AMENDMENTS
TO BE MOVED
IN COMMITTEE

Clause 1

LORD WARNER
Page 2, line 4, at end insert—
“( ) In discharging its responsibilities under subsection (1), the responsible local authority must—
(a) ensure that all partner bodies responsible for health, housing, police, employment, education and training services are aware of the needs of children and young people for whom they are responsible; and
(b) advise the individual children and young people concerned of the availability of services offered by partner bodies which meet their needs and assist them in securing such services.”

Clause 3

LORD WARNER
Page 5, line 16, at end insert—
“( ) In making available personal advisers under this Act, the Secretary of State must make regulations to provide—
(a) performance standards and training for personal advisers;
(b) arrangements for vetting as to their suitability before taking up posts; and
(c) a publicly available register of approved personal advisers.”

Clause 11

LORD NASH
Page 10, line 20, leave out “after section 16” and insert “before section 17”

LORD WARNER
Page 10, line 39, after “proceedings” insert “, including its powers to secure the submission of material subject to legal or medical privilege”
Clause 11 - continued

BARONESS MEACHER
LORD HUNT OF KINGS HEATH
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

The above-named Lords give notice of their intention to oppose the Question that Clause 11 stand part of the Bill.

Clause 12

LORD WARNER

Page 11, line 21, after “review” insert “within six months of the matter being referred to the reviewer”

LORD NASH

Page 12, line 13, leave out “on behalf” and insert “under the supervision”

BARONESS MEACHER
LORD HUNT OF KINGS HEATH
BARONESS PINNOCK
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

The above-named Lords give notice of their intention to oppose the Question that Clause 12 stand part of the Bill.

Clause 13

BARONESS MEACHER
LORD HUNT OF KINGS HEATH
BARONESS PINNOCK
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

The above-named Lords give notice of their intention to oppose the Question that Clause 13 stand part of the Bill.

Clause 14

LORD NASH

Page 13, line 12, at end insert—

“( ) The Panel may enforce the duty under subsection (2) against the person or body by making an application to the High Court or the county court for an injunction.”

Page 13, line 17, leave out “on behalf” and insert “under the supervision”
After Clause 14

LORD NASH

Insert the following new Clause—

“Local arrangements for safeguarding and promoting welfare of children

After section 16D of the Children Act 2004 (inserted by section 14 of this Act) insert—

“Safeguarding partners for local authority areas

16E Local arrangements for safeguarding and promoting welfare of children

(1) The safeguarding partners for a local authority area in England must make arrangements for—
   (a) the safeguarding partners, and
   (b) any relevant agencies that they consider appropriate,
   to work together in exercising their functions, so far as the functions are exercised for the purpose of safeguarding and promoting the welfare of children in the area.

(2) The arrangements must include arrangements for the safeguarding partners to work together to identify and respond to the needs of children in the area.

(3) In this section—
   “relevant agency”, in relation to a local authority area in England, means a person who—
   is specified in regulations made by the Secretary of State, and
   exercises functions in that area in relation to children;
   “safeguarding partner”, in relation to a local authority area in England, means—
   the local authority;
   a clinical commissioning group for an area any part of which falls within the local authority area;
   the chief officer of police for a police area any part of which falls within the local authority area.”

Insert the following new Clause—

“Local child safeguarding practice reviews

After section 16E of the Children Act 2004 (inserted by section (Local arrangements for safeguarding and promoting welfare of children) of this Act) insert—

“16F Local child safeguarding practice reviews

(1) The safeguarding partners for a local authority area in England must make arrangements in accordance with this section—
   (a) to identify serious child safeguarding cases which raise issues of importance in relation to the area, and
   (b) for those cases to be reviewed under the supervision of the safeguarding partners, where they consider it appropriate.
After Clause 14 - continued

(2) The purpose of a review under subsection (1)(b) is to ascertain what (if any) lessons can be learned from the case about the way in which persons in the area should work to safeguard and promote the welfare of children.

(3) Where a case is reviewed under the supervision of the safeguarding partners, they must—
   (a) ensure that the reviewer provides a report on the outcome of the review;
   (b) ensure—
      (i) that the reviewer makes satisfactory progress, and
      (ii) that the report is of satisfactory quality;
   (c) provide the report to the Secretary of State and the Child Safeguarding Practice Review Panel.

(4) The safeguarding partners must publish the report, unless they consider it inappropriate to do so.

(5) If the safeguarding partners consider it inappropriate to publish the report, they must publish any information relating to the lessons to be learned from the case that they consider it appropriate to publish.

(6) The Secretary of State may by regulations make provision about—
   (a) criteria to be taken into account by the safeguarding partners in determining whether serious child safeguarding cases raise issues of importance in relation to the area;
   (b) the appointment or removal of a reviewer by the safeguarding partners, including provision for a reviewer to be appointed by the safeguarding partners from a list provided by the Secretary of State;
   (c) the time when a report is to be provided to the Secretary of State or the Child Safeguarding Practice Review Panel, or published;
   (d) the procedure for a review;
   (e) the form and content of a report.

(7) In this section “reviewer” means any one or more persons appointed to review a case under the supervision of the safeguarding partners for a local authority area.”

Insert the following new Clause—

“Further provision about arrangements

After section 16F of the Children Act 2004 (inserted by section (Local child safeguarding practice reviews) of this Act) insert—

“16G Further provision about arrangements

(1) This section applies in relation to arrangements made under section 16E or 16F by the safeguarding partners for a local authority area in England.

(2) The safeguarding partners must publish the arrangements.

(3) The arrangements must include arrangements for scrutiny by an independent person of the effectiveness of the arrangements.

(4) The safeguarding partners and relevant agencies for the local authority area must act in accordance with the arrangements.
After Clause 14 - continued

(5) Subsection (6) applies where a person is specified in regulations under section 16E(3) for the purposes of the definition of “relevant agency”.

(6) The regulations may make provision for the enforcement against the person of the duty imposed by subsection (4), if the Secretary of State considers that there would otherwise be no appropriate means of enforcing that duty against the person.

(7) At least once in every 12 month period, the safeguarding partners must prepare and publish a report on—
(a) what the safeguarding partners and relevant agencies for the local authority area have done as a result of the arrangements, and
(b) how effective the arrangements have been in practice.”

Insert the following new Clause—

“Information

After section 16G of the Children Act 2004 (inserted by section (Further provision about arrangements) of this Act) insert—

“16H Information
(1) Any of the safeguarding partners for a local authority area in England may, for the purpose of enabling or assisting the performance of functions conferred by section 16E or 16F, request a person or body to provide information specified in the request to—
(a) the safeguarding partner or any other safeguarding partner for the area,
(b) any of the relevant agencies for the area,
(c) a reviewer, or
(d) another person or body specified in the request.

(2) The person or body to whom a request under this section is made must comply with the request.

(3) The safeguarding partner that made the request may enforce the duty under subsection (2) against the person or body by making an application to the High Court or the county court for an injunction.

(4) The information may be used by the person or body to whom it is provided only for the purpose mentioned in subsection (1).”

Insert the following new Clause—

“Funding

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

“16I Funding
(1) The safeguarding partners for a local authority area in England may make payments towards expenditure incurred in connection with arrangements under section 16E or 16F—
(a) by making payments directly, or
(b) by contributing to a fund out of which the payments may be made.
After Clause 14 - continued

(2) The payments that may be made include payments of remuneration, allowances or expenses to a reviewer or an independent person.

(3) The safeguarding partners for a local authority area in England may provide staff, goods, services, accommodation or other resources to any person for purposes connected with arrangements under section 16E or 16F.

(4) Relevant agencies for a local authority area in England may make payments towards expenditure incurred in connection with arrangements under section 16E—

(a) by making payments directly, or

(b) by contributing to a fund out of which the payments may be made.

(5) In this section an “independent person” means an independent person mentioned in section 16G(3)."

Insert the following new Clause—

“Combining safeguarding partner areas and delegating functions

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

“16J Combining safeguarding partner areas and delegating functions

(1) The safeguarding partners for two or more local authority areas in England may agree that their areas are to be treated as a single area for the purposes of sections 16E to 16I and subsections (3) to (5) of this section.

(2) References in sections 16E to 16I and in subsections (3) to (5) of this section to a local authority area are to be read in accordance with any agreement under subsection (1).

(3) Where a local authority is a safeguarding partner for the same local authority area as another local authority (as a result of an agreement under subsection (1)), the authorities may arrange for one of them to carry out functions under sections 16E to 16I on behalf of the other.

(4) Where a clinical commissioning group is a safeguarding partner for the same local authority area as another clinical commissioning group, the groups may arrange for one of them to carry out functions under sections 16E to 16I on behalf of the other.

(5) Where a chief officer of police is a safeguarding partner for the same area as another chief officer of police, the officers may arrange for one of them to carry out functions under sections 16E to 16I on behalf of the other.”"

Insert the following new Clause—

“Guidance by Secretary of State

After section 16J of the Children Act 2004 (inserted by section (Combining safeguarding partner areas and delegating functions) of this Act) insert—

“16K Guidance by Secretary of State
After Clause 14 - continued

(1) The safeguarding partners and relevant agencies for a local authority area in England must have regard to any guidance given by the Secretary of State in connection with functions conferred on them by sections 16E to 16J.

(2) Guidance given by the Secretary of State in connection with functions conferred by section 16F may include guidance about—

(a) circumstances in which it may be appropriate for a serious child safeguarding case to be reviewed;

(b) matters to be taken into account in deciding whether a review is making satisfactory progress or whether a report is of satisfactory quality.

Insert the following new Clause—

“Interpretation

After section 16K of the Children Act 2004 (inserted by section (Guidance by Secretary of State) of this Act) insert—

“16L Interpretation of sections 16E to 16K

In sections 16E to 16K—

“reviewer” has the meaning given by section 16F(7);

“safeguarding partner”, in relation to a local authority area, has the meaning given by section 16E(3);

“serious child safeguarding cases” has the meaning given by section 16B(9);

“relevant agency”, in relation to a local authority area, has the meaning given by section 16E(3).””

Insert the following new Clause—

“Child death reviews

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

“Child death review partners for local authority areas

16M Child death reviews

(1) The child death review partners for a local authority area in England must make arrangements—

(a) for the review of each death of a child normally resident in the area;

(b) for the analysis of information about such deaths generally.

(2) The purposes of a review or analysis under subsection (1) are—

(a) to identify any matters relating to the death, or the deaths generally, that are relevant to the welfare of children in the area or to public health and safety, and

(b) to consider whether it would be appropriate for anyone to take action in relation to any matters identified.

(3) Where the child death review partners consider that it would be appropriate for a person to take action as mentioned in subsection (2)(b), they must inform that person.
After Clause 14 - continued

(4) The child death review partners for a local authority area in England must, at such intervals as they consider appropriate, prepare and publish a report on—
   (a) what they have done as a result of the arrangements under this section, and
   (b) how effective the arrangements have been in practice.

Insert the following new Clause—

“Information

After section 16M of the Children Act 2004 (inserted by section (Child death reviews) of this Act) insert—

“16N Information

(1) Any of the child death review partners for a local authority area in England may, for the purpose of enabling or assisting the performance of functions conferred by section 16M, request a person or body to provide information specified in the request to—
   (a) the child death review partner or any other child death review partner for the area, or
   (b) another person or body.

(2) The person or body to whom a request under this section is made must comply with the request.

(3) The child death review partner that made the request may enforce the duty under subsection (2) against the person or body by making an application to the High Court or the county court for an injunction.

(4) The information may be used by the person or body to whom it is provided only for the purpose mentioned in subsection (1).”

Insert the following new Clause—

“Funding

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

“16O Funding

(1) The child death review partners for a local authority area in England may make payments towards expenditure incurred in connection with arrangements under section 16M—
   (a) by making payments directly, or
   (b) by contributing to a fund out of which payments may be made.

(2) The child death review partners for a local authority area in England may provide staff, goods, services, accommodation or other resources to any person for purposes connected with arrangements under section 16M.”
Insert the following new Clause—

“Combining child death review partner areas and delegating functions

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

“16P Combining child death review partner areas and delegating functions

(1) The child death review partners for two or more local authority areas in England may agree that their areas are to be treated as a single area for the purposes of sections 16M to 16O and subsections (3) and (4) of this section.

(2) References in sections 16M to 16O and in subsections (3) and (4) of this section to a local authority area are to be read in accordance with any agreement under subsection (1).

(3) Where a local authority is a child death review partner for the same local authority area as another local authority (as a result of an agreement under subsection (1)), the authorities may arrange for one of them to carry out functions under sections 16M to 16O on behalf of the other.

(4) Where a clinical commissioning group is a child death review partner for the same local authority area as another clinical commissioning group, the groups may arrange for one of them to carry out functions under sections 16M to 16O on behalf of the other.”

Insert the following new Clause—

“Guidance and interpretation

After section 16P of the Children Act 2004 (inserted by section (Combining child death review partner areas and delegating functions) of this Act) insert—

“16Q Guidance and interpretation

(1) The child death review partners for a local authority area in England must have regard to any guidance given by the Secretary of State in connection with functions conferred on them by sections 16M to 16P.

(2) In this section and sections 16M to 16P “child death review partners”, in relation to a local authority area in England, means—

(a) the local authority;

(b) any clinical commissioning group for an area any part of which falls within the local authority area.”

Insert the following new Clause—

“Abolition of Local Safeguarding Children Boards

(1) Omit sections 13 to 16 of the Children Act 2004 (Local Safeguarding Children Boards).

(2) In Schedule 1 to the Local Authority Social Services Act 1970 (social services functions of local authorities), in the entry relating to the Children Act 2004—

(a) for “13 to 16” substitute “16A to 16Q”;
After Clause 14 - continued

(b) omit “targets for”;
(c) omit “, and to Local Safeguarding Children Boards”.

Clause 15

LORD WARNER

Page 13, line 28, at end insert—

“( ) Before making any exemptions or modifications under subsection (2), the Secretary of State must consider the published advice of an independent review panel established to consider whether any such exemptions or modifications are likely adversely to affect legislative safeguards or rights of children approved by Parliament.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

The above-named Lords give notice of their intention to oppose the Question that Clause 15 stand part of the Bill.

Clause 17

LORD NASH

Page 14, line 20, leave out “its Local Safeguarding Children Board partners” and insert “the other safeguarding partners and relevant agencies in relation to its area”

Clause 19

LORD NASH

Page 15, leave out lines 42 to 44 and insert—

““relevant agency”, in relation to a local authority area, has the meaning given by section 16E(3) of the Children Act 2004;
“safeguarding partner”, in relation to a local authority area, has the meaning given by section 16E(3) of the Children Act 2004;”

Clause 20

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 20 stand part of the Bill.
Clause 21

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 21 stand part of the Bill.

Clause 22

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 22 stand part of the Bill.

Clause 23

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 23 stand part of the Bill.

Clause 24

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 24 stand part of the Bill.

Clause 25

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 25 stand part of the Bill.

Clause 26

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 26 stand part of the Bill.
Clause 27

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 27 stand part of the Bill.

Clause 28

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 28 stand part of the Bill.

Clause 29

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 29 stand part of the Bill.

Clause 30

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 30 stand part of the Bill.

Clause 31

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 31 stand part of the Bill.

Clause 32

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 32 stand part of the Bill.
Clause 33

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 33 stand part of the Bill.

Clause 34

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 34 stand part of the Bill.

Clause 35

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 35 stand part of the Bill.

Clause 36

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 36 stand part of the Bill.

Clause 37

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 37 stand part of the Bill.

Clause 38

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 38 stand part of the Bill.
Clause 39

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 39 stand part of the Bill.

Clause 40

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

The above-named Lords give notice of their intention to oppose the Question that Clause 40 stand part of the Bill.
Children and Social Work Bill [HL]

AMENDMENTS
TO BE MOVED
IN COMMITTEE

15 June 2016