



# House of Commons

## NOTICES OF AMENDMENTS

given up to and including

**Thursday 2 March 2017**

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*  
*Amendments tabled since the last publication: NC13 (a), NC14 (a), NC15 (a), (b), (c), (d), (e),*  
*NC17 (a) and NC20*

### 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**This document includes all amendments tabled to date and includes any withdrawn amendments at the end.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*

Secretary Justine Greening

**NC15**

☆ To move the following Clause—

**“Education relating to relationships and sex**

- (1) The Secretary of State must by regulations make provision requiring—
- (a) relationships education to be provided to pupils of compulsory school age receiving primary education at schools in England;
  - (b) relationships and sex education to be provided (instead of sex education) to pupils receiving secondary education at schools in England.

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**Children and Social Work Bill [Lords], continued**

- (2) The regulations must include provision—
- 10 (a) requiring the Secretary of State to give guidance to proprietors of schools in relation to the provision of the education and to review the guidance from time to time;
- (b) requiring proprietors of schools to have regard to the guidance;
- (c) requiring proprietors of schools to make statements of policy in relation to the education to be provided, and to make the statements available to parents or other persons;
- 15 (d) about the circumstances in which a pupil (or a pupil below a specified age) is to be excused from receiving relationships and sex education or specified elements of that education.
- (3) The regulations must provide that guidance given by virtue of subsection (2)(a) is to be given with a view to ensuring that when relationships education or relationships and sex education is given—
- 20 (a) the pupils learn about—
- (i) safety in forming and maintaining relationships,
- (ii) the characteristics of healthy relationships, and
- 25 (iii) how relationships may affect physical and mental health and well-being, and
- (b) the education is appropriate having regard to the age and the religious background of the pupils.
- (4) The regulations may make further provision in connection with the provision of relationships education, or relationships and sex education.
- 30 (5) Before making the regulations, the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (6) The regulations may amend any provision (including provision conferring powers) that is made by or under—
- 35 (a) section 342 of the Education Act 1996;
- (b) Chapter 4 of Part 5 of the Education Act 1996;
- (c) Schedule 1 to the Education Act 1996;
- (d) Part 6 of the Education Act 2002;
- (e) Chapter 1 of Part 4 of the Education and Skills Act 2008;
- (f) the Academies Act 2010.
- 40 (7) Any duty to make provision by regulations under subsection (1) may be discharged by making that provision by regulations under another Act, so long as the Secretary of State consults such persons as the Secretary of State considers appropriate before making the regulations under that Act.
- 45 (8) The provision that may be made by regulations under subsection (1) by virtue of section 70 includes, in particular, provision amending, repealing or revoking any provision made by or under any Act or any other instrument or document (whenever passed or made).
- (9) Regulations under subsection (1) which amend provision made by or under an Act are subject to the affirmative resolution procedure.
- 50 (10) Other regulations under subsection (1) are subject to the negative resolution procedure.
- (11) Expressions used in this section, where listed in the left-hand column of the table in section 580 of the Education Act 1996, are to be interpreted in accordance with the provisions of that Act listed in the right-hand column in relation to those expressions.”
- 55

***Member's explanatory statement***

*This new clause would require the Secretary of State to make regulations requiring relationships education to be taught in primary schools in England and requiring relationships and sex*

**Children and Social Work Bill [Lords], continued**

*education to be taught in secondary schools in England. The duties would apply in relation to Academy schools and independent schools as well as maintained schools.*

As Amendments to Secretary Justine Greening's proposed New Clause (*Education relating to relationships and sex*) (NC15):—

Mrs Maria Miller  
Mr David Burrowes  
Mr Bernard Jenkin

- (b)
- ★ Line 10, leave out “from time to time” and insert “at least once in every three year period”

***Member's explanatory statement***

*This amendment would require guidance in relation to the provision of relationships and sex education to be reviewed at least once every three years, rather than from time to time.*

Sir Edward Leigh

- (a)
- ★ Line 15, leave out paragraph (d) and insert—  
“(d) to allow a parent of any pupil receiving relationships education or relationships and sex education to request that the pupil be wholly or partly excused from receiving that education and for the pupil to be so excused.”

Mrs Maria Miller  
Mr David Burrowes  
Mr Bernard Jenkin

- (c)
- ★ Line 17, at end insert—  
“(e) about arrangements for inspecting the quality of teaching of relationships and sex education at schools in England.”

***Member's explanatory statement***

*This amendment would require the regulations to make provision about inspecting the quality of teaching of regulations and sex education.*

Mrs Maria Miller  
Mr David Burrowes  
Mr Bernard Jenkin

- (d)
- ★ Line 29, at end insert—  
“(4A) The Secretary of State must review the regulations at least three years after they come into force and once in every three year period thereafter.”

***Member's explanatory statement***

*This amendment would require the Secretary of State to review the regulations at least three years after they come into force and at least every three years thereafter.*

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 Children and Social Work Bill [*Lords*], *continued*

Mrs Maria Miller  
 Mr David Burrowes  
 Mr Bernard Jenkin

(e)

★ Line 29, at end insert—

“(4A) The Secretary of State must review the regulations from time to time.”

***Member’s explanatory statement***

*This amendment would require the Secretary of State to review the regulations from time to time.*

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Secretary Justine Greening

NC16

☆ To move the following Clause—

**“Other personal, social, health and economic education**

- (1) The Secretary of State may by regulations make provision requiring personal, social, health and economic education (beyond that required by virtue of section [Education relating to relationships and sex]) to be provided—
  - (a) to pupils of compulsory school age receiving primary education at schools in England;
  - (b) to pupils receiving secondary education at schools in England.
- (2) The regulations may include—
  - (a) provision requiring the Secretary of State to give guidance to proprietors of schools in relation to the provision of the education;
  - (b) provision requiring proprietors of schools to have regard to that guidance;
  - (c) provision requiring proprietors of schools to make statements of policy in relation to the education to be provided, and to make the statements available to parents or other persons;
  - (d) further provision in connection with the provision of the education.
- (3) Before making the regulations, the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (4) The regulations may amend any provision (including provision conferring powers) that is made by or under—
  - (a) section 342 of the Education Act 1996;
  - (b) Chapter 4 of Part 5 of the Education Act 1996;
  - (c) Schedule 1 to the Education Act 1996;
  - (d) Part 6 of the Education Act 2002;
  - (e) Chapter 1 of Part 4 of the Education and Skills Act 2008;
  - (f) the Academies Act 2010.
- (5) The provision that may be made by regulations under subsection (1) by virtue of section 70 includes, in particular, provision amending, repealing or revoking any provision made by or under any Act or any other instrument or document (whenever passed or made).
- (6) Regulations under subsection (1) which amend provision made by or under an Act are subject to the affirmative resolution procedure.
- (7) Other regulations under subsection (1) are subject to the negative resolution procedure.

**Children and Social Work Bill [Lords], continued**

- (8) Expressions used in this section, where listed in the left-hand column of the table in section 580 of the Education Act 1996, are to be interpreted in accordance with the provisions of that Act listed in the right-hand column in relation to those expressions.
- (9) A power to make provision under this section does not limit any power to make provision of the same kind under another Act.”

**Member’s explanatory statement**

*This new clause would enable the Secretary of State to make regulations requiring personal, social, health and economic education to be provided at schools in England. The power could be exercised in relation to all schools, or just in relation to schools of a particular kind, for example Academy schools and maintained schools.*

Secretary Justine Greening

NC17

☆ To move the following Clause—

**“Ensuring adequate provision of social work training**

- (1) The Secretary of State may take such steps as the Secretary of State considers appropriate—
  - (a) to ensure that adequate provision is made for social work training, and
  - (b) to encourage individuals resident in England to undertake social work training.
- (2) The power under subsection (1) may, in particular, be used to provide financial or other assistance (subject to any conditions the Secretary of State thinks are appropriate)—
  - (a) for individuals resident in England to undertake social work training;
  - (b) for organisations providing social work training.
- (3) Functions of the Secretary of State under this section may be exercised by any person, or by employees of any person, authorised to do so by the Secretary of State.
- (4) For the purpose of determining—
  - (a) the terms and effect of an authorisation under subsection (3), and
  - (b) the effect of so much of any contract made between the Secretary of State and the authorised person as relates to the exercise of the function,
 Part 2 of the Deregulation and Contracting Out Act 1994 has effect as if the authorisation were given by virtue of an order under section 69 of that Act; and in subsection (3) “employee” has the same meaning as in that Part.
- (5) In this section “social work training” means education or training that is suitable for people who are or wish to become social workers in England.”

**Member’s explanatory statement**

*This new clause is intended to replace the Secretary of State’s powers under section 67 of the Care Standards Act 2000 in respect of social workers.*

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**Children and Social Work Bill [*Lords*], *continued***

As an Amendment to Secretary Justine Greening's proposed New Clause (*Ensuring adequate provision of social work training*) (NC17):—

Mrs Emma Lewell-Buck

- (a)
- ★ Line 4, after “training,” insert “including initial social work training provided within or accredited by a Higher Education Institution”

***Member's explanatory statement***

*This amendment would mean that steps taken to ensure adequate provision for social work training included initial social work training provided within, or accredited by, a Higher Education Institution.*

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Secretary Justine Greening

NC18

- ☆ To move the following Clause—

**“Exercise by Special Health Authority of functions under section (*Ensuring adequate provision of social work training*)(1)(b)**

- (1) The Secretary of State may direct a Special Health Authority to exercise functions under section (*Ensuring adequate provision of social workers*)(1)(b) so far as relating to the provision of financial or other assistance.
- (2) The National Health Service Act 2006 has effect as if—
  - (a) any direction under subsection (1) were a direction under section 7 of that Act, and
  - (b) any functions exercisable by the Special Health Authority by virtue of a direction under subsection (1) were exercisable under that section.
- (3) Directions under subsection (1)—
  - (a) must be given by an instrument in writing, and
  - (b) may be varied or revoked by subsequent directions.”

***Member's explanatory statement***

*This new clause is based on section 67A of the Care Standards Act 2000 and allows the Secretary of State to require a Special Health Authority to exercise the function of giving financial assistance to social workers.*

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Children and Social Work Bill [*Lords*], *continued*

Secretary Justine Greening

NC19

☆ To move the following Clause—

**“Amendments to do with this Part**

Schedule (*Amendments to do with Part 2*) contains further minor and consequential amendments relating to this Part.”

***Member’s explanatory statement***

*This introduces NSI.*

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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.

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**Children and Social Work Bill [*Lords*], *continued***

- (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.”
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Mrs Emma Lewell-Buck  
 Helen Hayes  
 Mike Gapes  
 Melanie Onn  
 Alan Johnson

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.*

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Mrs Emma Lewell-Buck  
 Ian Murray  
 Mr David Anderson

NC4

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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Children and Social Work Bill [*Lords*], *continued*

Mr David Burrowes  
 Maria Caulfield  
 Scott Mann  
 Lucy Allan  
 Sir David Amess  
 Helen Hayes

Heidi Allen  
 Mrs Emma Lewell-Buck

Mike Gapes  
 Alan Johnson

Melanie Onn

NC7

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.*

Mrs Emma Lewell-Buck

NC8

To move the following Clause—

**“Former relevant children: provision of sufficient suitable accommodation**

In the Children Act 1989, after section 23C insert—

**“23CA Duty on local authorities to secure sufficient accommodation for former relevant children**

- (1) It is the duty of a local authority to take reasonable steps to secure sufficient suitable accommodation (whether or not provided by them) within their area to meet the needs of former relevant children, where “former relevant children” has the same meaning as in section 23C(1) of this Act.
- (2) In taking steps to secure the outcome in subsection (1), the local authority must—
  - (a) produce, and make available to all former relevant children, information about the providers of accommodation and the types of accommodation they provide,

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**Children and Social Work Bill [*Lords*], *continued***

- (b) be aware of the current and expected future demand for such accommodation and consider how providers might meet that demand, and
- (c) have regard to—
  - (i) the need to ensure the sustainability of the housing market, and
  - (ii) the need to encourage providers to innovate and continuously improve the quality of such accommodation and the efficiency and effectiveness with which it is provided.””

***Member’s explanatory statement***

*Local authorities already have a duty to ensure that sufficient accommodation is available for looked after children in their area. This new clause would introduce a similar duty on local authorities to ensure sufficient, suitable accommodation is made available for all care leavers up to the age of 21.*

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Mrs Emma Lewell-Buck

NC10

To move the following Clause—

**“Benefit sanctions for care leavers**

- (1) The Universal Credit Regulations 2013 are amended as follows—
  - (a) in regulation 102(2)—
    - (i) in paragraph (a) after “18 or over” insert “and paragraph (b) does not apply”;
    - (ii) in paragraph (b) after “16 or 17” insert “or is a care leaver within the meaning given by section 2(7) of the Children and Social Work Act 2017 and is under the age of 25”;
  - (b) in regulation 103(2)—
    - (i) in paragraph (a) after “18 or over” insert “and paragraph (b) does not apply”;
    - (ii) in paragraph (b) after “16 or 17” insert “or is a care leaver within the meaning given by section 2(7) of the Children and Social Work Act 2017 and is under the age of 25”;
  - (c) in regulation 104(2) after “18 or over” insert “and section (3) does not apply”.
  - (d) in regulation 104(3) after “16 or 17” insert “or is a care leaver within the meaning given by section 2(7) of the Children and Social Work Act 2017 and is under the age of 25.””

***Member’s explanatory statement***

*This new clause will ensure that the maximum sanction for a care leaver under the age of 25 can be no more than four weeks whilst under the age of 25, in line with 16 and 17 year olds.*

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Children and Social Work Bill [*Lords*], *continued*

Mrs Emma Lewell-Buck

NC11

To move the following Clause—

**“National offer for care leavers**

- (1) The table in regulation 36 of the Universal Credit Regulations 2013 is amended as follows—
  - (a) in column one after “single claimant aged 25 or over” insert—  
“or former relevant child as defined under the Children and Social Work Act 2017 aged under 25”
  - (b) in column one after “joint claimants where either is aged 25 or over” insert—  
“or either are a former relevant child as defined under the Children and Social Work Act 2017 aged under 25”
- (2) The Secretary of State will make provisions for bursaries to be available to all care leavers, who are undertaking their first year of a statutory apprenticeship, as defined in the Enterprise Act 2016 (the “care leaver apprenticeship bursary”)—
  - (a) in this section “care leavers” has the same meaning as section 2(7) of this Act.
  - (b) The bursary will be administered by local authorities on behalf of the Secretary of State in line with their corporate parenting responsibilities defined in section 1 of the Children and Social Work Act 2017.
  - (c) The value of the bursary will be of equivalent value to the Higher Education Bursary outlined in The Children Act 1989 (Higher Education Bursary) (England) Regulations 2009.
  - (d) Bursaries under this section will be disregarded for the purposes of calculating a claimant’s Universal Credit entitlements.
- (3) The Housing Benefit Regulations 2009 are amended as follows—
  - (a) in regulation 2, in the definition of “young individual”, in each of paragraphs (b), (c), (d), (e) and (f), for “22 years” substitute “25 years”.
- (4) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.”

***Member’s explanatory statement***

*The National Offer will uprate the financial support available to care leavers under the age of 25 by: (1) extending the over 25 rate of standard allowance of Universal Credit to all care leavers under the age of 25; (2) placing a duty on the Secretary of State to make provisions for all care leavers under the age of 25 and in the first year of an apprenticeship to be paid a £2,000 bursary, which will be distributed by local authorities on her behalf; and (3) delaying the transition onto the Shared Accommodation rate of Local Housing Allowance until the age of 25.*

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**Children and Social Work Bill [Lords], continued**

Angela Rayner  
Mrs Emma Lewell-Buck

NC12

To move the following Clause—

**“Duty to maintain and report a local safeguarding and welfare capacity register**

After section 16(E) of the Children Act 2004 (inserted by section 16 of this Act) insert—

**“Duty to maintain and report a local safeguarding and welfare capacity register**

- (1) The safeguarding partners for a local authority area in England must assess, and maintain a register of, capacity to safeguard and promote the welfare of children in the area.
- (2) The assessment must include, but shall not be restricted to, an assessment of the number of additional children, including unaccompanied refugee children, that could be fully supported by children’s social care services in the area.
- (3) At least once in every twelve month period—
  - (a) the safeguarding partners must report the capacity assessment for that period to the Secretary of State, and
  - (b) the Secretary of State must publish and lay before Parliament a single report setting out the information provided under paragraph (a) and any relevant information that may be provided by the devolved administrations.””

***Member’s explanatory statement***

*This new clause would require local safeguarding partners to assess their capacity to safeguard and promote the welfare of children in their area. This assessment must include the number of additional children the area could support, including unaccompanied refugee children. Local safeguarding partners would be required to report this information to the Secretary of State annually, who in turn would publish and lay before Parliament a single report, which may include any relevant information received from the devolved administrations.*

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Angela Rayner  
Mrs Emma Lewell-Buck

NC13

To move the following Clause—

**“Strategy for safeguarding of unaccompanied refugee children**

- (1) Within six months of this Act coming into force, the Secretary of State must develop and publish a strategy for the safeguarding of unaccompanied refugee children living in the United Kingdom (“the strategy”).
- (2) The Secretary of State must publish a report on the progress of the strategy’s development at least once in every four week period prior to publication of the strategy.

**Children and Social Work Bill [*Lords*], *continued***

- 10 (3) The strategy must include, but shall not be restricted to—
- (a) information clarifying the roles and responsibilities towards  
unaccompanied refugee children of any public agency the Secretary of  
State considers relevant, including in particular—
- 15 (i) the European Asylum Support Office,  
(ii) local government service providers, and  
(iii) the Children’s Commissioner;
- (b) information clarifying how safeguarding practices should differ for those  
children covered by the strategy who—
- (i) have family members in the United Kingdom, and  
(ii) do not have family members in the United Kingdom; and
- 20 (c) recommendations on how to ensure full cost reimbursement to public  
agencies required to provide services under the strategy.”

***Member’s explanatory statement***

*This new clause would require the Secretary of State to develop and publish a strategy for safeguarding unaccompanied refugee children.*

As an Amendment to Angela Rayner’s proposed New Clause (*Strategy for safeguarding of unaccompanied refugee children*) (NC13):—

Stuart C. McDonald

- ★ Line 20, at end insert— (a)
- “(4) The Secretary of State must consult with devolved administrations before publishing the strategy.”

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**Children and Social Work Bill [*Lords*], *continued***

Heidi Allen  
 Mr David Burrowes  
 David Warburton  
 Will Quince  
 Alison McGovern  
 Stella Creasy

Derek Thomas  
 John Woodcock  
 Mrs Emma Lewell-Buck  
 Dr Tania Mathias  
 Yvette Cooper

Anna Soubry  
 Tim Loughton [R]  
 Thangam Debbonaire  
 Ian Murray  
 Fiona Mactaggart

Victoria Borwick  
 Angela Rayner  
 Nicky Morgan  
 Tom Brake  
 Mr Alistair Carmichael  
**NC14**

To move the following Clause—

**“Local arrangements for reporting on capacity to provide children’s safeguarding and welfare services**

After section 16E of the Children Act 2004 (inserted by section 16 of this Act) insert—

5 **“Local arrangements for reporting on capacity to provide children’s safeguarding and welfare provision services**

- (1) At least once in every 12 month period, the safeguarding partners for a local authority area in England must report to the Secretary of State on their capacity to safeguard and promote the welfare of children.
- 10 (2) The report must include, but shall not be restricted to, identification of capacity to provide safeguarding and welfare services to children who could be resettled in the area, including unaccompanied refugee children who could be transferred to the area from abroad including those with existing or current applications for transfer.
- 15 (3) The Secretary of State must lay before Parliament the information received under subsection (1) in a single report.””

***Member’s explanatory statement***

*This new clause would require the local safeguarding partners in an area to report annually to the Secretary of State on what capacity they have to safeguard and promote the welfare of children in that area. This includes what capacity they have to resettle children, including unaccompanied refugee children, in the area. The Secretary of State would be required to lay before Parliament the information received from local authorities in a single report.*

As an Amendment to Heidi Allen’s proposed New Clause (*Local arrangements for reporting on capacity to provide children’s safeguarding and welfare services*) (NC14):—

Stuart C. McDonald

- ★ Line 16, after “(1)” insert “and any relevant information that may be provided by the devolved administrations” **(a)**
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Children and Social Work Bill [*Lords*], *continued*

Mrs Emma Lewell-Buck

NC20

★ To move the following Clause—

**“Review of access to education for care leavers**

- (1) The Secretary of State must carry out an annual review on access for care leavers to—
  - (a) apprenticeships,
  - (b) further education, and
  - (c) higher education.
- (2) The first review must take place by the end of the period of one year beginning with the day on which this Act is passed.
- (3) A report produced following a review under subsection (1) must include, in particular, an assessment of the impact on care leavers’ access to education of—
  - (a) fee waivers,
  - (b) grants, and
  - (c) reduced costs of accommodation.

The report must be made publicly available.”

Angela Smith

12

Clause 12, page 10, line 30, at end insert—

- “(3A) At least one member of the panel appointed by the Secretary of State under subsection (3) must—
- (a) be independent from Government, and
  - (b) have relevant specialist expertise in tackling domestic abuse.”

***Member’s explanatory statement***

*This amendment would require that at least one member of the Child Safeguarding Practice Review Panel has specialist expertise in tackling domestic abuse.*

Stella Creasy

Mrs Emma Lewell-Buck

1

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

3

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 promote the welfare of children since 1 June 2010, including an assessment of the impact of Government policies since that date.

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**Children and Social Work Bill [*Lords*], *continued***

- (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.*

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Stella Creasy  
Mrs Emma Lewell-Buck  
Heidi Allen  
Ian Murray

2

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.”

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Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

4

Page 20, line 23, leave out Clause 32

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Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

5

Page 21, line 33, leave out Clause 33

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Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

6

Page 22, line 3, leave out Clause 34

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Children and Social Work Bill [*Lords*], *continued*

Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

Page 22, line 27, leave out Clause 35

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7

Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

Page 22, line 36, leave out Clause 36

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8

Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

Page 23, line 16, leave out Clause 37

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9

Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

Page 23, line 31, leave out Clause 38

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10

Secretary Justine Greening  
Mrs Emma Lewell-Buck  
Tim Loughton  
Angela Rayner

Page 23, line 36, leave out Clause 39

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 Children and Social Work Bill [*Lords*], *continued*

Mrs Emma Lewell-Buck

13

Page 29, line 22, leave out Clause 48

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Secretary Justine Greening

14

- ☆ Clause 65, page 36, line 20, leave out “after subsection (2ZE) insert” and insert “for subsection (2ZE) substitute”

***Member’s explanatory statement***

*This adds a consequential amendment.*

Secretary Justine Greening

15

- ☆ Clause 65, page 36, line 27, at end insert—

“( ) in subsection (2A)(c), for “that section” substitute “section 60”;

***Member’s explanatory statement***

*This adds a consequential amendment.*

Secretary Justine Greening

16

- ☆ Clause 65, page 36, line 29, at end insert—

“( ) In Schedule 3 (regulation of health care and associated professions)—

- (a) in paragraph 10, for the definitions of “social care work in England”, “social care workers in England” and “the social work profession in England” substitute—

““social care work in England” and “social care workers in England” have the meaning given by section 60.”;

- (b) in paragraph 11(2A)(b), for “members of the social work profession in England” substitute “engaging in social work in England”.

***Member’s explanatory statement***

*This adds a consequential amendment.*

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Secretary Justine Greening

17

- ☆ Clause 66, page 37, line 11, after “England” insert “(but see subsection (2));

- (2) A person who is a member of a profession to which section 60(2) of the Health Act 1999 applies is not to be treated as a social worker in England by reason only of carrying out work as an approved mental health professional.”

***Member’s explanatory statement***

*The basic purpose of this amendment is to ensure that a person is not subject to regulation as a social worker in England simply because he or she is an approved mental health professional. Approved mental health professionals are often members of other regulated professions so the amendment avoids dual regulation.*

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Children and Social Work Bill [*Lords*], *continued*

NEW SCHEDULE

Secretary Justine Greening

NS1

☆ To move the following Schedule—

“AMENDMENTS TO DO WITH PART 2

PART 1

GENERAL AMENDMENTS

*London County Council (General Powers) Act 1920*

- 1 In section 18(e) of the London County Council (General Powers) Act 1920, after “under the Health and Social Work Professions Order 2001” insert “or section 45(1) of the Children and Social Work Act 2017”.

*Medicines Act 1968*

- 2 In section 58 of the Medicines Act 1968, omit subsection (1ZA).

*Video Recordings Act 1984*

- 3 In section 3 of the Video Recordings Act 1984, omit subsection (11A).

*London Local Authorities Act 1991*

- 4 In section 4 of the London Local Authorities Act 1991, in paragraph (c) of the definition of “establishment for special treatment”, after “under the Health and Social Work Professions Order 2001” insert “or section 45(1) of the Children and Social Work Act 2017”.

*Value Added Tax Act 1994*

- 5 In Part 2 of Schedule 9 to the Value Added Tax Act 1994, in the Notes to Group 7, omit note (2ZA).

*Data Protection Act 1998*

- 6 In section 69(1) of the Data Protection Act 1998, in paragraph (h), omit the words from “, except in so far” to the end.

*Care Standards Act 2000*

- 7 The Care Standards Act 2000 is amended as follows.
- 8 (1) Section 55 is amended as follows.
  - (2) In subsection (2) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016, omit paragraph (a).
  - (3) Until the coming into force of the substitution of subsection (2) by the Regulation and Inspection of Social Care (Wales) Act 2016, the old version has effect as if in paragraph (a) after “social work” there were inserted “in Wales”.
  - (4) In subsection (3) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016, omit paragraph (k).
- 9 (1) Section 67 is amended as follows.

**Children and Social Work Bill [Lords], continued**

- (2) Omit subsection (1A).
- (3) In subsection (2) as substituted by the Regulation and Inspection of Social Care (Wales) Act 2016—
  - (a) omit paragraph (a) (including the “and” at the end), and
  - (b) in paragraph (b), omit “other”.
- (4) Until the coming into force of the substitution of subsection (2) by the Regulation and Inspection of Social Care (Wales) Act 2016, the old version has effect as if the words from “courses”, in the first place it occurs, to “social workers” were omitted.

*Health and Social Work Professions Order 2001*

- 10 The Health and Social Work Professions Order 2001 (SI 2002/254) is amended as follows.
- 11 (1) Article 3 is amended as follows.
  - (2) In paragraph (5)(b)—
    - (a) in paragraph (ii), after “registrants or” insert “other”;
    - (b) at end of paragraph (iv) insert “and”;
    - (c) omit paragraphs (vi) and (vii).
  - (3) Omit paragraph (5AA).
- 12 In article 6(3)(aa), omit “or social work”.
- 13 In article 7(4), omit “or social work”.
- 14 (1) Article 9 is amended as follows.
  - (2) Omit paragraph (3A).
  - (3) In paragraph (8), omit “or social work”.
- 15 (1) Article 10 is amended as follows.
  - (2) In paragraph (6), omit “or social work”.
  - (3) Omit paragraph (7).
- 16 In article 11A, omit paragraph (11).
- 17 (1) Article 12 is amended as follows.
  - (2) In paragraph (1)—
    - (a) at the end of sub-paragraph (b) insert “or”;
    - (b) omit sub-paragraph (d) and the “or” before it.
  - (3) In paragraph (2)—
    - (a) at the end of sub-paragraph (a) insert “and”;
    - (b) omit sub-paragraph (c) and the “and” before it.
- 18 (1) Article 13 is amended as follows.
  - (2) In paragraph (1), omit “or (1B)”.
  - (3) Omit paragraph (1B).
- 19 For the heading of article 13A substitute “Visiting health professionals from relevant European States”.
- 20 Omit article 13B.
- 21 In article 19(2A)(b), omit “or social work”.
- 22 In article 20, omit the words from “; but the reference” to the end.
- 23 (1) Article 37 is amended as follows.
  - (2) In paragraph (1)(aa), omit “or social work”.
  - (3) Omit paragraph (1B).
  - (4) In paragraph (5A)(a), omit the words from “or registered as a social worker” to the end of that sub-paragraph.

**Children and Social Work Bill [Lords], continued**

- (5) In paragraph (8), omit “(other than a hearing on an appeal relating to a social worker in England)”.
- (6) Omit paragraph (8A).
- 24 (1) Article 38 is amended as follows.
  - (2) Omit paragraph (1ZA).
  - (3) In paragraph (4), omit “(subject to paragraph (5))”.
  - (4) Omit paragraph (5).
- 25 In article 39, omit paragraph (1A).
- 26 In Schedule 1, in paragraph 1A(1)(b), omit paragraph (ia) (but not the “and” at the end).
- 27 (1) In Schedule 3, paragraph 1 is amended as follows.
  - (2) In the definition of “visiting health or social work professional from a relevant European state”, omit “or social work” in both places.
  - (3) In the definition of “relevant professions”, omit “social workers in England;”.
  - (4) Omit the definition of “social worker in England”.

*Adoption and Children Act 2002*

- 28 (1) In section 10 of the Adoption and Children Act 2002, in subsection (2), omit “, one of the registers maintained under” substitute “—
  - (a) the register of social workers in England maintained under section 45 of the Children and Social Work Act 2017,
  - (b) any register of social care workers in England maintained under an Order in Council under section 60 of the Health Act 1999 or any register maintained under such an Order in Council so far as relating to social care workers in England, or
  - (c) the register maintained under”.
- (2) Until the coming into force of the amendment made by sub-paragraph (1), section 10(2) of the Adoption and Children Act 2002 is to have effect as if the reference to the registers mentioned there included a reference to the part of the register maintained under article 5 of the Health and Social Work Professions Order 2001 that relates to social workers in England.

*Income Tax (Earnings and Pensions) Act 2003*

- 29 In section 343(2) of the Income Tax (Earning and Pensions) Act 2003, in paragraph 1 of the Table, after sub-paragraph (r) insert—
  - “(s) the register of social workers in England kept under section 45(1) of the Children and Social Work Act 2017.”

*National Health Service Act 2006*

- 30 In section 126 of the National Health Service Act 2006, for subsection (4A) substitute—
  - “(4A) Subsection (4)(h) does not apply to persons in so far as they are registered as social care workers in England (within the meaning of section 60 of the Health Act 1999).”

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**Children and Social Work Bill [Lords], continued**
*National Health Service (Wales) Act 2006*

31 In section 80 of the National Health Service (Wales) Act 2006, for subsection (4A) substitute—

“(4A) Subsection (4)(h) does not apply to persons in so far as they are registered as social care workers in England (within the meaning of section 60 of the Health Act 1999).”

*Armed Forces Act 2006*

32 In section 257(3) of the Armed Forces Act 2006, for paragraph (a) substitute—

“(a) Social Work England;”.

*Safeguarding Vulnerable Groups Act 2006*

33 The Safeguarding Vulnerable Groups Act 2006 is amended as follows.

34 In section 41(7), in the table, after entry 10 insert—

<p>“11 The register of social workers in England kept under section 45(1) of the Children and Social Work Act 2017</p>	<p>The registrar appointed under section 45(3)(a) of the Children and Social Work Act 2017 or, in the absence of such an appointment, Social Work England”</p>
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35 In Schedule 3, in paragraph 16(4), after paragraph (l) insert—

“(m) Social Work England.”

*Protection of Vulnerable Groups (Scotland) Act 2007 (asp 14)*

36 In section 30A(6) of the Protection of Vulnerable Groups (Scotland) Act 2007—

(a) omit “the social work profession in England or”;

(b) for “each of those expressions having the same meaning as in” substitute “within the meaning of”.

*Children and Young Persons Act 2008*

37 (1) In section 2 of the Children and Young Persons Act 2008, in subsection (6), for paragraph (a) substitute—

“(a) in the register maintained by Social Work England under section 45(1) of the Children and Social Work Act 2017;”.

(2) Until the coming into force of the amendment made by sub-paragraph (1), section 2(6)(a) of the Children and Young Persons Act 2008 is to have effect as if the reference to the register mentioned there were to a register maintained under article 5 of the Health and Social Work Professions Order 2001.

*Health and Social Care Act 2012*

38 In the Health and Social Care Act 2012 omit sections 213, 215 and 216.

**Children and Social Work Bill [Lords], continued**

*Regulation and Inspection of Social Care (Wales) Act 2016 (anaw 2)*

- 39 The Regulation and Inspection of Social Care (Wales) Act 2016 is amended as follows.
- 40 In section 111(4)(b)—
- (a) in the Welsh text, for “Cyngor y Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 41 In section 117(4)(a)—
- (a) in the Welsh text, after “Gofal” insert “neu Waith Cymdeithasol Lloegr”;
  - (b) in the English text, after “Council” insert “or Social Work England”.
- 42 In section 119(4)(a)(ii)—
- (a) in the Welsh text, for “y Cyngor Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 43 In section 125(5)(a)(ii)—
- (a) in the Welsh text, for “y Cyngor Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.
- 44 In section 174(5)(a)(ii)—
- (a) in the Welsh text, for “Cyngor y Proffesiynau Iechyd a Gofal” substitute “Gwaith Cymdeithasol Lloegr”;
  - (b) in the English text, for “the Health and Care Professions Council” substitute “Social Work England”.

PART 2

RENAMING OF HEALTH AND SOCIAL WORK PROFESSIONS ORDER 2001

- 45 For the title to the Health and Social Work Professions Order 2001 (SI 2002/254) substitute “Health Professions Order 2001”.
- 46 In article 1(1) of that Order (citation), for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”.
- 47 In the following provisions, for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”—
- (a) section 18(e) of the London County Council (General Powers) Act 1920;
  - (b) section 3(11) of the Video Recordings Act 1984;
  - (c) 114ZA(4) of the Mental Health Act 1983;
  - (d) paragraph (E) in the entry for the London County Council (General Powers) Act 1920 in Schedule 2 to the Greater London Council (General Powers) Act 1984;
  - (e) paragraph (c) of the definition of “establishment for special treatment” in section 4 of the London Local Authorities Act 1991;
  - (f) item 1(c) in Group 7, in Part 2 of Schedule 9 to the Value Added Tax Act 1994;
  - (g) section 69(1)(h) of the Data Protection Act 1998;
  - (h) section 60(2)(c) of the Health Act 1999;

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**Children and Social Work Bill [Lords], continued**

- (i) sections 25C(8)(h) and 29(1)(j) of the National Health Service Reform and Health Care Professions Act 2002;
  - (j) section 126(4)(a) of the National Health Service Act 2006;
  - (k) section 80(4)(a) of the National Health Service (Wales) Act 2006;
  - (l) entry 10 in the table in section 41(7) of the Safeguarding Vulnerable Groups Act 2006.
- 48 In the definition of “registered psychologist” in each of the following provisions, for “the Health and Social Work Professions Order 2001” substitute “the Health Professions Order 2001”—
- (a) section 307(1) of the Criminal Procedure (Scotland) Act 1995;
  - (b) section 207(6) of the Criminal Justice Act 2003;
  - (c) section 21(2)(b) of the Criminal Justice (Scotland) Act 2003;
  - (d) section 25 of the Gender Recognition Act 2004.

**Member’s explanatory statement**

*This Schedule contains amendments to do with Part 2 of the Bill (social workers etc in England).*

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Secretary Justine Greening

**18**

- ☆ Schedule 4, page 47, line 26, leave out from beginning to “in” in line 27 and insert—

“( ) Section 25 (the Professional Standards Authority for Health and Social Care) is amended as follows.

( ) .”

**Member’s explanatory statement**

*This amendment is consequential on amendment 19.*

Secretary Justine Greening

**19**

- ☆ Schedule 4, page 47, line 29, at end insert—

“( ) For subsection (3A) substitute—

“(3A) A reference in an enactment to a body mentioned in subsection (3) is not (unless there is express provision to the contrary) to be read as including—

- (a) a reference to Social Work England, or
- (b) a reference to the Health and Care Professions Council, or a regulatory body within subsection (3)(j), so far as it has functions relating to social care workers in England.”

( ) In subsection (3B) for the definition of “the social work profession in England” and “social care workers in England” substitute—

““social care workers in England” has the meaning given in section 60 of the 1999 Act.””

**Member’s explanatory statement**

*This ensures that references in legislation to a regulatory body mentioned in section 25(3) of the National Health Service Reform and Health and Care Professions Act 2002 do not generally include a reference to Social Work England.*

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**Children and Social Work Bill [*Lords*], *continued***

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.

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**NOTICES WITHDRAWN**

*The following Notices were withdrawn on 15 February 2017:*

NC2

*The following Notices were withdrawn on 28 February 2017:*

NC9

*The following Notices were withdrawn on 2 March 2017:*

NC5 and NC6

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