
Committee Stage: Wednesday 5 February 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 Any withdrawn amendments are listed at the end of the document.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: NC70

Neil O'Brien

90

Patrick Spencer

Clause 48, page 108, line 24, at end insert—

- “(3) Within six months of the passing of this Act, the Secretary of State must issue statutory guidance on the decision-making process that must be followed when directions are given under section 96 of the School Standards and Framework Act 1998.
- (4) Guidance issued under subsection (3) must include details of—
- (a) how actual or potential conflicts of interest arising from the role of local authorities in directing admissions to schools they maintain and those they do not are to be identified and managed; and
 - (b) how the best interests of children and young people are to be prioritised in all decision-making.”

Neil O'Brien

84

Patrick Spencer

Clause 50, page 110, line 4, at end insert—

- “(4A) Where making a decision the adjudicator must take into account—
- (a) the performance of the school; and

(b) whether the school is oversubscribed.”

Neil O'Brien 83

Patrick Spencer

Clause 50, page 110, leave out lines 8 to 13

Neil O'Brien 85

Patrick Spencer

Clause 51, page 111, line 7, after “authorities” insert “, including academy trusts,”

Munira Wilson 48

Ian Sollom
Freddie van Mierlo
Vikki Slade
Liz Jarvis
Jess Brown-Fuller
Siân Berry

Clause 51, page 112, line 4, at end insert—

“(5) After section 7A (withdrawal of notices under section 7), insert—

“7B New schools to allocate no more than half of pupil places on basis of faith

A new school for which proposals are sought by a local authority under section 7 must, where the school is oversubscribed, provide that no more than half of all places are allocated on the basis of or with reference to—

- (a) the pupil’s religious faith, or presumed religious faith;
- (b) the religious faith, or presumed religious faith, of the pupil’s parents.””

Catherine McKinnell

Gov 93

Clause 59, page 115, line 17, leave out paragraph (h) and insert—

- “(h) section (*Pay and conditions of Academy teachers*) and Schedule (*Pay and conditions of Academy teachers: amendments to the Education Act 2002*) other than paragraph 6 of that Schedule;
- (ha) section 46;”

Member's explanatory statement

This amendment is consequential on Amendment 92 and NC57.

Jess Asato

11

Ellie Chowns
Manuela Perteghella
Marie Goldman
Maya Ellis
Mrs Sharon Hodgson

Ms Stella Creasy
Sorcha Eastwood
Tonia Antoniazzi
Rachael Maskell
Siân Berry
Alison Hume

Caroline Voaden
Pam Cox
Charlotte Nichols
Dr Simon Opher
Helen Hayes
Sarah Champion

David Simmonds
Ruth Cadbury
Josh Fenton-Glynn
Emily Darlington
Steve Witherden
Laura Kyrke-Smith

Clause 59, page 115, line 18, at end insert—

“(2A) Section (Abolition of common law defence of reasonable punishment) comes into force at the end of the period of twelve months beginning with the day on which this Act is passed.”

Member's explanatory statement

This amendment is consequential on NC10.

Catherine McKinnell

Gov NC6

Tonia Antoniazzi
Charlotte Nichols
Josh Fenton-Glynn
Sorcha Eastwood
Rachael Maskell

Dr Simon Opher

Emily Darlington

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.

Catherine McKinnell

Gov NC57

To move the following Clause—

“Pay and conditions of Academy teachers

Schedule (Pay and conditions of Academy teachers: amendments to the Education Act 2002) amends Part 8 of the Education Act 2002 (teachers' pay and conditions etc) in relation to the pay and conditions of teachers at Academies (other than 16 to 19 Academies).”

Member's explanatory statement

This clause replaces Clause 45 and introduces the schedule to be inserted by NS1.

Munira Wilson

NC1

Lisa Smart
Caroline Voaden
Wendy Chamberlain
Manuela Perteghella
Steff Aquarone

James MacCleary
Ian Sollom
Vikki Slade
Adam Dance

Luke Taylor
Freddie van Mierlo
Liz Jarvis

Mr Paul Kohler
Dr Danny Chambers
Jess Brown-Fuller

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
Apsana Begum
Kate Osamor
Andy McDonald
Adrian Ramsay
Sorcha Eastwood
Nadia Whittome

Jeremy Corbyn
Steve Witherden
Zarah Sultana
Jon Trickett
Julia Buckley
Siân Berry
Rachael Maskell
John McDonnell
Mrs Emma Lewell-Buck
Brian Leishman
Connor Naismith
Mike Amesbury

Abtisam Mohamed
Ellie Chowns
Mrs Sharon Hodgson
Dr Becca Cooper
Sarah Hall
Paula Barker
Grahame Morris
Shokat Adam
Lorraine Beavers
Mary Kelly Foy
Chris Hinchliff
Ayoub Khan

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

Pippa Heylings
Mr Joshua Reynolds
Charlotte Cane
Tom Gordon
Mike Martin

Alex Brewer
Caroline Voaden
Ian Sollom
Jess Brown-Fuller

Helen Maguire
Mr Lee Dillon
Munira Wilson
Adam Dance

Liz Jarvis
Monica Harding
Freddie van Mierlo

To move the following Clause—

“Reporting of local authority performance regarding EHC plans

In the Children and Families Act 2014, 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

NC5

Zarah Sultana
Mrs Sharon Hodgson
Florence Eshalomi
Jon Trickett
Ellie Chowns

Sarah Hall
Sarah Champion
Dr Beccy Cooper
Richard Burgon
Jeremy Corbyn
Ian Byrne
Helen Hayes

Iqbal Mohamed
Neil Duncan-Jordan
Shokat Adam
Chris Webb
Mary Kelly Foy
Julia Buckley
Sorcha Eastwood

Kim Johnson
John McDonnell
Cat Eccles
Mrs Emma Lewell-Buck
Rachael Maskell
Siân Berry
Nadia Whittome

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—

- (a) 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;
- (b) provide guidance to all applicable schools that—

- (i) pay levels given in the School Teachers' Pay and Conditions Document are to be treated as the minimum pay of relevant teachers;
- (ii) teachers may be paid above the pay levels given in the School Teachers' Pay and Conditions Document.
- (iii) 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

Zarah Sultana
Mrs Sharon Hodgson
Florence Eshalomi
Jon Trickett
Ellie Chowns

Sarah Hall
Sarah Champion
Dr Beccy Cooper
Richard Burgon
Abtisam Mohamed
Rachael Maskell
Peter Lamb
Chris Hinchliff

Iqbal Mohamed
Neil Duncan-Jordan
Shockat Adam
Chris Webb
Jeremy Corbyn
Ian Byrne
Siân Berry
Sorcha Eastwood

Kim Johnson
John McDonnell
Cat Eccles
Mrs Emma Lewell-Buck
Mary Kelly Foy
Julia Buckley
Helen Hayes
Nadia Whittome

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.

Christine Jardine

NC9

Munira Wilson
Ilan Sollom
Dr Danny Chambers
Jess Brown-Fuller

To move the following Clause—

“Requirement to provide information about bereavement services

- (1) The Secretary of State must by regulations establish a protocol for the collection and dissemination of information relating to bereavement support services for children and young people.
- (2) A protocol made under subsection (1) must—
 - (a) define the bereavement support services to which the protocol applies, which must include services provided by—
 - (i) local authorities;
 - (ii) NHS bodies; and
 - (iii) charities and other third sector organisations;
 - (b) place a duty on the Secretary of State to publish information, including online, about services to which the protocol applies;
 - (c) place a duty on specified public bodies and other persons to provide information to children and young people about services to which the protocol applies, including—
 - (i) specialist services for children and young people;
 - (ii) services provided online; and
 - (iii) accessible services for deaf and disabled children and young people;
 - (d) where a duty under paragraph (c) applies, require the identification of children or young people who may require a service to which the protocol applies.
- (3) The Secretary of State must make regulations under this section by statutory instrument.
- (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 resolution of each House of Parliament.

- (5) The Secretary of State must lay before Parliament a draft statutory instrument containing regulations under this section within 12 months of the passing of this Act.”

Member's explanatory statement

This new clause would place a duty on the Secretary of State to establish a protocol for the collection and dissemination of information about bereavement support services to children and young people.

Jess Asato

NC10

Ellie Chowns
Manuela Perteghella
Marie Goldman
Maya Ellis
Mrs Sharon Hodgson

Ms Stella Creasy
Vikki Slade
Tonia Antoniazzi
Rachael Maskell
Pam Cox
Siân Berry
Alison Hume

Caroline Voaden
Sorcha Eastwood
Charlotte Nichols
Dr Simon Opher
Ruth Cadbury
Helen Hayes
Sarah Champion

David Simmonds
Kim Johnson
Josh Fenton-Glynn
Emily Darlington
Wera Hobhouse
Steve Witherden
Laura Kyrke-Smith

To move the following Clause—

“Abolition of common law defence of reasonable punishment

- (1) The Children Act 2004 is amended as follows.
- (2) In section 58 (Reasonable Punishment: England), omit subsections (1) to (4).
- (3) After section 58, insert—

“58A Abolition of common law defence of reasonable punishment

- (1) The common law defence of reasonable punishment is abolished in relation to corporal punishment of a child taking place in England.
- (2) Corporal punishment of a child taking place in England cannot be justified in any civil or criminal proceedings on the ground that it constituted reasonable punishment.
- (3) Corporal punishment of a child taking place in England cannot be justified in any civil or criminal proceedings on the ground that it constituted acceptable conduct for the purposes of any other rule of the common law.
- (4) For the purposes of subsections (1) to (3) “corporal punishment” means any battery carried out as a punishment.
- (5) The Secretary of State may make regulations for transitory, transitional or saving provision in connection with the coming into force of this section.
- (6) The power to make regulations under subsection (5) is exercisable by statutory instrument.

58B Promotion of public awareness and reporting

- (1) The Secretary of State must take steps before the coming into force of section 58A to promote public awareness of the changes to the law to be made by that section.
- (2) The Secretary of State must, five years after its commencement, prepare a report on the effect of the changes to the law made by section 58A.
- (3) The Secretary of State must, as soon as practicable after preparing a report under this section—
 - (a) lay the report before Parliament, and
 - (b) publish the report.
- (4) The Secretary of State may make regulations for transitory, transitional or saving provision in connection with the coming into force of this section.
- (5) The power to make regulations under subsection (4) is exercisable by statutory instrument.””

Member's explanatory statement

This new clause would abolish the common law defence of reasonable punishment in relation to corporal (physical) punishment of a child taking place in England, amend certain provisions of the Children Act 2004 relating to corporal punishment children and place a duty on the Secretary of State to report this change.

Tim Farron

NC11

Munira Wilson
 Ian Sollom
 Dr Danny Chambers
 Siân Berry
 Jess Brown-Fuller
 Adam Dance

To move the following Clause—

“Benefits of outdoor education to children's wellbeing

- (1) The Secretary of State must, within six months of the passing of this Act, conduct a review on the benefits of outdoor education to children's wellbeing.
- (2) A report on the review must be published within six months of the conclusion of the review.”

Tim Farron

NC12

Munira Wilson
 Ian Sollom
 Mike Martin
 Jess Brown-Fuller
 Adam Dance

To move the following Clause—

“Provision of residential outdoor education for children in kinship care

- (1) A local authority must take such steps as are reasonably practicable to ensure that children living in kinship care receive at least one residential outdoor education experience.
- (2) For the purposes of this section, children living in kinship care has the meaning provided for by section 221 of the Children Act 1989 (as amended by this Act).”

Ellie Chowns

NC13

Mike Martin

To move the following Clause—

“Foster carers’ delegated authority for children in their care

- (1) Where a child (“C”) who is looked after by the local authority is placed with a foster parent (“F”) by a local authority, F may make decisions on C’s behalf in relation to the matters set out in subsection (2) where C’s placement plan does not specify an alternative decision maker.
- (2) The matters referred to in subsection (1) are—
 - (a) medical and dental treatment,
 - (b) education,
 - (c) leisure and home life,
 - (d) faith and religious observance,
 - (e) use of social media,
 - (f) personal care, and
 - (g) any other matters which F considers appropriate.”

Member's explanatory statement

This new clause would enable foster carers to make day-to-day decisions on behalf of the children and young people they foster.

Neil O'Brien

NC14

Patrick Spencer
Mike Martin

To move the following Clause—

“Funding for the National Wraparound Childcare Programme

The Secretary of State must, within 3 months of the passing of this Act, make provision for the extension of funding for the National Wraparound Childcare Programme beyond the 2025-26 financial year.”

Neil O'Brien

NC15

Patrick Spencer

To move the following Clause—

“National statutory inquiry into grooming gangs

- (1) The Secretary of State must, within 3 months of the passing of this Act, set up a statutory inquiry into grooming gangs.
- (2) An inquiry established under subsection (1) must seek to—
 - (a) identify common patterns of behaviour and offending between grooming gangs;
 - (b) identify the type, extent and volume of crimes committed by grooming gangs;
 - (c) identify the number of victims of crimes committed by grooming gangs;
 - (d) identify the ethnicity of members of grooming gangs;
 - (e) identify any failings, by action, omission or deliberate suppression, by—
 - (i) police,
 - (ii) local authorities,
 - (iii) prosecutors,
 - (iv) charities,
 - (v) political parties,
 - (vi) local and national government,
 - (vii) healthcare providers and health services, or
 - (viii) other agencies or bodies,in the committal of crimes by grooming gangs, including by considering whether the ethnicity of the perpetrators of such crimes affected the response by such agencies or bodies;
 - (f) identify such national safeguarding actions as may be required to minimise the risk of further such offending occurring in future;
 - (g) identify good practice in protecting children.
- (3) The inquiry may do anything it considers is calculated to facilitate, or is incidental or conducive to, the carrying out of its functions and the achievement of the requirements of subsection (2).
- (4) An inquiry established under this section must publish a report within two years of the launch of the inquiry.
- (5) For the purposes of this section—

“gang” means a group of at least three adult males whose purpose or intention is to commit a sexual offence against the same victim or group of victims;

“grooming” means—

 - (a) activity carried out with the primary intention of committing sexual offences against the victim;

- (b) activity that is carried out, or predominantly carried out, in person;
- (c) activity that includes the provision of illicit substances and/or alcohol either as part of the grooming or concurrent with the commission of the sexual offence.”

Member's explanatory statement

This new clause would set up a national statutory inquiry into grooming gangs.

Neil O'Brien

NC17

Patrick Spencer

To move the following Clause—

“Academy Conversion Support Grant

- (1) The Secretary of State must, within three months of the passing of this Act, make provision for a scheme to provide specified funds (‘an academy conversion support grant’) to eligible schools for the purposes of supporting the process of converting to an academy.
- (2) For the purposes of this section—
 - (a) “eligible schools” include—
 - (i) schools which are part of a group of three or more schools which—
 - (A) have been approved to convert to an academy; and
 - (B) intend to join the same academy trust; and
 - (ii) special or alternative provision schools which have been approved to convert to an academy—
 - (A) as a single school; or
 - (B) with one or more other school;
 - (b) “specified funds” may be up to a maximum level specified by the Secretary of State in regulations.
- (3) A school which receives an academy conversion support grant may only use such funds for the purposes of supporting the process of converting to an academy, which may include but may not be limited to—
 - (a) obtaining legal advice;
 - (b) transferring software licenses;
 - (c) advice relating to human resources and compliance with the Transfer of Undertakings (Protection of Employment) Regulations;
 - (d) costs associated with re-branding; and
 - (e) expenses incurred in setting up an Academy Trust.
- (4) The Secretary of State may, by regulations, amend the level of funds which can form an academy conversion support grant.”

Member's explanatory statement

This new clause would require the Secretary of State to provide an academy conversion support grant to support schools with the process of converting to an academy.

Neil O'Brien

NC18

Patrick Spencer

To move the following Clause—

“School Trust CEO Programme

- (1) The Secretary of State must, within three months of the passing of this Act, make provision for the delivery of a programme of development for Chief Executive Officers of large multi-academy trusts (“the School Trust CEO Programme”).
- (2) The School Trust CEO Programme shall be provided by—
 - (a) the National Institute of Teaching; or
 - (b) a different provider nominated by the Secretary of State.
- (3) The purposes of the School Trust CEO Programme shall include, but not be limited to—
 - (a) building the next generation of CEOs and system architects;
 - (b) providing the knowledge, insight and practice to ensure CEOs can run successful, sustainable, thriving trusts that develop as anchor institutions in their communities;
 - (c) building a network of CEOs to improve practice in academy trusts and shape the system; and
 - (d) nurturing the talents of CEOs to lead and grow large multi-academy trusts, especially in areas where such trusts are most needed.
- (4) The Secretary of State must provide the School Trust CEO Programme with such funding and resources as are required for the carrying out of its duties.”

Member's explanatory statement

This new clause would require the Secretary of State to provide a School Trust CEO Programme.

Neil O'Brien

NC19

Patrick Spencer

To move the following Clause—

“Trust Capacity Fund

- (1) The Secretary of State must, within three months of the passing of this Act, establish a Trust Capacity Fund.

- (2) The purpose of the Trust Capacity Fund will be to support the growth of multi-academy trusts.
- (3) The Trust Capacity Fund may provide funding to maintained schools and academy trusts which—
 - (a) are considered by the Education and Skills Funding Agency to be of sound financial health; and
 - (b) have an eligible growth project that has been approved by the Secretary of State.
- (4) The Secretary of State may, by regulations, specify applications for funding to which the Trust Capacity Fund will give particular regard, which may include applications from trusts—
 - (a) taking on or formed from schools which have received specified judgements in their most recent inspections; or
 - (b) taking on or comprising schools in Education Investment Areas.
- (5) The Secretary of State must provide the Trust Capacity Fund with such funding and resources as are required for the carrying out of its duties.”

Member's explanatory statement

This new clause would require the Secretary of State to establish a Trust Capacity Fund to support the growth of multi-academy trusts.

Neil O'Brien

NC20

Patrick Spencer

To move the following Clause—

“Approved free schools and university training colleges in pre-opening

The Secretary of State must make provision for the opening of all free schools and university training colleges whose applications were approved prior to October 2024.”

Member's explanatory statement

This new clause would require the Secretary of State to proceed with the opening of free schools whose opening was paused in October 2024.

Neil O'Brien

NC21

Patrick Spencer

To move the following Clause—

“School attendance: general duties on local authorities

In Chapter 2 of Part 6 of the Education Act 1996 (school attendance), after section 443 insert—

“School attendance: registered pupils, offences etc

443A School attendance: general duties on local authorities in England

- (1) A local authority in England must exercise their functions with a view to—
 - (a) promoting regular attendance by registered pupils at schools in the local authority’s area, and
 - (b) reducing the number and duration of absences of registered pupils from schools in that area.
- (2) In exercising their functions, a local authority in England must have regard to any guidance issued from time to time by the Secretary of State in relation to school attendance.””

Neil O'Brien

NC22

Patrick Spencer

To move the following Clause—

“School attendance policies

In Chapter 2 of Part 6 of the Education Act 1996 (school attendance), after section 443 insert—

“443A School attendance policies

- (1) The proprietor of a school in England must ensure—
 - (a) that policies designed to promote regular attendance by registered pupils are pursued at the school, and
 - (b) that those policies are set out in a written document (an “attendance policy”).
- (2) An attendance policy must in particular include details of—
 - (a) the practical procedures to be followed at the school in relation to attendance,
 - (b) the measures in place at the school to promote regular attendance by its registered pupils,
 - (c) the responsibilities of particular members of staff in relation to attendance,
 - (d) the action to be taken by staff if a registered pupil fails to attend the school regularly, and
 - (e) if relevant, the school’s strategy for addressing any specific concerns identified in relation to attendance.

- (3) The proprietor must ensure—
 - (a) that the attendance policy and its contents are generally made known within the school and to parents of registered pupils at the school, and
 - (b) that steps are taken at least once in every school year to bring the attendance policy to the attention of all those parents and pupils and all persons who work at the school (whether or not for payment).
- (4) In complying with the duties under this section, the proprietor must have regard to any guidance issued from time to time by the Secretary of State in relation to school attendance.””

Neil O'Brien

NC23

Patrick Spencer

To move the following Clause—

“Penalty notices: regulations

In section 444B of the Education Act 1996 (penalty notices: attendance), after subsection (1) insert—

- “(1A) Without prejudice to the generality of subsection (1), regulations under subsection (1) may make provision in relation to England—
- (a) as to the circumstances in which authorised officers must consider giving a penalty notice;
 - (b) for or in connection with co-ordination arrangements between local authorities and neighbouring local authorities (where appropriate), the police and authorised officers.””

Neil O'Brien

NC24

Patrick Spencer

To move the following Clause—

“Academies: regulations as to granting a leave of absence

- (1) Section 551 of the Education Act 1996 (regulations as to duration of school day etc) is amended as follows.
- (2) In subsection (1), for “to which this section applies” substitute “mentioned in subsection (2)”.
- (3) In subsection (2), omit “to which this section applies”.

(4) After subsection (2) insert—

“(3) Regulations may also make provision with respect to the granting of leave of absence from any schools which are Academies not already falling within subsection (2)(c).”

Neil O'Brien

NC25

Patrick Spencer

To move the following Clause—

“Report on the impact of charging VAT on private school fees

- (1) The Secretary of State must, within two years of the passing of this Act, publish a report on the impact of charging VAT on private school fees.
- (2) A report published under subsection (1) must include the following information—
 - (a) how many private schools have closed as a result of the decision to charge VAT on private school fees;
 - (b) how many pupils have moved school because of the decision to charge VAT on private school fees;
 - (c) an analysis, considering paragraphs (a) and (b), of the impact of the decision to charge VAT on private school fees on maintained and academy schools, including on—
 - (i) the availability of school places nationally and in areas where private schools have closed;
 - (ii) the percentage of children which are placed at their first-choice school; and
 - (iii) the number of schools which have had to increase their Publish Admissions Number.”

Member's explanatory statement

This new clause would require the Secretary of State to publish a report on the impact of charging VAT on private school fees.

Munira Wilson

NC30

Ian Sollom
Liz Jarvis
James MacCleary
Jess Brown-Fuller
Adam Dance

To move the following Clause—

“Publication of details of preventative care and family support

- (1) Every local authority, must within six months of the passing of this Act, publish details of all preventative care and family support available to people in their area.
- (2) Information published under subsection (1) must be made available—
 - (a) on the authority’s website, and
 - (b) in all public libraries in the authority’s area.”

Member's explanatory statement

This new clause would require all local authorities to publish information about preventative care and family support and to ensure it is freely available to people living in the area.

Munira Wilson

NC31

Manuela Perteghella
 Caroline Voaden
 Ian Sollom
 Victoria Collins
 Wera Hobhouse

Mr Lee Dillon
 Dr Danny Chambers
 Adam Dance

Olly Glover
 Liz Jarvis

Jess Brown-Fuller
 John Milne

To move the following Clause—

“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 £20,000 per year;”

Munira Wilson

NC33

Ian Sollom
 Freddie van Mierlo
 Dr Danny Chambers
 Liz Jarvis
 James MacCleary

Jess Brown-Fuller

Adam Dance

To move the following Clause—

“Duty of school governing bodies regarding mental health provision

- (1) Subject to subsection (3), the governing body of a maintained or academy school in England has a duty to make arrangements for provision in the school of a dedicated mental health practitioner.
- (2) In subsection (1)—

“education mental health practitioner” means a person with a graduate-level or postgraduate-level qualification of that name earned through a course commissioned by NHS England.

- (3) Where a school has 100 or fewer pupils, the duty under subsection (1) may be satisfied through collaborative provision between several schools.
- (4) The Secretary of State must provide, or make arrangements for the provision of, appropriate financial and other support to school governing bodies for their purposes of facilitating the fulfilling of the duty in subsection (1).”

Munira Wilson

NC34

Ian Sollom
 Dr Danny Chambers
 Liz Jarvis
 James MacCleary
 Jess Brown-Fuller
 Adam Dance

To move the following Clause—

“National Tutoring Guarantee

- (1) The Secretary of State must, within six months of the passing of this Act, publish a report outlining the steps necessary to introduce a National Tutoring Guarantee.
- (2) A “National Tutoring Guarantee” means a statutory requirement on the Secretary of State to ensure access to small group academic tutoring for all disadvantaged children who require academic support.
- (3) A report published under this section must include an assessment of how best to deliver targeted academic support from qualified tutors to children—
 - (a) from low-income backgrounds,
 - (b) with low prior attainment,
 - (c) with additional needs, or
 - (d) who are young carers.
- (4) In preparing a report under this section, the Secretary of State must consult with—
 - (a) headteachers,
 - (b) teachers,
 - (c) school leaders,
 - (d) parents of children from low-income backgrounds,
 - (e) children from low-income backgrounds, and
 - (f) other individuals or organisations as the Secretary of State considers appropriate.
- (5) A report under this section must be laid before Parliament.

- (6) Within three months of a report under this section being laid before Parliament, the Secretary of State must take steps to implement the recommendations contained in the report.”

Munira Wilson

NC35

Ian Sollom
Mike Martin
Dr Danny Chambers
Liz Jarvis
James MacCleary

Jess Brown-Fuller

Adam Dance

To move the following Clause—

“VAT zero-rating for certain items of school uniform

- (1) The Secretary of State must, within 6 months of the passing of this Act, make provision for certain items of school uniform to be zero-rated for the purposes of VAT.
- (2) For the purposes of this section, “certain items of school uniform” means items of school uniform for pupils up to the age of 16.”

Munira Wilson

NC36

Ian Sollom
Freddie van Mierlo
Dr Danny Chambers
Liz Jarvis
James MacCleary

Jess Brown-Fuller

Adam Dance

To move the following Clause—

“Establishment of a National Body for SEND

- (1) The Secretary of State must, within 12 months of the passing of this Act, establish a National Body for SEND.
- (2) The functions of the National Body for SEND will include, but not be limited to—
- (a) national coordination of SEND provision;
 - (b) supporting the delivery of SEND support for children with very high needs;
 - (c) advising on funding needed by local authorities for SEND provision.
- (3) Any mechanism used by the National Body for SEND in advising on funding under subsection (2)(c) should be based on current need and may disregard historic spend.”

Member's explanatory statement

This new clause would establish a National Body for SEND to support the delivery of SEND provision.

Munira Wilson

NC37

Ian Sollom
 Vikki Slade
 Liz Jarvis
 James MacCleary
 Jess Brown-Fuller

Gideon Amos

Adam Dance

To move the following Clause—

“Arrangements for national examinations for children not in school

After section 436G of the Education Act 1996, as inserted by section 25 of this Act, insert—

“436GA Arrangements for national examinations for children not in school

Where a child is eligible to be registered by the authority under section 436B, the authority must—

- (a) provide for the child to be able to sit any relevant national examination; and
- (b) provide financial assistance to enable the child to sit any relevant national examination;

where requested by the parent or carer of the child.””

Munira Wilson

NC38

Ian Sollom
 Liz Jarvis
 James MacCleary
 Jess Brown-Fuller

To move the following Clause—

“Consultation on the structures of governance for local authority and academy schools

- (1) The Secretary of State must conduct a public consultation on the current structures of governance within both local authority and academy schools.
- (2) The consultation conducted under subsection (1) must consider—
 - (a) the role of school governors;
 - (b) the statutory duties of school governors;
 - (c) ways to encourage people to become school governors; and
 - (d) any other matters that the Secretary of State may see fit.
- (3) The Secretary of State must issue the consultation conducted under subsection (1) within one year of the commencement of this Act.

- (4) The Secretary of State must, within three months of the consultation closing, publish and lay before Parliament his response to the consultation.”

Member's explanatory statement

This new clause instigates a review of school governance in light of the severe shortage of school governors and the increasing responsibilities that volunteer governors are taking on.

Munira Wilson

NC39

Ian Sollom
Freddie van Mierlo
Liz Jarvis
Jess Brown-Fuller
Adam Dance

To move the following Clause—

“Establishment of Child Protection Authority

- (1) The Secretary of State must, within six months of the passing of this Act, establish a Child Protection Authority for England.
- (2) The purpose of such an Authority will be to—
- (a) improve practice in child protection;
 - (b) provide advice and make recommendations to the Government on child protection policy and reforms to improve child protection;
 - (c) inspect institutions and settings at some times and in such ways as it considers necessary and appropriate to ensure compliance with child protection standards; and
 - (d) monitor the implementation of the recommendations of the Independent Inquiry into Child Sexual Abuse and other inquiries relating to the protection of children.
- (3) The Authority must act with a view to—
- (a) safeguarding and promoting the welfare of children;
 - (b) ensuring that institutions and settings fulfil their responsibilities in relation to child protection.”

Member's explanatory statement

This new clause would seek to fulfil the second recommendation of the Independent Inquiry into Child Sexual Abuse in establishing a Child Protection Authority for England.

Ellie Chowns

NC40

Kim Johnson

To move the following Clause—

“National offer for care leavers

In the Children and Social Work Act 2017, after section 2 insert—

“2A National offer for care leavers

- (1) The Secretary of State for Education must publish information about services which care leavers in all areas of England should be able to access to assist them in adulthood and independent living or in preparing for adulthood and independent living.
- (2) For the purposes of subsection (1), services which may assist care leavers in adulthood and independent living or in preparing for adulthood and independent living include services relating to—
 - (a) health and well-being;
 - (b) relationships;
 - (c) education and training;
 - (d) employment;
 - (e) accommodation;
 - (f) participation in society.
- (3) Information published by the Secretary of State under this section is to be known as the “National Offer for Care Leavers”.
- (4) The Secretary of State must update the National Offer for Care Leavers from time to time.
- (5) Before publishing or updating the National Offer for Care Leavers the Secretary of State must consult with relevant persons about which services may assist care leavers in adulthood and independent living or in preparing for adulthood and independent living.
- (6) In this section—

“care leavers” means—

 - (a) eligible children within the meaning given by paragraph 19B of Schedule 2 to the Children Act 1989;
 - (b) relevant children within the meaning given by section 23A(2) of that Act;
 - (c) persons aged under 25 who are former relevant children within the meaning given by section 23C(1) of that Act;
 - (d) persons qualifying for advice and assistance within the meaning given by section 24 of that Act;

“relevant persons” means—

 - (a) such care leavers as appear to the Secretary of State to be representative of care leavers in England; and
 - (b) other Ministers of State who have a role in arranging services that may assist care leavers in or preparing for independent living.”

Member's explanatory statement

This new clause would introduce a new requirement on the Secretary of State for Education to publish a national offer detailing what support care leavers are entitled to claim by expanding the provisions in the Children and Social Work Act 2017 which require local authorities to produce a "Local offer".

Munira Wilson

NC42

Ian Sollom
 Freddie van Mierlo
 Dr Danny Chambers
 Liz Jarvis
 Ellie Chowns

Jess Brown-Fuller

Gideon Amos

Adam Dance

To move the following Clause—

"Establishment of National Wellbeing Measurement Programme

- (1) The Secretary of State must establish a national children and young people's wellbeing measurement programme.
- (2) A programme established under this section must—
 - (a) conduct a national survey of the mental health and wellbeing of children and young people in relevant schools in England;
 - (b) support schools in the administration of the survey;
 - (c) make provision for parental and student consent to participation in the survey, ensuring that participation is voluntary and that results are handled confidentially; and
 - (d) regularly publish the results of the survey and provide relevant data to participating schools, local authorities and other public bodies for the purposes of improving children and young people's wellbeing.
- (3) A programme established under this section must—
 - (a) be developed and piloted within two years of the passing of this Act;
 - (b) be fully implemented in England no later than the start of the academic year three years after the passing of this Act;
 - (c) be reviewed as to its effectiveness by the Secretary of State every three years.
- (4) Any review of the programme under subsection (3)(c) must be published and laid before Parliament.
- (5) For the purposes of this section "relevant school" means –
 - (a) an academy school,
 - (b) an alternative provision Academy,
 - (c) a maintained school,
 - (d) a non-maintained special school,
 - (e) an independent school, or
 - (f) a pupil referral unit,

other than where established in a hospital.”

Member's explanatory statement

This new clause would place a duty on the Secretary of State to introduce a national programme to regularly measure and report on the mental health and wellbeing of children and young people in schools.

Neil O'Brien

NC44

Patrick Spencer

To move the following Clause—

“Flexibility to not follow the National Curriculum

- (1) The Education Act 2002 is amended as follows.
- (2) In section 79(4), omit from “include” to the end of paragraph (a).
- (3) In section 80—
 - (a) in subsection (1)(b), omit “known as” and insert “which may be, or include,”;
 - (b) after subsection (1), insert—
 - “(1A) Any curriculum taught under subsection (1)(b) which is not the National Curriculum for England must not be of a lower standard than the National Curriculum for England.
 - (1B) All curriculums must be assessed by the Chief Inspector to be of high quality.”.
- (4) In section 88—
 - (a) in subsection (1), omit from “that the” to “is implemented” and insert “a balanced and broadly based curriculum”;
 - (b) in subsection (1A), omit from “that the” to “are implemented” and insert “appropriate assessment arrangements”.

Member's explanatory statement

This new clause would allow local authority maintained schools to offer a curriculum that is different from the national curriculum but that is broad and balanced. It extends academy freedoms over the curriculum to maintained schools.

Neil O'Brien

NC45

Patrick Spencer

To move the following Clause—

“Power to direct admission not to have regard to maintained or academy status

In section 96 of the School Standards and Framework Act 1998 (direction to admit child to specified school), after subsection (2) insert—

“(2A) A direction under this section may not take into account whether a school is a maintained school or an academy.””

Neil O'Brien

NC46

Patrick Spencer

To move the following Clause—

“High performing schools to be allowed to expand PAN

In section 88D of the School Standards and Framework Act 1998 (determination of admission numbers), after subsection (1) insert—

“(1A) Where a school—

- (a) being a primary school, has over 60% of its pupils meeting the expected standard in reading, writing and maths combined in the Key Stage 2 national curriculum assessments,
- (b) being a secondary school, is performing above +0.5 on Progress 8,

wishes to increase its published admissions number, the admission authority must reflect that wish in its determination.””

Neil O'Brien

NC47

Patrick Spencer

To move the following Clause—

“Limits on objections to changes to PAN

In section 88H of the School Standards and Framework Act 1998 (reference of objections to adjudicator), after subsection (2) insert—

“(2A) No objection may be referred to the adjudicator which—

- (a) objects to an increase in a school's published admissions number; or
- (b) objects to a school's published admissions number remaining at the same level.””

Neil O'Brien

NC48

Patrick Spencer

To move the following Clause—

“Ban on mobile telephones and other devices in schools

- (1) All schools in England, subject to subsection (4), must have a policy that prohibits the use and carrying of certain devices during the school day.
- (2) A policy implemented under subsection (1)—
 - (a) may provide for exemptions from the policy, or for an alternative policy, for sixth form students, in so far as such exemptions or alternative policies do not negatively impact upon the wider policy;
 - (b) is to be implemented as the relevant school leader considers appropriate.
- (3) For the purposes of this section—

“certain devices” means mobile phones and other devices which provide similar functionality and whose main purpose is not the support of learning or study;

“the school day” includes all time between the start of the first lesson period and the end of the final lesson period.
- (4) A policy under this section implemented by a boarding school or residential school may include appropriate guidance for the use of certain devices during other periods which their pupils are on school premises, subject to such policies safeguarding and promoting the welfare of children in accordance with relevant national standards.”

Member's explanatory statement

This new clause would require all schools in England to ban the use of mobile telephones, and other devices with similar functionality, during the school day.

Neil O'Brien

NC49

To move the following Clause—

“Report on behaviour in schools

- (1) The Secretary of State must publish an annual report on the behaviour of pupils in mainstream primary and secondary state funded schools.
- (2) This report must—
 - (a) consider evidence gathered and published by the National Behaviour Survey;
 - (b) include information about action taken by the Government to support schools to create a culture of high expectations of behaviour.”

Member's explanatory statement

This new clause would require the Secretary of State to report annually on behaviour in schools and to use the National Behaviour Survey to create the evidence base for this report.

Neil O'Brien

NC50

Patrick Spencer

To move the following Clause—

“Report on Alternative Provision

- (1) Within one year of the passing of this Act, and annually thereafter, the Secretary of State must publish a report on alternative provision commissioned by schools or local authorities in England.
- (2) “Alternative provision” means that commissioned for—
 - (a) permanently excluded pupils;
 - (b) pupils educated out of school for reasons of illness or disability; and
 - (c) other pupils who would not receive suitable education without such provision;and includes education provided in alternative provision academies and pupil referral units.
- (3) A report published under this section must include the action the Government has taken in the previous year to improve achievement, attendance and behaviour in alternative provision settings.”

Member's explanatory statement

This new clause would require the Government to report on the action it has taken each year to improve alternative provision.

Neil O'Brien

NC51

Patrick Spencer

To move the following Clause—

“Duty for schools to report acts of violence against staff to the police

- (1) Where an act listed in subsection (2) takes place which involves the use or threat of force against a member of a school's staff, the school must report the incident to the police.
- (2) An act must be reported to the police where—
 - (a) it is directed towards a member of school staff or their property; and
 - (b) it takes place—
 - (i) on school property; or
 - (ii) because of the victim's status as a member of a school's staff.
- (3) The provisions of this section do not require or imply a duty on the police to take specific actions in response to such reports.”

Member's explanatory statement

This new clause would create a duty for all schools to report acts or threats of violence against their staff to the police. It would not create a requirement for the police to charge the perpetrator.

Ellie Chowns

NC52

To move the following Clause—

“Bereavement policy in schools

- (1) The governing body of a relevant school in England has a duty to develop and publish a bereavement policy.
- (2) A policy developed under this section must include—
 - (a) a process for supporting a pupil or staff member facing or following bereavement;
 - (b) details of how the school will incorporate opportunities to learn about death and bereavement as part of life in its taught curriculum;
 - (c) details of partnership arrangements with child bereavement services; and
 - (d) arrangements for staff training.
- (3) In developing a policy under this section, the governing body of the school must consult with bereaved pupils and their parents or carers.
- (4) The Secretary of State must provide, or make arrangements for the provision of, appropriate financial and other support to school governing bodies for their purposes of facilitating the fulfilling of the duty in this section.
- (5) For the purposes of this section, “relevant school” means—
 - (a) an academy school,
 - (b) an alternative provision Academy,
 - (c) a maintained school,
 - (d) a non-maintained special school,
 - (e) an independent school, or
 - (f) a pupil referral unit.”

Member's explanatory statement

This new clause would require schools to develop and publish a bereavement policy.

Neil O'Brien

NC53

Patrick Spencer

To move the following Clause—

“Exemption from requirement to follow National Curriculum in the interests of improving standards

In the Education Act 2002, after section 95 (Appeals against directions under section 93 etc) insert—

“95A Exception in the interests of improving standards

Where the proprietor of an Academy school or a local authority maintained school believes that the raising of standards in the school would be better served by the school’s curriculum not including the National Curriculum, any provisions of this Act or any other Act do not apply so far as they require the school’s curriculum to include or follow the National Curriculum.””

Neil O'Brien

NC54

Patrick Spencer

To move the following Clause—

“Exemption from requirement to follow National Curriculum where Ofsted approves curriculum

In the Education Act 2002, after section 95 (Appeals against directions under section 93 etc) insert—

“95A Exemption where Ofsted certifies curriculum as broad and balanced

Where—

- (a) the proprietor of an Academy school or a local authority maintained school believes that the raising of standards in the school would be better served by the school’s curriculum not including the National Curriculum, and
- (b) His Majesty’s Chief Inspector has, within the previous ten years, certified that the school provides its pupils with a broad and balanced curriculum,

any provisions of this Act or any other Act do not apply so far as they require the school’s curriculum to include or follow the National Curriculum.””

Neil O'Brien

NC55

Patrick Spencer

To move the following Clause—

“Independent review in relation to orders under section 87(3)(b) of the Education Act 2002

In the Education Act 2002, after subsection (3) insert—

- “(3A) Where the Secretary of State proposes to make, revise or replace an order under subsection (3)(b) for any subject included in the National Curriculum, the Secretary of State shall appoint an independent review body (“the National Curriculum Review Body”) to develop recommendations for any such proposed order.
- (3B) The Secretary of State shall set the scope of the National Curriculum Review Body’s review, which may include specifying the subjects or programmes of study to be considered and the timescale for producing recommendations.
- (3C) In preparing its recommendations, the National Curriculum Review Body shall consult such persons as it considers appropriate, including (but not limited to) teachers, school leaders, parents, professional bodies, and subject experts.
- (3D) Where the National Curriculum Review Body submits recommendations in accordance with subsection (3A), the Secretary of State must lay any proposed order with a statement of any modifications the Secretary of State proposes to make to the recommendations before Parliament.
- (3E) A statutory instrument laid under subsection (3D) shall be subject to approval by resolution of each House of Parliament before it may come into force.
- (3F) Any modifications made by the Secretary of State under subsection (3D) to the recommendations of the National Curriculum Review Body shall be subject to the same procedure for approval as set out in subsection (3E).”

Neil O'Brien

NC56

Patrick Spencer

To move the following Clause—

“School uniforms: availability of second-hand items

- (1) The appropriate authority of a relevant school must ensure that second-hand items of school uniform are made available for sale to the parents of pupils or prospective pupils.
- (2) Second-hand items of school uniform may be made available for sale so long as the items—
- (a) comply with the school’s current uniform requirements;
 - (b) are in an acceptable condition; and

- (c) can be purchased for significantly less than the cost of buying the same item new.
- (3) The appropriate authority must make information on the purchase of second-hand items of school uniform easily available on the school's website.
- (4) In this section—
- “the appropriate authority” means—
- (a) in relation to an Academy school, an alternative provision Academy or a non-maintained special school, the proprietor;
 - (b) in relation to a maintained school, the governing body;
 - (c) in relation to a pupil referral unit, the local authority;
- “relevant school” means a school in England which is—
- (a) an Academy school;
 - (b) an alternative provision Academy;
 - (c) a maintained school within the meaning of section 437(8) of the Education Act 1996;
 - (d) a non-maintained special school within the meaning of section 337(A) of the Education Act 1996;
 - (e) a pupil referral unit not established in a hospital.
- “school uniform” means any bag or clothing required for school or for any lesson, club, activity or event facilitated by the school.
- “second-hand items” means items of school uniform which have previously been owned by another pupil, subject to subsection (2).”

Neil O'Brien

NC58

Patrick Spencer

To move the following Clause—

“Right to review school curriculum material

Where requested by the parent or carer of a child on the school's pupil roll, a school must allow such persons to view all materials used in the teaching of the school curriculum, including those provided by external, third-party, charitable or commercial providers.”

Member's explanatory statement

This new clause would ensure that parents can view materials used in the teaching of the school curriculum.

Munira Wilson

NC59

Ian Sollom

To move the following Clause—

“Kinship care leave

- (1) The Secretary of State must, by regulations, entitle an individual to be absent from work on care leave under this section where—
 - (a) the individual is a kinship carer, and
 - (b) the individual satisfies conditions specified in the regulations.
- (2) Regulations made under subsection (1) must include provision for determining—
 - (a) the extent of an individual’s entitlement to leave under this section; and
 - (b) when leave under this section may be taken.
- (3) Provision under subsection (2)(a) must secure that—
 - (a) where one individual is entitled to leave under this section, they are entitled to at least 52 weeks of leave; or
 - (b) where more than one individual is entitled to leave under this section in respect of the same child, those individuals are entitled to share at least 52 weeks of leave between them.
- (4) An employee is entitled to leave under this section only if the eligible kinship care arrangement is intended to last—
 - (a) at least one year, and
 - (b) until the child being cared for attains the age of 18.
- (5) For the purposes of this section, a “kinship carer” has the meaning given in section 22I of the Children Act 1989, as inserted by section 5 of this Act.
- (6) Regulations made under this section may make provision about how leave under this section is to be taken.”

Munira Wilson

NC60

Ian Sollom

To move the following Clause—

“Kinship care allowance

- (1) A person is entitled to a kinship care allowance for any week in which that person is engaged as a kinship carer in England.
- (2) For the purposes of this section, a “kinship carer” has the meaning given in section 22I of the Children Act 1989, as inserted by section 5 of this Act.
- (3) A person is not entitled to an allowance under this section unless that person satisfies conditions prescribed in regulations made by the Secretary of State.
- (4) A person may claim an allowance under this section in respect of more than one child.

- (5) Where two or more persons would be entitled for the same week to such an allowance in respect of the same child, only one allowance may be claimed on the behalf of—
 - (a) the person jointly elected by those two for that purpose, or
 - (b) in default of such an election, the person determined by, and at the discretion of, the Secretary of State.
- (6) Regulations may prescribe the circumstances in which a person is or is not to be treated for the purposes of this section as engaged, or regularly and substantially engaged, in caring for a child under an eligible kinship care arrangement.
- (7) An allowance under this section is payable at the weekly rate specified by the Secretary of State in regulations.
- (8) Regulations under subsection (7) may specify—
 - (a) different weekly rates for different ages of children being cared for, or
 - (b) different weekly rates for different regions of England.
- (9) Regulations under subsection (7) must specify a weekly rate that is no lower than the minimum weekly allowance for foster carers published by the Secretary of State pursuant to section 23 of the Care Standards Act 2000.”

Munira Wilson

NC61

Ian Sollom

To move the following Clause—

“Extension of pupil premium to children subject to a kinship care arrangement

- (1) The Secretary of State must, for the financial year beginning 1 April 2026 and for each year thereafter, provide that an amount is payable from the pupil premium grant to schools and local authorities in respect of each registered pupil in England who is who is a child living in kinship care.
- (2) The amount payable under subsection (1) must be equal to the amount that is payable for a pupil who is a looked after child.
- (3) In this section—
 - “a child living in kinship care” is to be interpreted in the same manner as given in section 221 of the Children Act 1989, as inserted by section 5 of this Act.
 - “looked after child” has the same meaning as in the Children Act 1989;
 - “pupil premium grant” means the grant of that name paid to a school or a local authority by the Secretary of State under section 14 of the Education Act 2002 (power of Secretary of State and Senedd Cymru to give financial assistance for purposes related to education or children etc).”

Munira Wilson

NC62

Ian Sollom

To move the following Clause—

“Admissions arrangements relating to looked after children and children in kinship care

- (1) For section 88B of the School Standards and Framework Act 1998 (admission arrangements relating to children looked after by local authority) substitute—

“88B Admissions arrangements relating to looked after children and children in kinship care

- (1) Regulations may require the admission authorities for maintained schools in England to include in their admission arrangements provision relating to the admission of children who are—
- (a) looked after by a local authority in England, or
 - (b) living in kinship care as may be prescribed.
- (2) Regulations under subsection (1) may in particular include provision for securing that, subject to sections 86(3), 86B(2) and (4) and 87, such children are to be offered admission in preference to other children.
- (3) In this section, “children who are living in kinship care” is to be interpreted in the same manner as given in section 221 of the Children Act 1989, as inserted by section 5 of this Act.””

Neil O'Brien

NC63

Patrick Spencer

To move the following Clause—

“Exemption from education legislation for the purpose of raising educational standards

- (1) On the application of one or more qualifying bodies (“the applicant”), the Secretary of State may by order make provision—
- (a) conferring on the applicant exemption from any requirement imposed by education legislation;
 - (b) relaxing any such requirement in its application to the applicant;
 - (c) enabling the applicant to exercise any function conferred by education legislation on any other qualifying body (either concurrently with or in place of that other body); or
 - (d) making such modifications of any provision of education legislation, in its application to the applicant or any other qualifying body, as are in the opinion of the Secretary of State consequential on any provision made by virtue of any of paragraphs (a) to (c),

for the purposes of facilitating the implementation of innovative projects that may, in the opinion of the Secretary of State, contribute to the raising of educational standards in England.

- (2) In forming an opinion as to whether a project may contribute to the raising of educational standards in England, the Secretary of State shall—
 - (a) have regard to the need for the curriculum for any school in England affected by the project to be a balanced and broadly based curriculum which promotes the spiritual, moral, cultural, mental and physical development of children,
 - (b) consider the likely effect of the project on all the pupils who may be affected by it.
- (3) The Secretary of State shall refuse an application for an order under this section if it appears to the Secretary of State that the proposed order would be likely to have a detrimental effect on the education of children with special educational needs.
- (4) An order under this section shall have effect during a period specified in the order which must not exceed three years.
- (5) Before making an order under this section, the Secretary of State shall, if they consider it appropriate to do so, consult the Chief Inspector.
- (6) Where the applicant is or includes a qualifying foundation, references in paragraphs (a) to (d) of subsection (1) to the applicant (so far as they would otherwise be read as references to the qualifying foundation) are to be read as references to the governing bodies of all or any of the foundation or foundation special schools in respect of which the applicant is the foundation.
- (7) For the purposes of this section—

“the Chief Inspector” means His Majesty’s Chief Inspector of Education, Children’s Services and Skills;

“children” means persons under the age of nineteen;

“education legislation” means—

- (a) the Education Acts (as defined by section 578 of the Education Act 1996),
- (b) the Learning and Skills Act 2000, and
- (c) any subordinate legislation made under any of those Acts;

“maintained school” means—

- (a) a community, foundation or voluntary school,
- (b) a community or foundation special school, or
- (c) a maintained nursery school;

“qualifying body” means—

- (a) a local authority,
- (b) an Education Action Forum,
- (c) a qualifying foundation,
- (d) the governing body of a maintained school,

- (e) the head teacher of a maintained school,
- (f) the proprietor of an Academy, a city technology college or a city college for the technology of the arts,
- (g) the proprietor of any special school that is not maintained by a local authority but is for the time being approved by the Secretary of State under section 342 of the Education Act 1996, or
- (h) the governing body of an institution within the further education sector;

“qualifying foundation” means the foundation, as defined by subsection (3)(a) of section 21 of the School Standards and Framework Act 1998, of any foundation or foundation special school that for the purposes of that section has a foundation established otherwise than under that Act;

“subordinate legislation” has the same meaning as in the Interpretation Act 1978.”

Member's explanatory statement

This new clause would enable the Secretary of State to exempt certain bodies from certain requirements of existing education legislation for the purpose of implementing projects which may raise educational standards in England

Neil O'Brien

NC64

Patrick Spencer

To move the following Clause—

“Pay and conditions of school support staff in England

- (1) A School Support Staff Negotiating Body shall be created to make recommendations to the Secretary of State about the pay and conditions of school support staff in England.
- (2) The Secretary of State may by order set out the recommended pay and conditions for school support staff in England based on the recommendations of the School Support Staff Negotiating Body.
- (3) The Secretary of State may by order make provision requiring the remuneration of support staff at an Academy school to be at least equal to the amount specified in, or determined in accordance with, the order.
- (4) Subsection (5) applies where—
 - (a) an order under this section applies to a member of school support staff at an Academy, and
 - (b) the contract of employment or for services between the member of school support staff at the Academy and the relevant proprietor provides for the member of school support staff to be paid remuneration that is less than the amount specified in, or determined in accordance with, the order.
- (5) Where this subsection applies—

- (a) the member of school support staff’s remuneration is to be determined and paid in accordance with any provision of the order that applies to them; and
- (b) any provision of the contract mentioned in subsection (4)(b) or of the Academy arrangements entered into with the Secretary of State by the relevant proprietor has no effect to the extent that it makes provision that is prohibited by, or is otherwise inconsistent with, the order.
- (c) In determining the conditions of employment or service of a member of school support staff at an Academy, the relevant proprietor must have regard to any provision of an order under this section that relates to conditions of employment or service.”

Member's explanatory statement

This new clause would mean that Academies could treat orders made by the Secretary of State in relation to pay and conditions for school support staff as a floor, not a ceiling, on pay, and would allow Academies to have regard to the conditions of employment for school support staff set out by the Secretary of State while not requiring Academies to follow them.

Munira Wilson

NC65

Adam Dance

To move the following Clause—

“Flexibility to take into account local circumstances when following the National Curriculum

In section 87 of the Education Act 2002 (establishment of the National Curriculum for England by order), after subsection (1) insert—

- “(1A) In any revision to the National Curriculum for England, the Secretary of State must ensure that the National Curriculum shall consist of—
- (a) a core framework; and
 - (b) subjects or areas of learning outside the core framework that allow flexibility for each school to take account of their specific circumstances.”

Member's explanatory statement

This new clause would clarify that, when revised, the National Curriculum for England will provide a core framework as well as flexibility for schools to take account of their own specific circumstances.

Munira Wilson

NC66

Adam Dance

To move the following Clause—

“Parliamentary approval of revisions of the National Curriculum

In section 87 of the Education Act 2002 (establishment of the National Curriculum for England by order), after subsection (3) insert—

“(3A) An order made under this section revising the National Curriculum for England shall be subject to the affirmative procedure.””

Member's explanatory statement

This new clause would make revisions to the National Curriculum subject to parliamentary approval by the affirmative procedure.

Munira Wilson

NC67

Liz Jarvis

☆ To move the following Clause—

“Registration of children eligible for free school meals

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

“512ZAA Registration of children eligible for free school meals

(1) The Secretary of State must ensure that all children in England who are eligible to receive free.

(2) The Secretary of State may make provision for children to be registered for free school meals upon their parents or guardians demonstrating the child’s eligibility through an application for relevant benefits.””

Daisy Cooper

NC68

Munira Wilson

☆ To move the following Clause—

“Guidance on the admission of summer-born children with EHC plans

(1) The Secretary of State must, within 12 months of the passing of this Act, publish guidance for local authorities and school admissions authorities on the admission of summer-born children with education, health and care plans.

(2) Guidance published under this section must—

(a) detail the factors which must be taken into account when considering a request for a summer born child with an EHC plan to be placed outside of their normal age group;

(b) include a presumption that requests relating to the placement or admission of summer-born children with EHC plans should be considered

- on no less favourable terms than requests relating to summer-born children without EHC plans; and
- (c) outline circumstances when it may, or may not, be appropriate for a child who has been placed outside of their normal age group to be moved to join their normal age group;
 - (d) detail how parents may object to the placing of their child with their normal age group, and the process by which such objections will be considered.
- (3) In developing guidance under this section, the Secretary of State must consult with—
- (a) groups representing the interests of parents;
 - (b) individuals and organisations with expertise in supporting children with special educational needs and the parents of such children; and
 - (c) other such parties as the Secretary of State considers appropriate.
- (4) For the purposes of this section, “summer-born children” means children born between 1 April and 31 August.”

Daisy Cooper

NC69

Munira Wilson

☆ To move the following Clause—

“Collection and publication of data relating to summer-born children

- (1) A local authority must collect and publish data on—
- (a) the number and proportion of summer-born children who started school in the local authority’s area outside of their normal age group;
 - (b) the number and proportion of summer-born children—
 - (i) with EHC plans, and
 - (ii) without EHC plans,
 who started school in the local authority’s area outside of their normal age group and who have been required to join their normal age group; and
 - (c) the number and proportion of summer-born children with EHC plans who started school in the local authority’s area outside of their normal age group and who have been required to join their normal age group in a—
 - (i) special school;
 - (ii) mainstream school.
- (2) The Secretary of State must annually—
- (a) conduct a statistical analysis of, and
 - (b) publish a report on the data collected by local authorities under subsection (1).”

Ellie Chowns

NC70

★ To move the following Clause—

“Appointment of Anti-Bullying Leads

In section 89 of the Education and Inspections Act 2006 (Determination by head teacher of behaviour policy), after subsection (2A) insert—

- “(2B) For the purposes of preventing bullying under subsection (1)(b), the head teacher of a relevant school in England must appoint a member of staff to be the school’s Anti-Bullying Lead.
- (2C) The Anti-Bullying Lead will have responsibility for developing the school’s anti-bullying strategy, which must—
- (a) outline the steps which will be taken by the school to prevent all forms of bullying among pupils, particularly in relation to those pupils with protected characteristics;
 - (b) state how incidences of bullying are to be recorded and acted upon by the school; and
 - (c) detail the training relating to bullying awareness and prevention which will be made available to school staff.””

Member's explanatory statement

This new clause would require head teachers to appoint Anti-Bullying Leads, to lead on the development of anti-bullying strategies.

Catherine McKinnell

Gov NS1

To move the following Schedule—

“SCHEDULE

Section (Pay and conditions of Academy teachers)

PAY AND CONDITIONS OF ACADEMY TEACHERS: AMENDMENTS TO THE EDUCATION ACT 2002

- 1 Part 8 of the Education Act 2002 (teachers’ pay and conditions etc) is amended as follows.
- 2 In section 120(2) (School Teachers’ Review Body function: meaning of school teacher), for the words from “the Secretary of State’s” to the end substitute “section 122 or an Academy teacher for the purposes of section 122A.”
- 3 In section 121(2) (bodies to be consulted by School Teachers’ Review Body), after paragraph (b) insert—
 - “(ba) bodies representing the interests of proprietors of Academies,”.
- 4 In the heading of section 122, after “conditions” insert “of school teachers other than Academy teachers”.

5 After section 122 insert—

“122A Power to set minimum remuneration of Academy teachers etc

- (1) The Secretary of State may by order make provision requiring the remuneration of an Academy teacher to be at least equal to the amount specified in, or determined in accordance with, the order.
- (2) Subsection (3) applies where—
 - (a) an order under this section applies to an Academy teacher, and
 - (b) the contract of employment or for services between the Academy teacher and the relevant proprietor provides for the teacher to be paid remuneration that is less than the amount specified in, or determined in accordance with, the order.
- (3) Where this subsection applies—
 - (a) the Academy teacher’s remuneration is to be determined and paid in accordance with any provision of the order that applies to the teacher;
 - (b) any provision of the contract mentioned in subsection (2)(b) or of the Academy arrangements entered into with the Secretary of State by the relevant proprietor has no effect to the extent that it makes provision that is prohibited by, or is otherwise inconsistent with, the order.
- (4) A person is an Academy teacher for the purposes of this section in any of the following cases.
- (5) The first case is where—
 - (a) the person provides primary or secondary education under a contract of employment or for services,
 - (b) the other party to the contract is the proprietor of an Academy,
 - (c) the contract requires the person to carry out work of a kind which is specified by regulations under section 133(1), and
 - (d) the person—
 - (i) is not prevented by regulations under section 133(1) from carrying out that work, and
 - (ii) is not of a description specified in regulations made by the Secretary of State for the purposes of this paragraph.
- (6) The second case is where the person—
 - (a) serves as the principal of an Academy, and
 - (b) is not appointed by the proprietor of the Academy as an executive leader of the proprietor.
- (7) The third case is where the person would fall within section 122(5) but for the fact that the other party to the contract of employment or for services under which the person provides primary or secondary

education is the proprietor of an Academy (and not a party mentioned in section 122(3)(c)).

- (8) Regulations under subsection (5)(d) may, in particular, specify a description by reference to a person's duties or to any provision for a person's remuneration to be determined otherwise than under this section.
- (9) Where the proprietor of an Academy is also the proprietor of a 16 to 19 Academy, a person ("P") is not an Academy teacher for the purposes of this section to the extent that a contract of employment or for services between P and the proprietor requires P to provide secondary education at the 16 to 19 Academy.
- (10) In the application of subsections (2) and (3)—
 - (a) it is immaterial whether someone other than the relevant proprietor provides or is responsible for providing all or part of a teacher's remuneration;
 - (b) it is immaterial whether someone other than the relevant proprietor is treated wholly or partly as a teacher's employer for some or all purposes by virtue of an enactment.
- (11) In this section "the relevant proprietor", in relation to an Academy teacher, means the proprietor mentioned in subsection (5)(b), (6)(b) or (7) (as the case may be)."

6 In section 122A (inserted by paragraph 5), after subsection (10) insert—

"(10A) In determining the conditions of employment or service of an Academy teacher, the relevant proprietor must have regard to any provision of an order under section 122 that relates to conditions of employment or service (and must also have regard to guidance under section 127(1) that relates to such conditions)."

7 In section 123 (scope of section 122 orders)—

- (a) in the heading, after "122" insert "or 122A";
- (b) after subsection (1) insert—

"(1A) Subsection (1) applies in relation to an order under section 122A as it does in relation to an order under section 122 but as if—

- (a) the reference in paragraph (a) to a local authority or a governing body were to a proprietor of an Academy, and
- (b) paragraphs (f) to (h) were omitted.";
- (c) in subsection (2)(b), after "local authorities" insert ", teachers and proprietors of Academies";
- (d) in subsection (3), after "122" insert "or 122A";
- (e) in subsection (4), after paragraph (c) insert—

"(d) that a payment or entitlement of a specified kind is or is not to be treated as remuneration for the purpose of section 122A(1)."

- 8 In section 124 (supplementary provision), after “122”, in each place it occurs (including the heading), insert “or 122A”.
- 9 In section 125(1) (requirement to refer matter before making order), after “122” insert “or 122A”.
- 10 In section 126 (bodies to be consulted by the Secretary of State)—
- (a) after “122” insert “, 122A”;
 - (b) after paragraph (b) insert—
 - “(ba) bodies representing the interests of proprietors of Academies,”.
- 11 In section 127 (guidance issued by the Secretary of State)—
- (a) after subsection (2) insert—
 - “(2A) The Secretary of State may issue guidance about the determination of whether, for the purposes of section 122A, a person’s remuneration is at least equal to the amount specified in, or determined in accordance with, an order under that section.
 - (2B) The proprietor of an Academy must have regard to guidance under subsection (2A).”;
 - (b) in subsection (3), after “(1)” insert “or (2A)”;
 - (c) in subsection (4)—
 - (i) after “(1)” insert “or (2A)”;
 - (ii) after paragraph (b) insert—
 - “(ba) bodies representing the interests of proprietors of Academies,”.
- 12 After section 127 insert—
- “127A References to “Academy” and “Academy arrangements”**
- (1) In sections 121 to 127, a reference to an Academy—
 - (a) includes a reference to a city technology college and a city college for the technology of the arts, and
 - (b) does not include a reference to a 16 to 19 Academy.
 - (2) A reference in any of those sections to Academy arrangements includes a reference to an agreement under section 482 of the Education Act 1996 (city colleges).”
- 13 In section 210(6) (orders not subject to Parliamentary procedure), after “122” insert “or 122A”.”

Member's explanatory statement

This Schedule provides for an Academy teacher’s pay to be determined under their contract of employment unless the pay would be less than the minimum set under the Education Act 2002 (as amended by this Schedule). It also requires proprietors of Academies to have regard to conditions of employment set under that Act for teachers at maintained schools.

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.
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Order of the Committee

[21 January 2025]

That—

1. the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 21 January) meet—
 - (a) at 2.00 pm on Tuesday 21 January;
 - (b) at 11.30 am and 2.00 pm on Thursday 23 January;
 - (c) at 9.25 am and 2.00 pm on Tuesday 28 January;
 - (d) at 11.30 am and 2.00 pm on Thursday 30 January;

- (e) at 9.25 am and 2.00 pm on Tuesday 4 February;
- (f) at 11.30 am and 2.00 pm on Thursday 6 February;
- (g) at 9.25 am and 2.00 pm on Tuesday 11 February;

2. the Committee shall hear oral evidence in accordance with the following Table:

Date	Time	Witness
Tuesday 21 January	Until no later than 10.00 am	Coram; Centre for Young Lives
Tuesday 21 January	Until no later than 10.30am	Association of Directors of Children's Services; Local Government Association
Tuesday 21 January	Until no later than 11.00am	Association of School and College Leaders; National Association of Head Teachers
Tuesday 21 January	Until no later than 11.25am	Cafcass
Tuesday 21 January	Until no later than 2.20pm	The Children's Commissioner for England
Tuesday 21 January	Until no later than 2.40pm	Ofsted
Tuesday 21 January	Until no later than 3.15pm	The Children's Society; Children's Charities Coalition; Become
Tuesday 21 January	Until no later than 3.45pm	Church of England; Catholic Education Service
Tuesday 21 January	Until no later than 4.20pm	United Learning; Harris Federation; Dixons Academies Trust
Tuesday 21 January	Until no later than 4.55pm	Suffolk Primary Headteachers' Association; Northern Education Trust; Confederation of School Trusts
Tuesday 21 January	Until no later than 5.10pm	Axiom Maths
Tuesday 21 January	Until no later than 5.25pm	Child Poverty Action Group
Tuesday 21 January	Until no later than 5.45pm	Department for Education

3. proceedings on consideration of the Bill in Committee shall be taken in the following order: 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;
 4. the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 11 February.
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Withdrawn Amendments

The following amendments were withdrawn on 20 January 2025:

NC4

The following amendments were withdrawn on 24 January 2025:

50, 51, 52, 53, 54, 55, 56, 57, 58 and NC43

The following amendments were withdrawn on 29 January 2025:

NC16, NC26, NC27, NC28 and NC29

The following amendments were withdrawn on 30 January 2025:

NC41

The following amendments were withdrawn on 3 February 2025:

NC32