CONSIDERATION OF BILL (REPORT STAGE)

CHILDREN AND SOCIAL WORK BILL [LORDS], AS AMENDED

NOTE

This document includes all amendments tabled to date and includes any withdrawn amendments at the end. The amendments have been arranged in the order in which they relate to the Bill.

NEW CLAUSES

Stella Creasy
Kate Green
Helen Hayes

NC1

To move the following Clause—

“Safeguarding: provision of personal, social and health education

(1) For the purpose of safeguarding and promoting the welfare of children a local authority in England must ensure that pupils educated in their area receive appropriate personal, social and health education.

(2) For the purposes of subsection (1) “personal, social and health education” must include but shall not be restricted to—

(a) sex and relationships education,
(b) same-sex relationships,
(c) sexual consent,
(d) sexual violence,
(e) online and offline personal safety, and
(f) domestic violence and forms of abuse.

(3) Targeted inspections carried out by the Office for Standards in Education, Children’s Services and Skills (Ofsted) under section 136 of the Education and Inspections Act 2006 shall include an assessment of the provision of personal, social and health education under subsection (1), including whether the information provided to pupils is—
(a) accurate and balanced,
(b) age-appropriate,
(c) inclusive,
(d) factual, and
(e) religiously diverse.

(4) Assessments made under subsection (3) must include an evaluation of any arrangements for pupils of sufficient maturity to request to be wholly or partly excused from participating in personal, social and health education.

(5) For the purpose of subsection (4) “sufficient maturity” shall be defined in guidance by the Secretary of State.

(6) Withdrawal from personal, social and health education by pupils under subsection (4) shall not be considered a breach of the safeguarding duties of a local authority.

(7) This section comes into force at the end of the period of twelve months beginning with the day on which this Act is passed.”

Mrs Emma Lewell-Buck
NC3

To move the following Clause—

“Sibling contact for looked after children

(1) In section 34(1) of the Children Act 1989, after paragraph (d) insert—
“(e) his siblings (whether of the whole or half blood).”

(2) In paragraph 15(1) of Schedule 2 to the Children Act 1989, after paragraph (c) insert—
“(d) his siblings (whether of the whole or half blood).”

Member’s explanatory statement
This new clause would ensure that children in care are allowed reasonable contact with their siblings.
Mrs Emma Lewell-Buck
Ian Murray
Mr David Anderson

To move the following Clause—

**“Placing children in secure accommodation elsewhere in Great Britain”**

(1) Schedule (Placing children in secure accommodation elsewhere in Great Britain) ends at the end of the period of two years beginning with the day on which this Act is passed.”

*Member’s explanatory statement*

This new clause would revoke provisions in the Bill that enable local authorities in England and Wales to place children in secure accommodation in Scotland, and vice versa, two years after the Act comes into force.

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Mr David Burrowes
Mrs Maria Miller
Dr Sarah Wollaston
Neil Carmichael
Sarah Champion
Dame Caroline Spelman

Mr Graham Allen    Fiona Bruce    Christian Matheson
Caroline Ansell    Ben Howlett    Tim Loughton
Maria Caulfield    Nicky Morgan    Andrew Selous
Mr Dominic Grieve  Robert Neill    Stephen Timms
Mr Gary Streeter   Jon Cruddas     Steve Double
Robert Flello      Jim Shannon     Derek Thomas
Mr Charles Walker  Julian Knight    Simon Hart
Michael Tomlinson  Johnny Mercer    Dr Caroline Johnson
Mr Graham Brady    Tulip Siddiq     Nusrat Ghani
Sir David Amess    Mr Shaiiesh Vara  Caroline Lucas
Mrs Flick Drummond Will Quince    Claire Perry
Madeleine Moon    Scott Mann

To move the following Clause—

**“Safeguarding and promoting the welfare of children: Relationships education”**

(1) For the purposes of safeguarding and promoting the welfare of children, the Secretary of State must, by regulations, make Relationships Education a statutory component of the National Curriculum within the meaning of Part 6 of the Education Act 2002.

(2) Following consultation, the regulations must include provisions relating to the curriculum of Relationships Education, which must include, but shall not be restricted to—

(a) how to recognise and understand a healthy relationship, including self-respect and respect for others,

(b) how to recognise and handle bullying and peer pressure, such as sexting,

(c) the meaning of consent,
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(d) signs of an exploitative relationship, including physical, mental and sexual harassment,
(e) conflict management, and
(f) safety online, such as exposure to pornography.

(3) In the Academies Act 2010, after subsection (1)(b) of section 1A insert—
“(1)(b)(a) it has a curriculum satisfying the requirements of regulations made under section (Safeguarding and promoting the welfare of children: Relationships Education) of the Children and Social Work Act 2017.”

(4) The governing body of a maintained school or Academy must consult parents and local safeguarding partners on the manner of provision of Relationships Education.

(5) The governing body of a maintained school or Academy must—
(a) make, and keep up to date, a written statement of their policy with regard to the manner of provision and content of Relationships Education, and
(b) make copies of the statement publicly available and bring it to the attention of all registered pupils’ parents and local safeguarding partners in a manner considered appropriate by the school.

(6) The Secretary of State must issue guidance, which must include but shall not be restricted to, guidance to secure that when Relationships Education is given to registered pupils at a maintained school or Academy—
(a) they learn the importance of respect, tolerance and commitment in all types of healthy relationships,
(b) they learn how the quality of relationships affects mental and physical health in both adults and children,
(c) they are protected from teaching and materials which are inappropriate having regard to the age and the religious background of the pupils concerned.

(7) In discharging their functions under regulations introduced by this section governing bodies and head teachers must have regard to—
(a) the Secretary of State’s guidance issued under subsection (6), and
(b) where any teaching covers issues relating to sex education, the Secretary of State’s guidance issued under section 403(1A) of the Education Act 1996.

(8) Sections 404 and 405 of the Education Act 1996 apply to any subject taught through Relationships Education that the governing body considers to fall within the meaning of sex education.

(9) The Secretary of State may at any time revise the guidance under subsection (6).”

Member’s explanatory statement
This new clause would require the Secretary of State to make Relationships Education a statutory subject within the National Curriculum, including for Academies. Content must include those subjects outlined in subsection (2) and Relationships Education must be taught having regard to guidance issued by the Secretary of State under subsection (6) and sex education under subsection (7).

As Amendments to Mr David Burrowes’s proposed New Clause (Safeguarding and promoting the welfare of children: Relationships education) (NC5):—

Sarah Champion

★ Line 35, at end insert “including same-sex relationships”
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Caroline Lucas

Line 38, leave out paragraph (c) and insert—
“(c) teaching materials are—
(i) appropriate to the age of the pupils concerned, and
(ii) factually accurate and evidence-based, and
(d) pupils are taught in a way that—
(i) promotes equality as defined with reference to the protected characteristics included in the Equality Act 2010,
(ii) encourages acceptance of diversity and difference, and
(iii) emphasises the importance of responsibilities and rights.”

Member’s explanatory statement
This amendment seeks to update the language taken from the 1996 Act as set out in part (6)(c) of NC5 and replace it with language intended to ensure relationships teaching and materials are always age appropriate, evidence based and accurate. It is also designed to put on the face of the Bill the principle that pupils should be taught relationships education in a way that promotes equality with reference to the protected characteristics of the Equality Act 2010.

Sarah Champion

★ Line 38, leave out paragraph (c)

Mr David Burrows
Mrs Maria Miller
Dr Sarah Wollaston
Neil Carmichael
Sarah Champion
Dame Caroline Spelman

Mr Graham Allen     Fiona Bruce       Christian Matheson
Caroline Ansell     Ben Howlett       Tim Loughton
Tulip Siddiq       Maria Caulfield    Mr Shailesh Vara
Nusrat Ghani       Sir David Amess    Nicky Morgan
Andrew Selous       Mr Dominic Grieve  Robert Neill
Stephen Timms       Mr Gary Streeter  Jon Cruddas
Steve Double       Robert Fello       Jim Shannan
Derek Thomas       Mr Charles Walker  Julian Knight
Simon Hart          Michael Tomlinson  Johnny Mercer
Mr Graham Brady     Dr Caroline Johnson Mrs Flick Drummond
Will Quince         Claire Perry      Madeleine Moon
Scott Mann          Caroline Lucas

To move the following Clause—

“Extending duty to provide sex education to Academies
(1) In Section (1A) of the Academies Act 2010, in subsection (1)(b) after “78” insert “and section 80(1)(c) (provision of sex education)”.  
(2) Section 403 of the Education Act 1996 is amended as follows—
(a) in section (1), after “school” insert “or Academy”;  
(b) in section (1A), after “school” insert “or Academies”; 

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(c) after section (1B) insert—

“(1BA) The governing body must consult with parents on the content of a sex education curriculum, which must be made publicly available and brought to the attention of all registered pupils’ parents in a manner considered appropriate by the school.”

(3) In section 404 of the Education Act 1996, in subsection (1), after “school” insert “or Academy”.

(4) In section 405 of the Education Act 1996, after first “school” insert “or Academy”.

Member’s explanatory statement

This new clause would extend to Academies the duties that currently apply to maintained schools in relation to sex education.

Mr David Burrowes

To move the following Clause—

“Post-removal counselling for parents and legal guardians who are themselves looked after children or care leavers

Where a child is permanently removed from the care of a birth parent or a guardian further to any order made pursuant to—
(a) section 31 of the Children Act 1989 (care and supervision orders),
(b) section 22 of the Adoption and Children Act 2002 (placement orders),
(c) section 46 of the Adoption and Children Act 2002 (adoption orders), or
(d) section 14A of the Children Act 1989 (special guardianship order)
a local authority must, so far as is reasonably practicable, provide a counselling service and commission specialist therapeutic support for the parent or guardian where—
(i) the parent or guardian is a looked after child, or
(ii) the parent or guardian is a care leaver.”

Member’s explanatory statement

This new clause would provide post-removal support for parents who are themselves a looked after child or care leaver.

Stella Creasy

Clause 16, page 13, line 34, at end insert “, including unaccompanied refugee children once placed in the area, and unaccompanied refugee children who have been identified for resettlement in the area.”

Frank Field

Clause 16, page 13, line 34, at end insert—

“(1A) The safeguarding partners for a local authority area in England must conduct and publish a review of the steps taken by that local authority to safeguard and
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promote the welfare of children since 1 June 2010, including an assessment of the impact of Government policies since that date.

(1B) The Government policies to be considered under subsection (1A) are those deemed by the safeguarding partners to be relevant to the safeguarding and welfare of children.”

Member’s explanatory statement
This amendment would require the safeguarding partners for a local authority area in England to conduct a review of steps they have taken to safeguard and promote the welfare of children since 1 June 2010, including an assessment of the impact of Government policies since that date.

Stella Creasy

Clause 22, page 17, line 30, at end insert—
“(3) Guidance given by the Secretary of State in connection with functions conferred by section 16E in relation to unaccompanied refugee children must be developed in accordance with the 1989 Convention on the Rights of the Child.”

Mrs Emma Lewell-Buck

Page 20, line 23, leave out Clause 32

Mrs Emma Lewell-Buck

Page 21, line 33, leave out Clause 33

Mrs Emma Lewell-Buck

Page 22, line 3, leave out Clause 34

Mrs Emma Lewell-Buck

Page 22, line 27, leave out Clause 35
Mrs Emma Lewell-Buck
Page 22, line 36, leave out Clause 36

Mrs Emma Lewell-Buck
Page 23, line 16, leave out Clause 37

Mrs Emma Lewell-Buck
Page 23, line 31, leave out Clause 38

Mrs Emma Lewell-Buck
Page 23, line 36, leave out Clause 39

ORDER OF THE HOUSE [5 DECEMBER 2016]
That the following provisions shall apply to the Children and Social Work Bill [Lords]:

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 17 January 2017.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and up to and including Third Reading
4. Proceedings on Consideration and proceedings in legislative grand committee 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 up to and including Third Reading.
Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of any message from the Lords) may be programmed.

NOTICES WITHDRAWN

The following Notices were withdrawn on 15 February 2017:

NC2