
Committee Stage: Monday 20 January 2025

Children's Wellbeing and Schools Bill

(Amendment Paper)

This document lists all amendments tabled to the Children's Wellbeing and Schools Bill. Any withdrawn amendments are listed at the end of the document.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 Amendment: NC8

Catherine McKinnell

To move, That the Bill be considered in the following order, namely, Clauses 1 to 29, Schedule 1, Clauses 30 to 54, Schedule 2, Clauses 55 to 60, new Clauses, new Schedules, remaining proceedings on the Bill.

Catherine McKinnell

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

Catherine McKinnell

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

Catherine McKinnell

Gov 1

☆ Clause 3, page 3, line 33, leave out “the director of children’s services for”

Member's explanatory statement

This amendment and Amendment 2 make minor changes relating to local authority nominations to a multi-agency child protection team.

Catherine McKinnell

Gov 2

☆ Clause 3, page 3, line 36, leave out “the director of children’s services for”

Member's explanatory statement

See the explanatory statement for Amendment 1.

Catherine McKinnell

Gov 3

☆ Clause 3, page 5, line 36, leave out “the director of children’s services for”

Member's explanatory statement

This amendment is consequential on Amendment 1.

Catherine McKinnell

Gov 4

☆ Clause 3, page 5, line 40, leave out “the director of children’s services for”

Member's explanatory statement

This amendment is consequential on Amendment 2.

Catherine McKinnell

Gov 5

☆ Clause 3, page 6, line 7, leave out “whose director of children’s services” and insert “which”

Member's explanatory statement

This amendment is consequential on Amendments 1 and 2.

Catherine McKinnell

Gov 6

☆ Clause 21, page 42, line 23, leave out “has the meaning given by section 437(8)” and insert “means—

- (a) a community, foundation or voluntary school, or
- (b) a community or foundation special school”

Member's explanatory statement

This amendment amends the definition of “maintained school” in section 551B (inserted into the Education Act 1996 by clause 21) so that it does not exclude community or foundation special schools established in a hospital. Such schools are already excluded by the definition of “relevant school” in that inserted section.

Catherine McKinnell

Gov 7

☆ Clause 23, page 44, line 22, after “school” insert “in England”

Member's explanatory statement

This amendment is consequential on Amendment 8, and is needed to ensure that clause 23 applies only in relation to relevant schools in England.

Catherine McKinnell

Gov 8

☆ Clause 23, page 45, leave out lines 13 to 18 and insert—

““relevant school” means—

- (a) an Academy school,
- (b) an alternative provision Academy,
- (c) a maintained school,
- (d) a non-maintained special school, or
- (e) a pupil referral unit,

other than where established in a hospital;”

Member's explanatory statement

This amendment ensures that the definition of “relevant school” in section 551ZA (inserted into the Education Act 1996 by clause 23) is consistent with the definition in section 551B of the Education Act 1996 (inserted by clause 21), and accordingly excludes any school established in a hospital.

Catherine McKinnell

Gov 9

☆ Clause 23, page 45, line 25, leave out “has the meaning given by section 437(8)” and insert “means—

- (a) a community, foundation or voluntary school, or
- (b) a community or foundation special school”

Member's explanatory statement

This amendment amends the definition of “maintained school” in section 551ZA (inserted into the Education Act 1996 by clause 23) so that it does not exclude community or foundation special schools established in a hospital, which are now excluded as a result of Amendment 8.

Catherine McKinnell

Gov 10

☆ Clause 23, page 45, line 27, at end insert—

“(4) In section 551A (guidance about the costs of school uniforms: England), for subsections (5) and (6) substitute—

“(5) In this section “the appropriate authority” and “relevant school” have the same meanings as in section 551ZA.””

Member's explanatory statement

This amendment aligns the definitions in section 551A of the Education Act 1996 with those in the sections inserted by clauses 21 and 23 (as amended by Amendments 6, 7, 8 and 9).

Catherine McKinnell

Gov NC6

☆ To move the following Clause—

“Care leavers not to be regarded as becoming homeless intentionally

- (1) In section 191 of the Housing Act 1996 (becoming homeless intentionally)—
- (a) after subsection (1) insert—
 - “(1ZA) But a person does not become homeless intentionally in a case described in any of subsections (1A) to (1C).”;
 - (b) in subsection (1A), for the words before paragraph (a) substitute “The first case is where—”;
 - (c) after subsection (1A) insert—
 - “(1B) The second case is where the person is a relevant child within the meaning given by section 23A(2) of the Children Act 1989.
 - (1C) The third case is where the person is a former relevant child within the meaning given by section 23C(1) of that Act and aged under 25.”;
 - (d) in subsection (3), in the words before paragraph (a), after “person” insert “, other than a person described in subsection (1B) or (1C),”.
 - (2) The amendments made by this section do not apply in relation to an application of a kind mentioned in section 183(1) of the Housing Act 1996 made before the date on which this section comes into force, except where the local housing authority deciding the application has not yet decided the matters set out in section 184(1)(a) and (b) of that Act.”

Member's explanatory statement

The Housing Act 1996 requires local housing authorities to assist persons with securing accommodation in certain circumstances and limits the requirement in relation to persons who have become homeless intentionally. This amendment would prevent the limitation applying in relation to certain young persons formerly looked after by local authorities.

Munira Wilson

NC1

Lisa Smart
 Caroline Voaden
 Wendy Chamberlain
 Manuela Perteghella
 Steff Aquarone

James MacCleary

Luke Taylor

Mr Paul Kohler

To move the following Clause—

“Implementation of the recommendations of the Independent Inquiry into Child Sexual Abuse

- (1) The Secretary of State must, within 6 months of the passing of this Act, take steps to implement each of the recommendations made in the final report of the Independent Inquiry into Child Sexual Abuse.
- (2) The Secretary of State must, after a period of six months has elapsed from the passing of this Act and at 12 monthly intervals thereafter, publish a report detailing the steps taken by the Government to implement each of the recommendations.
- (3) A report published under subsection (2) must include—
 - (a) actions taken to meet, action or implement each of the recommendations made in the final report of the Independent Inquiry into Child Sexual Abuse;
 - (b) details of any further action required to implement each of the recommendations or planned to supplement the recommendations;
 - (c) consideration of any challenges to full or successful implementation of the recommendations, with proposals for addressing these challenges so as to facilitate implementation of the recommendations; and
 - (d) where it has not been practicable to fully implement a recommendation—
 - (i) explanation of why implementation has not been possible;
 - (ii) a statement of the Government’s intention to implement the recommendation; and
 - (iii) a timetable for implementation.
- (4) A report published under subsection (2) must be subject to debate in both Houses of Parliament within one month of its publication.
- (5) In meeting its obligations under subsections (1) and (2), the Secretary of State may consult with such individuals or organisations as they deem appropriate.”

Dr Simon Opher

NC2

Ian Byrne
Iqbal Mohamed
Kim Johnson
Neil Duncan-Jordan
Kate Osborne

Cat Eccles
Chris Webb
Richard Burgon
Florence Eshalomi
Peter Prinsley
Sarah Champion
Bell Ribeiro-Addy

Jeremy Corbyn
Steve Witherden
Zarah Sultana
Jon Trickett
Julia Buckley
Siân Berry
Rachael Maskell

Abtisam Mohamed
Ellie Chowns
Mrs Sharon Hodgson
Dr Becky Cooper
Sarah Hall
Paula Barker
Grahame Morris

To move the following Clause—

“Provision of free school lunches to all primary school children

- (1) Section 512ZB of the Education Act 1996 (provision of free school lunches and milk) is amended as follows.
- (2) In paragraph (4A)(b), after "year 2," insert "year 3, year 4, year 5, year 6".
- (3) In subsection (4C), after "age of 7;" insert—
 - “Year 3” means a year group in which the majority of children will, in the school year, attain the age of 8;
 - “Year 4” means a year group in which the majority of children will, in the school year, attain the age of 9;
 - “Year 5” means a year group in which the majority of children will, in the school year, attain the age of 10;
 - “Year 6” means a year group in which the majority of children will, in the school year, attain the age of 11;”

Member's explanatory statement

This new clause would extend free school lunches to all primary school age children in state funded schools.

Marie Goldman

NC3

☆ To move the following Clause—

“Reporting of local authority performance regarding EHC plans

- (1) The Children and Families Act 2014 is amended as follows.
- (2) After section 40 insert—

“40A Reporting of local authority performance

- (1) Local authorities must publish regular information relating to their fulfilment of duties relating to EHC needs assessments and EHC plans under this part.
- (2) Such information must include—
 - (a) the authority’s performance against the requirements of this Act and the Special Educational Needs and Disability Regulations 2014 relating to the timeliness with which action needs to be taken by the authority in relation to EHC needs assessments and EHC plans;
 - (b) explanations for any failures to meet relevant deadlines or timeframes;
 - (c) proposals for improving the authority’s performance.
- (3) Information published under this section must be published—
 - (a) on a monthly basis;
 - (b) on the local authority’s website; and
 - (c) in a form which is easily accessible and understandable.”

Member's explanatory statement

This new clause would require local authorities to publish their performance against the statutory deadlines in the EHCP process.

Dr Simon Opher

NC4

☆ To move the following Clause—

“Expansion of eligibility for free school lunches

In section 512ZB of the Education Act 1996 (provision of free school lunches and milk), before paragraph (a) insert—

“(za) C’s household income is less than £15,000 per year;”

Member's explanatory statement

This new clause seeks to expand eligibility for free school lunches to include children in households with an annual income of less than £15,000.

Dr Simon Opher

NC5

☆ To move the following Clause—

“Provision of free meals and activities during school holidays

- (1) A local authority must—
 - (a) provide; or
 - (b) coordinate the provision of programmes which provide, free meals and activities to relevant children during school holidays.
- (2) For the purposes of this section, “relevant children” means children in receipt of free school meals.
- (3) The Secretary of State may, by regulations made by statutory instrument—
 - (a) specify minimum standards for meals and activities during school holidays;
 - (b) specify criteria that organisations involved in the delivery of meals and activities during school holidays must meet.”

Member's explanatory statement

This new clause would place a duty on local authorities to provide or coordinate free meals and activities for children eligible for free school meals during school holidays.

Neil O'Brien

NC7

Patrick Spencer

☆ To move the following Clause—

“Power to prescribe pay and conditions for teachers

The Secretary of State must, within three months of the passing of this Act—

- (1) make provision for the power of the governing bodies of maintained schools to set the pay and working conditions of school teachers to be made equivalent with the relevant powers of academies;
- (2) provide guidance to all applicable schools that—
 - (a) pay levels given in the School Teachers’ Pay and Conditions Document are to be treated as the minimum pay of relevant teachers;
 - (b) teachers may be paid above the pay levels given in the School Teachers’ Pay and Conditions Document.
 - (c) they must have regard to the School Teachers’ Pay and Conditions Document but may vary from it in the best interests of their pupils and staff.”

Member's explanatory statement

This new clause would make the pay set out in the School Teachers’ Pay and Conditions Document a floor, and extend freedoms over pay and conditions to local authority maintained schools.

Dr Simon Opher

NC8

★ To move the following Clause—

“Identification of children eligible for free school meals

After section 512ZA of the Education Act 1996 (power to charge for meals etc.) insert—

“512ZAA Identification of children eligible for free school meals

- (1) The Secretary of State must identify all children eligible for free school meals in England.
- (2) A child’s eligibility for free school meals is not dependent on any application having been made for free school meals on their behalf.
- (3) Where a child has been identified as eligible for free school meals, the Secretary of State must provide for this information to be shared with—
 - (a) the school at which the child is registered; and
 - (b) the relevant local education authority.
- (4) Where a school has been informed that a child on its pupil roll is eligible for free school meals, the school must provide that child with a free school meal.
- (5) A local education authority must provide the means for a parent or guardian of a child who has been identified as eligible for free school meals to opt out of the provision of a free school meal under subsection (4).”

Member's explanatory statement

This new clause would place a duty on the Secretary of State to proactively identify all children eligible for free school meals in England, making the application process for free school meals opt-out rather than opt-in.

Order of the House

[8 January 2025]

That the following provisions shall apply to the Children's Wellbeing and Schools Bill:

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 11 February.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

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.