
Committee Stage: Thursday 25 November 2021

Skills and Post-16 Education Bill [Lords] (Amendment Paper)

This document lists all amendments tabled to the Skills and Post-16 Education Bill [Lords]. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

★ New Amendments.

☆ Amendments which will comply with the required notice period at their next appearance.

New Amendments: 27 and 28 and NC2

Alex Burghart

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

Alex Burghart

4

☆ Clause 1, page 2, line 21, leave out “subsection (6)” and insert “subsections (6) and (6A)”

Member’s explanatory statement

This amendment is consequential on Amendment 5.

Alex Burghart

5

☆ Clause 1, page 2, line 32, at end insert—

“(6A) Where a specified area covers any of the area of a relevant authority, the Secretary of State may approve and publish a local skills improvement plan for the specified area only if satisfied that in the development of the plan due consideration was given to the views of the relevant authority.

For this purpose “relevant authority” means—

- (a) a mayoral combined authority within the meaning of Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (see section 107A(8) of that Act), or
- (b) the Greater London Authority.”

Member’s explanatory statement

The effect of this amendment is that the Secretary of State must be satisfied that due consideration has been given to the views of a mayoral combined authority or the Greater London Authority before approving a local skills improvement plan for an area that covers any of their area.

Alex Burghart

6

- ☆ Clause 1, page 2, line 35, leave out from “body” to “for” in line 37

Member’s explanatory statement

The effect of this amendment is that a local skills improvement plan will be a plan developed by an employer representative body which is designated for a specified area. This amendment, together with Amendments 7, 8 and 9, reverse an amendment made at Lords Report.

Alex Burghart

7

- ☆ Clause 1, page 2, line 40, leave out from beginning to “and” in line 6 on page 3

Member’s explanatory statement

This amendment amends the definition of local skills improvement plan with the effect that a plan for a specified area must draw on the views of employers operating within the specified area, and any other evidence. Amendments 6, 7, 8 and 9 reverse an amendment made at Lords Report.

Emma Hardy

27

- ★ Clause 1, page 3, line 4, at end insert—

“(iv) groups representing the interests of people with disabilities,”

Member’s explanatory statement

This amendment intends to ensure that Local Skills Improvement Plans draw on the views of groups representing the interests of people with disabilities.

Sarah Champion

1

Clause 1, page 3, line 6, after “evidence” insert “, including the views of relevant community groups including those representing the interests of people with disabilities,”

Member's explanatory statement

This amendment intends to ensure that the evidence informing LSIP development includes information directly relevant to improving the employment prospects of people with disabilities.

Alex Burghart

8

- ☆ Clause 1, page 3, line 8, leave out "by people resident"

Member's explanatory statement

This amendment requires the local skills improvement plan for a specified area to summarise skills, capabilities or expertise that are required in the specified area in general, rather than only by people resident in that area. Amendments 6, 7, 8 and 9 reverse an amendment made at Lords Report.

Alex Burghart

9

- ☆ Clause 1, page 3, line 9, leave out "and other local bodies"

Member's explanatory statement

This amendment means that a local skills improvement plan must identify actions that providers can take regarding certain post-16 technical education or training that they provide when making decisions about that education or training. Amendments 6, 7, 8 and 9 reverse an amendment made at Lords Report.

Alex Burghart

10

- ☆ Clause 1, page 3, line 10, after "any" insert "English-funded"

Member's explanatory statement

This amendment limits the post-16 technical education or training about which a local skills improvement plan must identify actions that can be taken to such education or training that is English-funded.

Sarah Champion

2

Clause 1, page 3, line 12, at end insert—

- "(d) identifies actions to be taken to reduce the disability employment gap within the specified area."

Member's explanatory statement

This amendment intends to ensure that the LSIP is used as a vehicle for improving the employment prospects of people with disabilities.

Emma Hardy

28

★ Clause 1, page 3, line 12, at end insert—

“(d) identifies positive actions to reduce the disability employment gap within the specified area.”

Member’s explanatory statement

This amendment intends to ensure that Local Skills Improvement Plans identify positive actions to reduce the disability employment gap within the specified area covered by the Plans.

Sarah Champion
Emma Hardy

3

Clause 2, page 3, line 23, at end insert—

“(iii) the body is composed of employers who demonstrate reputable practice in relation to equality and diversity in employment, including in relation to disability, and”

Member’s explanatory statement

This amendment intends to ensure that members of the body with primary responsibility for creating the LSIP have sufficient understanding of and commitment to equality and diversity, including in relation to disability, to enable them to create an inclusive plan.

Alex Burghart

11

☆ Clause 4, page 5, line 35, after “institution” insert “in England”

Member’s explanatory statement

Amendments 11, 12, 13 and 14 ensure that a relevant provider, to whom the duties in clause 1(4) apply, must be in England. This amendment ensures that, for an institution within the further education sector to be a relevant provider, it must be in England.

Alex Burghart

12

☆ Clause 4, page 5, line 38, leave out “a” and insert “an English”

Member’s explanatory statement

See the explanatory statement for Amendment 11. This amendment ensures that a higher education provider will be a relevant provider only if it is an English higher education provider.

Alex Burghart

13

- ☆ Clause 4, page 5, line 40, after “provider” insert “whose activities, so far as they relate to the provision of post-16 technical education or training, are carried on, or partly carried on, in England”

Member’s explanatory statement

See the explanatory statement for Amendment 11. This amendment ensures that an independent training provider is a relevant provider only if the provider’s activities that relate to providing post-16 technical education or training are carried on, or partly carried on, in England.

Alex Burghart

14

- ☆ Clause 4, page 5, line 41, at end insert “in England”

Member’s explanatory statement

See the explanatory statement for Amendment 11. This amendment ensures that the only schools that can be relevant providers by virtue of regulations under clause 4 are schools in England.

Alex Burghart

15

- ☆ Clause 4, page 6, line 9, leave out “in respect of which amounts are” and insert “funded, wholly or partly, by amounts”

Member’s explanatory statement

This amendment, together with Amendments 16 and 17, ensure that education or training is treated as English-funded where amounts are paid directly to providers of the education or training in accordance with regulations made by the Secretary of State (as, for example, where payments are made by the Student Loans Company).

Alex Burghart

16

- ☆ Clause 4, page 6, line 10, leave out “by the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 15.

Alex Burghart

17

- ☆ Clause 4, page 6, line 11, after “made” insert “by the Secretary of State”

Member’s explanatory statement

See the explanatory statement for Amendment 15.

Alex Burghart

18

☆ Clause 7, page 10, leave out lines 38 to 40

Member's explanatory statement

This amendment leaves out subsection (3) of section A2D6 (approved technical education qualifications: approval and withdrawal) to be inserted into the Apprenticeships, Skills, Children and Learning Act 2009. The subsection was inserted at Lords Report.

Alex Burghart

19

☆ Clause 7, page 10, leave out lines 41 and 42

Member's explanatory statement

This amendment leaves out subsection (4) of section A2D6 (approved technical education qualifications: approval and withdrawal) to be inserted into the Apprenticeships, Skills, Children and Learning Act 2009. The subsection was inserted at Lords Report.

Alex Burghart

20

☆ Page 18, line 2, leave out Clause 14

Member's explanatory statement

This amendment leaves out clause 14 of the Bill (amendments to section 42B of the Education Act 1997), which was inserted at Lords Report where it replaced the new clause (inserted immediately beforehand) "Information about technical education and training: access to English schools" which is now reinserted by NC1.

Alex Burghart

21

☆ Page 21, line 28, leave out Clause 17

Member's explanatory statement

This amendment leaves out clause 17 of the Bill (universal credit conditionality), which was inserted at Lords Report.

Alex Burghart

22

☆ Page 22, line 1, leave out Clause 18

Member's explanatory statement

This amendment leaves out clause 18 of the Bill (lifelong learning: review), which was inserted at Lords Report.

Alex Burghart

23

☆ Clause 19, page 22, line 34, leave out subsection (3)

Member's explanatory statement

This amendment leaves out clause 19(3) of the Bill (regulations about courses of initial teacher training for further education to include provision about special educational needs awareness training), which was inserted at Lords Report.

Alex Burghart

24

☆ Clause 22, page 28, line 15, leave out from first "to" to "paid" in line 16 and insert "an agreement for the funding authority to provide funding to the provider includes a reference to an agreement or arrangements between the funding authority and the provider by virtue of which amounts can or must be"

Member's explanatory statement

This amendment makes clear that an agreement between the Secretary of State and an education provider that must be in place in order for student loans to be paid directly to the provider counts as "funding arrangements" for the purposes of clause 22. It also covers arrangements other than agreements.

Alex Burghart

25

☆ Page 30, line 14, leave out Clause 25

Member's explanatory statement

This amendment leaves out clause 25 of the Bill (provision of opportunities for education and skills development), which was inserted at Lords Report.

Alex Burghart

26

☆ Clause 39, page 42, line 13, leave out subsection (2)

Member's explanatory statement

This amendment removes the privilege amendment inserted in the Lords.

Alex Burghart

NC1

☆ To move the following Clause—

"Information about technical education and training: access to English schools

- (1) Section 42B of the Education Act 1997 (information about technical education: access to English schools) is amended as follows.
- (2) In subsection (1), for "is an opportunity" substitute "are opportunities".
- (3) After subsection (1) insert—

"(1A) In complying with subsection (1), the proprietor must give access to registered pupils on at least one occasion during each of the first, second and third key phase of their education."
- (4) After subsection (2) insert—

"(2A) The proprietor of a school in England within subsection (2) must—

 - (a) ensure that each registered pupil meets, during each of the first and second key phases of their education, at least one provider to whom access is given (or any other number of such providers that may be specified for the purposes of that key phase by regulations under subsection (8)), and

- (b) ask providers to whom access is given to provide information that includes the following—
 - (i) information about the provider and the approved technical education qualifications or apprenticeships that the provider offers,
 - (ii) information about the careers to which those technical education qualifications or apprenticeships might lead,
 - (iii) a description of what learning or training with the provider is like, and
 - (iv) responses to questions from the pupils about the provider or approved technical education qualifications and apprenticeships.
- (2B) Access given under subsection (1) must be for a reasonable period of time during the standard school day.”
- (5) In subsection (5)—
 - (a) in paragraph (c), at the end insert “and the times at which the access is to be given;”;
 - (b) after paragraph (c) insert—
 - “(d) an explanation of how the proprietor proposes to comply with the obligations imposed under subsection (2A).”
- (6) In subsection (8), after “subsection (1)” insert “or (2A)”.
- (7) After subsection (9) insert—
“(9A) For the purposes of this section—
 - (a) the first key phase of a pupil’s education is the period—
 - (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 13, and
 - (ii) ending with 28 February in the following school year;
 - (b) the second key phase of a pupil’s education is the period—
 - (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 15, and
 - (ii) ending with 28 February in the following school year;
 - (c) the third key phase of a pupil’s education is the period—
 - (i) beginning at the same time as the school year in which the majority of pupils in the pupil’s class attain the age of 17, and
 - (ii) ending with 28 February in the following school year.””

Member’s explanatory statement

This new clause replaces clause 14. It removes requirements about university technical college access to pupils, requires access to pupils to be given in each key phase once (rather than three times), requires proprietors to ensure pupils meet at least one provider (or a prescribed number), and makes technical changes.

Emma Hardy

NC2

★ To move the following Clause—

“Lifelong learning: special educational needs

When exercising functions under this Act, the Secretary of State must ensure that providers of further education are required to include special educational needs awareness training to all teaching staff to ensure that all staff are able to identify and adequately support those students who have special educational needs.”

Member’s explanatory statement

This new clause would place a duty on the Secretary of State to ensure that there is adequate special educational needs training for teachers of students in further education.

Order of the House

[15 November 2021]

That the following provisions shall apply to the Skills and Post-16 Education 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 7 December 2021.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Proceedings on Consideration and Third Reading

4. Proceedings on Consideration 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 Third Reading.

Other proceedings

7. Any other proceedings on the Bill may be programmed.
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