’s assessment to be carried out in relation to a carer of the child, but

(b) have yet to be required by section 59(1), 61(1) or 64(1) of the Care Act 2014 to carry out the assessment.’.

Agreed to 14

Norman Lamb

Clause 67, page 57, line 38, after first ‘assessment’,” insert “child’s carer’s assessment”.

Agreed to 15

Norman Lamb

Clause 67, page 58, leave out lines 11 to 13 and insert—

‘(1) Subsections (2) to (4) apply where a local authority in England making arrangements for a disabled child under section 2 are required by section 59(1) of the Care Act 2014 to carry out a child’s needs assessment in relation to the child.’.

Agreed to 16

Norman Lamb

Clause 67, page 58, line 14, leave out ‘requested’

Agreed to 17

Norman Lamb

Clause 67, page 58, line 20, leave out ‘requested’

Agreed to 18
Agreed to 19

Clause 67, page 58, line 27, leave out ‘decide to comply with the request but’.

Norman Lamb

Agreed to 20

Clause 67, page 58, line 33, at end insert—

‘(4A) Subsection (5) applies where a local authority in England making arrangements for a disabled child under section 2—

(a) receive a request for a child’s needs assessment to be carried out in relation to the child, but

(b) have yet to be required by section 59(1) of the Care Act 2014 to carry out the assessment.’.

Norman Lamb

Agreed to 21

Clause 67, page 59, line 6, leave out subsection (4).

Clause, as amended, agreed to.

Clauses 68 to 73 agreed to.

Schedule 3 agreed to.

Withdrawn 131

Grahame M. Morris

Clause 74, page 65, leave out lines 35 and 36.

Clause agreed to.

Clause 75 agreed to.

Schedule 4 agreed to.

Not selected 147

Mrs Emma Lewell-Buck

☆ Clause 76, page 68, line 45, after ‘adults’, insert ‘and children’.

Not selected 148

Mrs Emma Lewell-Buck

☆ Clause 76, page 69, line 4, after ‘adults’, insert ‘and children’.

Not selected 149

Mrs Emma Lewell-Buck

☆ Clause 76, page 69, line 9, after ‘adults’, insert ‘and children’.
Mrs Emma Lewell-Buck

Clause 76, page 69, line 11, after ‘an adult’, insert ‘or child’.

Clause agreed to.

Paul Burstow

Clause 77, page 69, line 29, at end add—

‘(4) The Secretary of State must take reasonable steps to ensure that all guidance issued under regulations made under this Part is made easily available in a range of formats and kept up to date.’.

Clause agreed to.

Grahame M. Morris

Clause 77, page 69, line 29, at end add—

‘(4) A local authority, and NHS bodies, must continue to act under general guidance previously issued by the Secretary of State until a declaration of intent has been made by the Secretary of State in relation to new general guidance.

(5) Any general guidance issued by the Secretary of State relating to the exercise of functions as defined in subsection (1) will, unless otherwise specified, use the definition of an NHS body set out in this Act.’.

Clause agreed to.

Clause 78 agreed to.

Norman Lamb

Clause 79, page 71, line 18, at end insert—

‘Child’s carer’s assessment Section 61(2)

Child’s needs assessment Section 59(2)’.

Clause 79, page 71, line 29, at end insert—

‘Parent Section 59(6)’.

Clause 79, page 72, line 3, at end insert—
Clause, as amended, agreed to.

Liz Kendall
Mr Jamie Reed

Clause 80, page 72, line 20, at end insert—

‘( ) The duty of candour specified in regulations made under this section shall require—

(a) healthcare service providers who believe or suspect that treatment or care provided by their service has caused or contributed to death or serious injury to that patient to inform that patient, their representative or other authorised person as soon as is practicable of that fact and thereafter to provide such information and explanation as the patient or other person mentioned may reasonably request, and

(b) registered medical practitioners and registered nurses and other registered professionals who believe or suspect that treatment or care provided to a patient by or on behalf of any healthcare provider by which they are employed has caused death or serious injury to the patient to report their belief or suspicion to their employer as soon as is reasonably practicable.’.

Clause agreed to.

[Adjourned until Tuesday 28 January at 8.55 am]