AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 1

BARONESS HOWE OF IDLICOTE

Page 1, line 7, leave out subsection (1) and insert —

“(1) Without prejudice to the duties imposed by section 22 of the Children Act 1989 (general duty of local authority in relation to children looked after by them) or any other specific duties imposed upon them by law in performance of their functions with respect to the children and young people mentioned in subsection (2), local authorities, the responsible bodies for maintained and independent schools, health authorities, responsible persons appointed under the Children and Families Act 2014 and the Secretary of State must, in carrying out functions in relation to the children and young people mentioned in subsection (2), take appropriate steps to—

(a) safeguard and promote the best interests, health and well-being of those children and young people;
(b) ascertain the views, wishes and feelings of the child or young person, and give due consideration and appropriate weight to those views, wishes and feelings in all decisions concerning them;
(c) identify services available and suitable for the child or young person provided by themselves or another relevant partner;
(d) in co-operation with other relevant partners, help those children and young people gain access to and make the best use of services provided by the public body or its relevant partners;
(e) promote high aspirations, and seek to secure the best outcomes for those children and young people;
(f) ensure that those children and young people are safe, and provide for stability in their home lives, relationships, education or work;
(g) ensure provision of appropriate support to advance their recovery, happiness and emotional stability;
(h) keep siblings together and ensure family contact wherever possible;
(i) prepare those children and young people for adulthood and independent living.”
Clause 1 - continued

BARONESS TYLER OF ENFIELD
Page 1, line 7, after “England” insert “, the National Health Service Commissioning Board or a clinical commissioning group”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
Page 2, line 4, at end insert—
“( ) to protect those children and young people from poverty and destitution.”

BARONESS HOWE OF IDLICOTE
Page 2, line 4, at end insert—
“( ) to ensure provision of appropriate support to advance their recovery, happiness and emotional stability.”

After Clause 1

BARONESS TYLER OF ENFIELD
Insert the following new Clause—
“Duty to promote physical and mental health and emotional well-being
(1) The Children Act 1989 is amended as follows.
(2) In section 22, after subsection (3C) insert—
“(3D) The duty of a local authority under subsection (3)(a) to safeguard and promote the welfare of a child looked after by them includes a particular duty to promote the child’s physical and mental health and emotional well-being.
(3E) Each clinical commissioning group for an area any part of which falls within the area of the local authority must take steps to assist the local authority in the exercise of its functions under subsection (3)(a).
(3F) A clinical commissioning group must appoint at least one person for the purpose of discharging the duty imposed by virtue of subsection (3)(a).
(3G) The person appointed by a clinical commissioning group under subsection (3F) must be a registered medical practitioner or a registered nurse.”

Clause 2

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
Page 2, line 41, at end insert—
“( ) financial services and financial literacy.”

Page 2, line 45, at end insert “, including the ability to waive council tax until the care leaver reaches the age of 25.”
Clause 2 - continued

Page 3, line 8, at end insert—

“( ) A local authority must publish the local offer in a digital and hard-copy format which is accessible to care leavers.

( ) A local authority must publish a score of each service, based on assessments on the outcomes each service achieves.

( ) Personal advisers must review the local offer with care leavers including those with complex needs, such as numeracy and literacy needs.”

After Clause 7

BARONESS MASSEY OF DARWEN

Insert the following new Clause—

“Appropriate educational provision for formerly looked after children

Maintained schools and academies must ensure that formerly looked after children who are registered pupils at their school receive appropriate education in personal, social, health and economic skills, and citizenship.”

BARONESS TYLER OF ENFIELD

Insert the following new Clause—

“Mental health and emotional well-being of looked after children

In the Children Act 1989, before section 23ZZA (inserted by section 4 of this Act) insert—

“23ZZZA Mental health and emotional well-being of looked after children

A local authority in England must ensure that recovery and the promotion of good mental health and emotional well-being for a child in care are addressed through the provision of—

(a) a mental health assessment at the time the child enters care;
(b) provision of the necessary support to meet the needs of the child, as identified in the assessment conducted under paragraph (a), for as long as is necessary; and
(c) regular monitoring of the child’s ongoing need for mental health support.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Insert the following new Clause—

“Information and advice for improving life chances

In the Children Act 1989, after section 23ZZA (inserted by section 4 of this Act) insert—

“Improving life chances

23ZZB Information and advice for improving life chances


After Clause 7 - continued

(1) A local authority in England must make advice and information available in accordance with this section for the purpose of promoting the life chances of each relevant child educated in their area.

(2) The advice and information must be made available to—
   (a) the child’s parents,
   (b) the member of staff at the child’s school designated under section 20A of the Children and Young Persons Act 2008 or by virtue of section 2E of the Academies Act 2010, and
   (c) any other person that the local authority consider appropriate.

(3) A local authority in England may do anything else that they consider appropriate with a view to promoting the life chances of relevant children educated in their area, or reducing the chances of the child entering a pupil referral unit, becoming homeless, or entering the criminal justice system.

(4) A local authority in England must appoint at least one person for the purpose of discharging the duty imposed by subsection (1).

(5) The person appointed for that purpose must be an officer employed by the authority or another local authority in England.

(6) In this section “relevant child” means a child who has previously been looked after by the local authority or another local authority but has ceased to be so looked after as a result of—
   (a) a child arrangements order which includes arrangements relating to—
      (i) with whom the child is to live, or
      (ii) when the child is to live with any person,
   (b) a special guardianship order, or
   (c) an adoption order within the meaning given by section 46(1) of the Adoption and Children Act 2002.

(7) For the purposes of this section a child is educated in a local authority’s area if—
   (a) the child is receiving early years provision secured by the local authority under section 7(1) of the Childcare Act 2006, or
   (b) the child is of compulsory school age and—
      (i) the child attends a school in the local authority’s area, or
      (ii) if the child does not attend school, the child receives all or most of his or her education in the local authority’s area.”

Clause 9

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 9, line 22, at end insert—
“(iii) the child’s grandparents.”
Before Clause 11

BARONESS LISTER OF BURTERSETT

Insert the following new Clause—

“Data collection

The Secretary of State shall examine, and within 6 months of this Act receiving Royal Assent report to Parliament on, ways to implement the World Health Organisation’s recommendation in the European Report on Preventing Child Maltreatment (2013) regarding the collection of reliable and valid data on socioeconomic factors underlying child maltreatment.”

After Clause 19

BARONESS WALMSLEY

Insert the following new Clause—


(1) Public authorities must, when exercising any function relating to safeguarding and promoting the welfare of children, have due regard to the United Nations Convention on the Rights of the Child and its Optional Protocols.

(2) Any person whose functions are of a public nature must, in the exercise of any function relating to safeguarding and promoting the welfare of children, have due regard to the rights set out in the United Nations Convention on the Rights of the Child and its Optional Protocols.

(3) Public authorities must publish a report, in a format accessible to children, on the steps they have taken to meet the requirement in subsection (1), every five years.

(4) The references in this section to the United Nations Convention on the Rights of the Child are to the Convention on the Rights of the Child adopted by the General Assembly of the United Nations on 20th November 1989 (including any Protocols to that Convention which are in force in relation to the United Kingdom), subject to any reservations, objections or interpretative declarations by the United Kingdom for the time being in force.”
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22 June 2016