Clause 1

BARONESS HOWE OF IDLICOTE

1 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;
Clause 1 - continued

(i) prepare those children and young people for adulthood and independent living.”

LORD RAMSBOTHAM

Page 1, line 7, after “England” insert “and its relevant partners”

THE EARL OF LISTOWEL

Page 1, line 7, after “England” insert “or department of the United Kingdom Government”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

Page 1, line 7, after “England” insert “, a Clinical Commissioning Group, NHS England or a relevant housing organisation”

BARONESS TYLER OF ENFIELD

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

LORD RAMSBOTHAM
LORD BICHARD
BARONESS WALMSLEY

Page 1, line 8, leave out “have regard to the need”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

Page 1, line 8, leave out “have regard to” and insert “ensure that they meet”

LORD RAMSBOTHAM
BARONESS WALMSLEY
LORD BICHARD

Page 1, line 10, leave out “to”

LORD RAMSBOTHAM

Page 1, line 10, after “interests,” insert “prevent the unnecessary criminalisation,”

BARONESS MASSEY OF DARWEN

Page 1, line 10, after “health” insert “(including mental health)”

LORD RAMSBOTHAM
BARONESS WALMSLEY
LORD BICHARD

Page 1, line 12, leave out first “to”

Page 1, line 14, leave out “to”
Clause 1 - continued

13 Page 1, line 16, leave out first “to”

LORD RAMSBOTHAM

14★ Page 1, line 18, at end insert—

“( ) to promote access to legal advice and representation for those children and young people, including independent advice and representation where appropriate.”

LORD RAMSBOTHAM
BARONESS WALMSLEY
LORD BICHARD

15 Page 1, line 19, leave out first “to”

BARONESS MASSEY OF DARWEN

16 Page 1, line 19, after “best” insert “social and emotional”

LORD O'SHAUGHNESSY

17★ Page 1, line 19, after “best” insert “educational”

BARONESS WALMSLEY

18 Page 2, line 1, leave out paragraph (f) and insert—

“(f) protect the safety of those children and young people and provide stability in their home lives, relationships and education or work;”

LORD RAMSBOTHAM

19 Page 2, line 1, at beginning insert “make arrangements”

LORD RAMSBOTHAM
LORD BICHARD

20 Page 2, line 3, leave out “to”

LORD O'SHAUGHNESSY

21★ Page 2, line 4, at end insert “by developing their character strengths and improving their mental health.”

BARONESS MASSEY OF DARWEN

22 Page 2, line 4, at end insert—

“( ) to take into account the age, gender, vulnerability, religious persuasion, racial origins and linguistic background of those children and young people;

( ) to take into account the trauma and suffering which may have been experienced by those children and young people.”
Clause 1 - continued

BARONESS HODGSON OF ABINGER

23★ Page 2, line 4, at end insert—

“( ) to keep siblings together except in exceptional circumstances specified by the local authority.

BARONESS WALMSLEY

24 Page 2, line 4, at end insert—

“( ) keep siblings together whenever possible;
( ) provide appropriate support to help children recover from past abuse and neglect;
( ) value children and young people’s backgrounds, individual personalities and talents and interests;
( ) promote the rights and entitlements of children and young people, and their full and equal participation in society;
( ) provide professional assessment of children’s mental and physical health, including speech and language needs, when they come into care and provide appropriate treatment or therapy.”

BARONESS HODGSON OF ABINGER

25★ Page 2, line 4, at end insert—

“( ) to ensure that wherever possible a child or young person is looked after by a relative, friend or other person already connected to the child or young person, rather than a carer who is not connected to the child or young person.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

26 Page 2, line 4, at end insert—

“( ) to promote early intervention in meeting the current and future needs of those children and young people.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

27 Page 2, line 4, at end insert—

“( ) to protect those children and young people from poverty and destitution.”

BARONESS HOWE OF IDLICOTE

28 Page 2, line 4, at end insert—

“( ) to ensure provision of appropriate support to advance their recovery, happiness and emotional stability.”

LORD WARNER

29 Page 2, line 4, at end insert—

“( ) In discharging its responsibilities under subsection (1), the responsible local authority must—
Clause 1 - continued

(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.”

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

30 Page 2, line 11, at end insert—

“( ) A local authority in England must, in carrying out functions in relation to the children and young people mentioned in subsection (2)—

(a) undertake a screening of the children and young people’s speech, language and communication needs;

(b) to ensure those working with the children and young people are trained in awareness of speech, language and communication needs;

(c) ensure appropriate support is provided for those children and young people with speech, language and communication needs.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

31 Page 2, line 25, after “England” insert “, a Clinical Commissioning Group, NHS England or a relevant housing organisation”

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

32 Page 2, line 26, at end insert—

“( ) Any guidance given by the Secretary of State must stipulate—

(a) the need to screen children and young people for speech, language and communication needs on entry to the care system;

(b) the need for those who work with, support and care for looked after children and young people to receive training in awareness of speech, language and communication needs;

(c) the need for appropriate support to be provided for those children and young people with speech, language and communication needs.”
After Clause 1

LORD MACKAY OF CLASHFERN

33
Insert the following new Clause—

“Member of care staff to be responsible for the well-being of a child in local authority care

(1) When a local authority receives a child into its care, it must forthwith appoint one of its care staff to be responsible for the well-being of that child and, subject to subsection (2), the appointment shall endure for so long as the child remains in the care of the authority.

(2) If a change of circumstances makes necessary the termination of that appointment, the authority must forthwith appoint another member of its care staff to be responsible for the well-being of the child.”

BARONESS TYLER OF ENFIELD

34
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 WALMSLEY

35
Page 2, line 33, at end insert—

“( ) Information published under subsection (1) must be in a form which can be accessed and understood by care leavers with physical or mental disabilities.”

THE EARL OF LISTOWEL

36
Page 2, line 33, at end insert—

“(1A) Departments of the United Kingdom Government must publish information about services which central Government departments offer that may assist care leavers in, or in preparing for, adulthood and independent living.”

37
Page 2, line 34, leave out “subsection (1)” and insert “subsections (1) and (1A)”
Clause 2 - continued

LORD RAMSBOTHAM

38 Page 2, line 41, at end insert—
   “( ) financial education.”

LORD FARMER

LORD MACKAY OF CLASHFERN
BARONESS TYLER OF ENFIELD
BARONESS HODGSON OF ABINGER

39 Page 2, line 41, at end insert—
   “( ) relationships.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

40 Page 2, line 41, at end insert—
   “( ) financial services and financial literacy.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

41 Page 2, line 41, at end insert—
   “(2A) A local authority in England must conduct an assessment of the services required to meet the needs of care leavers in relation to—
   (a) health and well-being;
   (b) education and training;
   (c) employment;
   (d) accommodation;
   (e) participation in society.

(2B) The results of the assessment must be published online.

(2C) A local authority in England must provide services that meet the needs identified in the assessment carried out under subsection (2A) and which also meet the national minimum standard.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

42 Page 2, line 41, at end insert “, including the ability to waive council tax until the care leaver reaches the age of 25.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

43 Page 3, line 2, at end insert—
   “( ) The Secretary of State must publish a national minimum standard to set out the quality and extent of services which must be offered as a minimum by a local authority under its local offer for care leavers.

( ) Before setting the national minimum standard, the Secretary of State must take advice from health, local government, housing and education bodies on the requirements for such a standard.”
Clause 2 - continued

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

Page 3, line 4, at end insert—

“( ) The local offer for care leavers must include the provision of appropriate support for those children and young people with speech, language and communication needs.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

Page 3, line 8, at end insert—

“( ) Responses to the consultation must be published online.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

Page 3, line 8, at end insert—

“( ) A local authority must publish its local offer for care leavers 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 2

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

Insert the following new Clause—

“Assumption of entitlement to support up to age of 25

(1) All care leavers, as defined in section 2(7), are entitled to access all services listed in the local offer for care leavers, as defined in section 2.

(2) A local authority must take reasonable steps to ensure that all care leavers, as defined in section 2(7), are aware of—

(a) their entitlement to services listed in the local offer for care leavers;

(b) their entitlement to advice and support on request under section 3.”

THE EARL OF LISTOWEL

Insert the following new Clause—

“National offer for care leavers

(1) The Income Support (General) Regulations 1987 are amended as follows.

(2) In Schedule 1B (prescribed categories of person), after paragraph 1 insert—

“Care leavers
An individual who is a former relevant child within the meaning given by section 23C(1) of the Children Act 1989, and who is under the age of 25.

(3) The Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 are amended as follows.

(4) In regulation 4(1), Second Condition, after paragraph (b) insert—
   “(c) is aged at least 18 and is a former relevant child within the meaning given by section 23C(1) of the Children Act 1989, and is under the age of 25, and undertakes not less than 30 hours work per week.”

(5) The Housing Benefit Regulations 2009 are amended as follows.

(6) In regulation 2, in the definition of “young individual”, in each of paragraphs (b), (c), (d), (e) and (f), for “22 years” substitute “25 years”.

BARONESS HOWARTH OF BRECKLAND

Insert the following new Clause—

“Council tax exemption for care leavers

(1) The Local Government Finance Act 1992 is amended as follows.

(2) In section 6(4) (persons liable to pay council tax), after “etc)” insert “or 10A (care leavers)”.

(3) In Schedule 1 (persons disregarded for purposes of discount), after paragraph 10 insert—
   “Care leavers
   10A A person shall be disregarded for the purposes of discount on a particular day if on the day the person is—
   (a) a former relevant child within the meaning given by section 23C(1) of the Children Act 1989; and
   (b) under the age of 25.”

(4) The Council Tax (Exempt Dwellings) Order 1992 is amended as follows.

(5) In Article 3, Class N, after paragraph 1(b) insert—
   “(c) occupied only by one or more former relevant children within the meaning given by section 23C(1) of the Children Act 1989 who are under the age of 25.”

LORD WATSON OF INVERGOWRIE
   LORD HUNT OF KINGS HEATH

Insert the following new Clause—

“Duty to provide suitable accommodation

(1) Each local authority in England must take reasonable steps to provide all former relevant children up to the age of 21 with accommodation that—
   (a) is within the authority’s area; and
   (b) meets the needs of those former relevant children.
After Clause 2 - continued

(2) A local authority is deemed to have discharged this duty towards a former relevant child where staying put arrangements have been made under section 98 of the Children and Families Act 2014 (arrangements for living with former foster parents after reaching adulthood).”

Clause 3

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

51 Page 3, line 39, Leave out Clause 3 and insert the following new Clause—

“Advice and support up to the age of 25

In section 23C(6) of the Children Act 1989 (continuous functions in respect of former relevant children), for “twenty-one” substitute “twenty-five”.”

LORD WILLS
LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

52 Page 3, line 42, leave out “on request”

LORD WILLS

53 Page 4, leave out lines 4 and 5 and insert—

“(2) The local authority has the following duties in relation to advice and support for care leavers.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD BICHARD

54 Page 4, leave out lines 4 and 5 and insert—

“(2) The local authority has the following duties to the former relevant child, whether or not they have requested further advice and support.”

LORD WILLS

55 Page 4, line 6, leave out “former relevant child” and insert “care leaver”

56 Page 4, line 7, leave out “former relevant child” and insert “care leaver”

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

57 Page 4, line 10, at end insert—

“( ) The personal adviser must be trained in awareness of speech, language and communication needs.”

LORD WILLS

58 Page 4, line 12, leave out “former relevant child” and insert “care leaver”
Clause 3 - continued

59 Page 4, line 14, leave out “former relevant child” and insert “care leaver”

60 Page 4, line 14, at end insert—

“( ) The local authority must continue to adhere to the pathway plan prepared under subsection (4)(b) in a case where the care leaver is referred to external services for their needs to be met for the purposes of subsection (4)(a).”

61 Page 4, line 16, leave out “former relevant child” and insert “care leaver”

62 Page 4, line 20, leave out “former relevant child” and insert “care leaver”

LORD RAMSBOTHAM

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

BARONESS WALMSLEY

63 Page 4, line 21, at end insert—

“( ) The assessment of the needs of the former relevant child must include an assessment of their speech, language and communication needs.

( ) The pathway plan under subsection (4) must include provision of appropriate support where a speech, language and communication needs assessment has identified speech, language and communication needs.”

LORD WILLS

64 Page 4, line 22, leave out “former relevant child” and insert “care leaver”

LORD RAMSBOTHAM

65 Page 4, line 25, leave out “take steps to”

LORD WILLS

66 Page 4, line 25, leave out “former relevant child” and insert “care leaver”

LORD RAMSBOTHAM

BARONESS WALMSLEY

67 Page 4, line 26, after “child” insert “in a language that he or she understands”

LORD WILLS

68 Page 4, line 27, leave out “former relevant child” and insert “care leaver”

LORD RAMSBOTHAM

69 Page 4, line 29, at end insert—

“(c) how to make a request.”

LORD WILLS

70 Page 4, line 30, leave out “former relevant child” and insert “care leaver”
Clause 3 - continued

71 Page 4, line 31, leave out “23C(1)” and insert “2(7) of the Children and Social Work Act 2016”

72 Page 4, line 36, at end insert—

“( ) The Secretary of State may only vary the functions of personal advisers if the Secretary of State has first laid before each House of Parliament a report setting out how it is intended to vary those functions.”

LORD WARNER

73 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.”

LORD WILLS

74 Page 5, line 16, at end insert—

“( ) After section 22(3C) of the Children Act 1989 (duties of local authorities in relation to children looked after by them) insert—

“(3CA) The duties of a local authority under subsections (3A), (3B) and (3C) to promote the child’s educational achievement apply in relation to care leavers (within the meaning of section 2(7) of the Children and Social Work Act 2016) as well as in relation to children looked after by a local authority.”

After Clause 3

BARONESS WALMSLEY

75 Insert the following new Clause—

“Duty of the Secretary of State

(1) The Secretary of State must promote the rights and well-being of children and young people in England mentioned in section 1(2).

(2) In this section—

“rights” means—

(a) the Convention rights within the meaning given by section 1 of the Human Rights Act 1998;
(b) the United Nations Convention on the Rights of the Child; and
(c) other human rights;

“well-being” means—

(a) physical and mental health and emotional well-being;
(b) protection from harm and neglect;
(c) education, training and recreation;
After Clause 3 - continued

(d) the contribution made by a person to society;
(e) social and economic well-being.”

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

76★
Insert the following new Clause—

“Social Justice Premium Grant

(1) The Secretary of State may introduce a Social Justice Premium Grant (“SJP”) which is payable to local authorities.

(2) A local authority may only use the SJP to fund actions aimed at raising the life chances of care leavers and closing the life chances gap between care leavers and persons who are not care leavers.

(3) A local authorities may use the SJP to—
   (a) fund services for care leavers, or
   (b) award grants to care leavers.”

Clause 4

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

77 Page 5, line 28, after “parents” insert “and any other person with parental responsibility”

LORD O’SHAUGHNESSY

78★ Page 5, line 35, at end insert “, while considering the impact on other children”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

79★ Page 5, line 37, at end insert “and ensure that they are allocated sufficient time and resources”

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

80 Page 5, line 39, at end insert—

“( ) The person appointed by the local authority must be trained to have an awareness of speech, language and communication needs.”

Clause 5

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

81 Page 6, line 29, at end insert—

“( ) The training of the designated person must include training to provide the person with awareness of speech, language and communication needs.”
Clause 5 - continued

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

82 Page 6, line 44, at end insert—

“( ) Regulations and guidance issued by the Secretary of State must stipulate that—

(a) the designated person must be trained to have an awareness of speech, language and communication needs;

(b) those children and young people who have speech, language and communication needs must receive appropriate support.”

Clause 6

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

83 Page 7, line 26, at end insert—

“( ) The training of the designated person must include training to provide the person with awareness of speech, language and communication needs.”

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

84 Page 7, line 41, at end insert—

“( ) Regulations and guidance issued by the Secretary of State must stipulate that—

(a) the designated person must be trained to have an awareness of speech, language and communication needs;

(b) those relevant pupils who have speech, language and communication needs must receive appropriate support.”

Clause 7

LORD RAMSBOTHAM
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS WALMSLEY

85 Page 8, line 32, at end insert—

“( ) Guidance issued by the Secretary of State must stipulate that—

(a) the designated person must be trained to have an awareness of speech, language and communication needs;

(b) those children and young people who have speech, language and communication needs must receive appropriate support.”
After Clause 7

BARONESS MASSEY OF DARWEN

86

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

87

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

88

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—

“23ZZB Information and advice for improving life chances

(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.
After Clause 7 - continued

(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 8

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

89★ Page 8, line 42, leave out from beginning to end of line 2 on page 9 and insert—
   “(i) the child to live with any parent of the child’s or a person with parental responsibility for the child;
   (ii) long-term foster care, with a connected person, existing foster carer or other person;
   (iii) adoption, with an existing foster carer, foster to adopt or other person;
   (iv) long-term care not within sub-paragraph (i), (ii) or (iii);”

BARONESS WALMSLEY

90 Page 9, line 9, at end insert—
   “( ) the child’s wishes and feelings.”
After Clause 8

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
BARONESS TYLER OF ENFIELD

91 Insert the following new Clause—

“Sibling contact for looked after children

(1) In section 34(1) of the Children Act 1989, after paragraph (d) insert—
“(e) his siblings (whether of the whole or half blood).”

(2) In paragraph 15 of Schedule 2 to the Children Act 1989, after paragraph (c) insert—
“(d) his siblings (whether of the whole or half blood).”"

Clause 9

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

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

After Clause 9

THE EARL OF LISTOWEL

93★ Insert the following new Clause—

“Information sharing and notification for looked after children placed out of area

The Care Planning, Placement and Case Review (England) Regulations 2010 are amended as follows—

(1) In paragraph (2)(d) of regulation 11 (placement decision)—

(a) in paragraph (i), after “authority” insert “, clinical commissioning group (or local health board in Wales) and police force”;

(b) in sub-paragraph (ii) after “plan” insert “and the area clinical commissioning group (or local health board in Wales) and police force have been notified”.

(2) In paragraph (2) of regulation 13 (notification of placement), at end insert—
“(j) the area police force for the area in which C is living and, if different, for the area in which C is to be placed.”

(3) In paragraph (4) of regulation 13, after sub-paragraph (b)(ii) insert—

(iii) C’s name and date of birth;

(iv) whether C is—

(a) provided with accommodation under section 20 or 21 of the 1989 Act;

(b) subject to a care or supervision order under section 31 of the 1989 Act;

(v) the contact details for—

(a) C’s placing authority; and

(b) the independent reviewing officer appointed for C’s case under section 25A(1) of the 1989 Act; and
After Clause 9 - continued

(vi) whether C has a statement of special educational needs and, if so, details of the local authority that maintains the statement, and a risk assessment, with specific information about the risk of C going missing from the placement.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

94★ Insert the following new Clause—

“Pre-proceedings work with families

In section 47 of the Children Act 1989 (local authority’s duty to investigate) after subsection (8) insert—

“(8A) Where, as a result of complying with this section, a local authority conclude that a child may need to become looked after in order to safeguard and promote their welfare, the local authority must, unless emergency action is required—

(a) identify and consider the willingness and suitability of any relative, friend or other person connected with the child, to care for them as an alternative to them becoming looked after by unrelated carers; and

(b) offer the child’s parents or other person with parental responsibility a family group conference to develop a plan which will safeguard and promote the child’s welfare.””

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
BARONESS WALMSLEY
THE LORD BISHOP OF DURHAM

95 Insert the following new Clause—

“Profit-making and children’s social services functions

(1) Social services functions conferred on or exercisable by a local authority so far as those functions relate to children shall not be discharged by a body corporate that is carried on for profit.

(2) “Social services functions” has the meaning given by section 1A of the Local Authority Social Services Act 1970.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

96★ Insert the following new Clause—

“Promoting the educational achievement of children who are living permanently away from their parents

(1) A local authority in England must make advice and information available in accordance with this section for the purpose of promoting the educational achievement of each relevant child living permanently away from their parents 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 educational achievement of relevant children living permanently away from their parents educated in their area.

(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 living permanently away from their parents” means—

(a) a child who is living permanently away from their parents and is being cared for by a relative, wider family member or friend under 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 child who is being cared for under a special guardianship order, or

(c) a child who has been adopted under section 46(1) of the Adoption and Children Act 2002 having been placed for adoption with parental consent under either section 19 or section 20 of that Act.

(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.

(8) A pupil at a maintained school in England is to be assigned a “designated person” responsible for promoting their educational achievement in accordance with the provisions of section 20A of the Children and Young Persons Act 2008 (inserted by section 5 of this Act) if they are—

(a) a child who is living permanently away from their parents and is being cared for by a relative, wider family member or friend under 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 child who is being cared for under a special guardianship order, or

(c) a child who has been adopted under section 46(1) of the Adoption and Children Act 2002 having been placed for adoption with parental consent under either section 19 or section 20 of that Act.
After Clause 9 - continued

(9) A pupil at an Academy is to be assigned a “designated person” responsible for promoting their educational achievement in accordance with the provisions of section 2E of the Academies Act 2010 (inserted by section 6 of this Act) if they are—

(a) a child who is living permanently away from their parents and is being cared for by a relative, wider family member or friend under 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 child who is being cared for under a special guardianship order, or

(c) a child who has been adopted under section 46(1) of the Adoption and Children Act 2002 having been placed for adoption with parental consent under either section 19 or section 20 of that Act.”

97★ Insert the following new Clause—

“Support for family and friends carers where children are not looked after children

After section 17ZI of the Children Act 1989, insert—

“17ZJ Support for family and friends carers where children are not looked after children

(1) Each local authority in England must make arrangements for the provision within their area of family and friends care support services, including—
   (a) counselling, advice and information;
   (b) such other services as shall be prescribed by the Secretary of State, in regulations, in relation to family and friends care; and
   (c) the appointment of at least one person as a designated lead for family and friends care, to co-ordinate the provision within their area of family and friends care support services.

(2) The power to make regulations under subsection (1)(b) is to be exercised so as to secure that local authorities provide financial support to family and friends carers.

(3) At the request of any of the following persons—
   (a) a relative, wider family member or friend (hereinafter referred to as ‘C’) caring for a child in any of the circumstances set out in subsection (4),
   (b) a parent or other person with parental responsibility for a child in any of the circumstances set out in subsection (4) below,
   (c) a child living with C in any of the circumstances set out in subsection (4), or
   (d) any other person who falls within a prescribed description,
   a local authority must carry out an assessment of that person’s needs for family and friends care support services.

(4) The circumstances referred to in subsections (3)(a), (3)(b) and (3)(c) are—
   (a) the child comes to live with C as a result of enquiries or plans made under section 47 of this Act;
After Clause 9 - continued

(b) the child comes to live with C following an investigation under section 37 of this Act;
(c) C has been granted a residence order or child arrangements order to avoid the child being looked after, within care proceedings regarding the child or following the accommodation of a child;
(d) there is professional evidence of the impairment of the parents’ ability to care for the child; or
(e) the parent is dead or in prison.

(5) Where, as a result of an assessment, a local authority decides that a person has needs for family and friends care support services, they must consider whether to provide any such services to that person.

(6) Where a local authority decides to provide any family and friends care support services to a person and the circumstances fall within a description to be prescribed by the Secretary of State in regulations, the local authority must prepare a plan in accordance with which such services are to be provided to that person, and keep the plan under review.

(7) The Secretary of State may by regulations make provision about assessments, preparing and reviewing plans, the provision of family and friends care support services in accordance with plans, and reviewing the provision of family and friends care support services.

(8) The regulations under subsection (7) may in particular make provision about—
(a) the type of assessment which is to be carried out, or the way in which an assessment is to be carried out;
(b) the way in which a plan is to be prepared;
(c) the way in which, and the time at which, a plan or the provision of family and friends care support services is to be reviewed;
(d) the considerations to which a local authority are to have regard in carrying out an assessment or review or preparing a plan;
(e) the circumstances in which a local authority may provide family and friends care support services subject to conditions (including conditions as to payment for support or the repayment of financial support);
(f) the consequences of conditions imposed by virtue of paragraph (e) above not being met (including the recovery of any financial support provided);
(g) the circumstances in which this section may apply to a local authority in respect of persons who are outside that local authority’s area;
(h) the circumstances in which a local authority may recover from another local authority the expenses of providing family and friends care support services to any person.

(9) A local authority in England may provide family and friends care support services (or any part of them) by securing their provision by—
(a) another local authority, or
After Clause 9 - continued

(b) a person within a description prescribed in regulations of persons who may provide family and friends care support services,

and may also arrange with any such authority or person for that other authority or person to carry out the local authority’s functions in relation to assessments under this section.

(10) A local authority in England may carry out an assessment of the needs of any person for the purposes of this section at the same time as an assessment of the person’s needs is made under any other provision of this Act or under any other enactment.

(11) Section 27 (co-operation between authorities) applies in relation to the exercise of functions of a local authority under this section as it applies in relation to the exercise of functions of a local authority under Part 3.”

98★ Insert the following new Clause—

“Duty to report on outcomes

(1) Each local authority in England must report to the Secretary of State each year on outcomes for children in need; children subject to child protection plans; children who are the subject of care proceedings; looked after children; and care leavers in relation to—

(a) physical health, mental health and emotional well-being;
(b) education and training;
(c) employment;
(d) accommodation;
(e) participation in society.

(2) The Secretary of State must prepare and publish a report each year on outcomes under subsection (1) and must lay a copy of the report before Parliament.”

Before Clause 11

BARONESS LISTER OF BURTERSETT
THE LORD BISHOP OF DURHAM

99 Insert the following new Clause—

“Data collection

The Secretary of State shall examine, and within 6 months of the passing of this act, report to Parliament on the options for implementing 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.”

Clause 11

LORD NASH

100 Page 10, line 20, leave out “after section 16” and insert “before section 17”
Clause 11 - continued

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KING'S HEATH

101 Page 10, leave out lines 25 to 27 and insert—

“(c) The Secretary of State may by regulations made by statutory instrument make arrangements for the establishment of the Panel in accordance with this section.

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 a resolution of, each House of Parliament.”

102 Page 10, line 29, at end insert—

“(c) The Secretary of State may not appoint the chair until a pre-appointment hearing with the Education Select Committee of the House of Commons has taken place.”

LORD WARNER

103 Page 10, line 39, after “proceedings” insert “, including its powers to secure the submission of material subject to legal or medical privilege”

BARONESS MEACHER
LORD HUNT OF KING'S 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

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

LORD RAMSBOTHAM

105 Page 12, line 11, at end insert—

“a “place of detention” means police custody, the prison estate, mental health detention, immigration detention and military detention;”

LORD NASH

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

LORD RAMSBOTHAM

107 Page 12, line 18, at end insert “or

“(c) a child has died in a place of detention or imprisonment;”
Clause 12 - continued

BARONESS WALMSLEY

Page 12, line 18, after “harmed” insert “, or has suffered physical injuries or harm caused by unlawful or abusive restraint in any institutional setting”

LORD RAMSBOTHAM

Page 12, line 19, leave out “or long-term impairment of mental” and insert “ill-treatment or serious or long-term impairment of mental or physical”

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

LORD RAMSBOTHAM

Page 12, line 41, at end insert—

“(4) Regulations under subsection (3) must include within the definition of regulated setting secure children’s homes, police custody, the prison estate, secure training centres, mental health detention, immigration detention and military detention.”

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

113 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—
   (a) is specified in regulations made by the Secretary of State, and
   (b) exercises functions in that area in relation to children;

   “safeguarding partner”, in relation to a local authority area in England, means—
   (a) the local authority;
   (b) a clinical commissioning group for an area any part of which falls within the local authority area;
   (c) the chief officer of police for a police area any part of which falls within the local authority area.”

114 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.
(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.””

116  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).””

117  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.
(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).”

118 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.”

119 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

(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.”
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.

120 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).”"

121 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."

122 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).”"

123 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.”"
After Clause 14 - continued

124 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.”

125 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.”

126 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”.

LORD WILLS

127★ Insert the following new Clause—

“Whistleblowing arrangement in relation to looked after children and children at risk

The Secretary of State shall issue a code of practice on whistleblowing arrangements which can be taken into account by courts and tribunals when the issue of whistleblowing arises in public bodies providing social services and children’s services, and local authorities, in relation to looked after children and children at risk.”

128★ Insert the following new Clause—

“Public interest disclosure in relation to looked after children and children at risk

(1) The Secretary of State may make regulations prohibiting a public body providing social services or children’s services, or a local authority, from discriminating against an applicant because it appears to that body that the applicant has made a protected disclosure under the Employment Rights Act 1996, in their previous employment by such a body, regarding the treatment by such a body of children at risk.

(2) An “applicant”, in relation to such a body, means an individual who applies to that employer for—

(a) a contract of employment,
(b) a contract to do work personally, or
(c) appointment to an office or post.

(3) For the purposes of subsection (1), a public body providing social services or children’s services, or a local authority, discriminates against an applicant if the employer refuses the applicant's application or in some other way treats the applicant less favourably than it treats or would treat other applicants in relation to the same contract, office or post.

(4) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

Clause 15

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

129★ Page 13, line 21, after “outcomes” insert “for children and young people”
Clause 15 - continued

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 WILLS

LORD WATSON OF INVERGOWRIE

Page 13, line 28, at end insert—

“(2A) The Secretary of State must consult children in care, those representing children in care, and care leavers in their area before making a decision to grant an exemption or make modifications under subsection (2).

(2B) Local authorities must consult children in care, those representing children in care, and care leavers in their area before making plans to apply for an exemption or modification under subsection (2).

(2C) The Secretary of State must appoint an independent body to oversee the Secretary of State’s decisions to grant exemptions and make modifications to requirements under subsection (2).

(2D) The appointment of the independent body under subsection (2C) must be, or have been, endorsed by the Commissioner for Public Appointments.”

LORD WATSON OF INVERGOWRIE

LORD HUNT OF KINGS HEATH

Page 14, line 4, at end insert—

“( ) A local authority or a specified person exercising the functions of a local authority under section 497A(4) or (4A) of the Education Act 1996 (power to secure proper performance of local authority’s education functions) as applied by section 50 of the Children Act 2004 (intervention—England) may not be exempted from the corporate parenting principles in section 1 of this Act.”

LORD WATSON OF INVERGOWRIE

LORD HUNT OF KINGS HEATH

LORD RAMSBOTHAM

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 18

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

The above-named Lords give notice of their intention to oppose the Question that Clause 18 stand part of the Bill.

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;”

After Clause 19

BARONESS WALMSLEY
LORD RAMSBOTHAM

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 that are for the time being in force.”

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

136★ Page 16, line 13, leave out subsection (1) and insert—

“( ) Social worker regulations may appoint a specified person to be the independent regulator of social workers in England (“the regulator”).”

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.

After Clause 26

LORD WILLS

137★ Insert the following new Clause—

“Whistleblowing arrangement in relation to social workers

The Secretary of State shall issue a code of practice on whistleblowing arrangements which can be taken into account by courts and tribunals when the issue of whistleblowing arises in public bodies employing registered social workers, and people who are registered as undertaking education or training in England to become social workers, in order to raise concerns about the work of a public body employing registered social workers.”

138★ Insert the following new Clause—

“Public interest disclosure by social workers

(1) The Secretary of State may make regulations prohibiting a public body employing registered social workers from discriminating against an applicant who is a registered social worker because it appears to that body that the applicant has made a protected disclosure under the Employment Rights Act 1996, in their previous employment.

(2) An “applicant”, in relation to such a body, means an individual who applies to that employer for—

(a) a contract of employment,
(b) a contract to do work personally, or
(c) appointment to an office or post.

(3) For the purposes of subsection (1), a public body employing registered social workers discriminates against an applicant if the employer refuses the applicant’s application or in some other way treats the applicant less favourably than it treats or would treat other applicants in relation to the same contract, office or post.

(4) A statutory instrument containing regulations under subsection (1) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

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.
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

23 June 2016