THIRD
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

[Amendments marked ★ are new or have been altered]

Amendment No.

Clause 4

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.”

BARONESS MASSEY OF DARWEN

80A Page 6, line 10, at end insert—

“(d) returning home to the care of a parent.”

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.”

BARONESS MASSEY OF DARWEN

81A Page 6, line 41, at end insert—

“(d) returning home to the care of a parent.”
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.”

BARONESS MASSEY OF DARWEN

84A Page 8, line 7, at end insert—

“(c) was looked after by a local authority but has ceased to be so looked after as a result of returning home to the care of a parent.”

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
BARONESS BENJAMIN
BARONESS PINNOCK

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
BARONESS PINNOCK

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—

“Improving life chances

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.
After Clause 7 - continued

(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.”

BARONESS HUGHES OF STRETFORD

88A* Insert the following new Clause—

“University statistics relating to looked after and previously looked after children

(1) Universities in England and Wales must collect and publish data which show the number of students in each cohort who are looked after or were previously looked after by a local authority, and the demographics of those students.

(2) Universities must monitor the progress of students who are looked after or were previously looked after by a local authority and publish data on—
   (a) their educational outcomes, including average exam results, whilst at university, and
   (b) their employment, or other, destinations after leaving university.

(3) In carrying out their duties under subsections (1) and (2), universities must collect and publish the data on students who are looked after or were previously looked after by a local authority separately from the data they collect and publish in respect of other students.

(4) In this section, a person is looked after by a local authority if the person is looked after by a local authority for the purposes of the Children Act 1989.”
After Clause 7 - continued

88B ★ Insert the following new Clause—

“Universities’ duty to support looked and previously looked after children

(1) Universities in England and Wales have a duty to provide appropriate financial and non-financial support to students who are looked after or were previously looked after by a local authority.

(2) In carrying out their duty under subsection (1), universities must —
   (a) give priority to students and university applicants who are looked after or were previously looked after by a local authority in allocating bursaries for fees and maintenance, and
   (b) assess the needs of students who are looked after or were previously looked after by a local authority and provide them with personal support to meet their needs during term-time and over vacation periods.

(3) For the purposes of subsection (2) a student’s “needs” include, but are not limited to—
   (a) emotional support,
   (b) academic support, and
   (c) requirements in respect of housing and accommodation.

(4) In this section, a person is looked after by a local authority if the person is looked after by a local authority for the purposes of the Children Act 1989.”

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
BARONESS PINNOCK

90 Page 9, line 9, at end insert—

“(iv) the child’s wishes and feelings.”

BARONESS KING OF BOW

90A Page 9, line 9, at end insert—

( ) In section 31 of the Children Act 1989 (care and supervision orders), after subsection (3C) insert —
**Clause 8 - continued**

“(3D) Local authorities and specialist NHS children and young people’s mental health services in England have a duty to support the current and future needs of the child, as identified in the long-term plan under section (3B)(a).”

**After Clause 8**

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

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).”

BARONESS ARMSTRONG OF HILL TOP

91A Insert the following new Clause—

**“Legal aid for parents whose children are in voluntary accommodation and are to be placed in foster for adoption placement**

After regulation 5(1)(e) of the Civil Legal Aid (Financial Resources and Payment for Services) Regulations 2013, insert—

“(ea) family help (lower) in any matter described in paragraph 1(1)(b) (care, supervision and protection of children) or paragraph 1(1)(i) (placement orders, recovery orders or adoption orders) of Part 1 of Schedule 1 to the Act to the extent that the matter concerns a placement to be made or contemplated to be made under section 22C(9B)(c) of the Children Act 1989 (placement with a local authority foster parent who has been approved as a prospective adopter), where the child is being accommodated under section 20 of that Act, and the individual to whom the family help (lower) may be provided is—

(i) the parent of a child, or the person with parental responsibility for a child within the meaning of the Children Act 1989 in respect of whom a local authority has given notice of a placement or contemplated placement under section 22C(9B)(c) of that Act; or

(ii) in the case of an unborn child in respect of whom a local authority has given notice of a placement or contemplated placement under section 22C(9B)(c) of the Children Act 1989, the person who, following the birth of the child—

(aa) will be the parent of the child; and

(bb) will have parental responsibility for the child within the meaning of the Children Act 1989;”.”
Clause 9

BARONESS BAKEWELL OF HARDINGTON MANDEVILLE
BARONESS PINNOCK

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

92ZA [Withdrawn]

After Clause 9

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

92A 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.”

THE EARL OF LISTOWEL
LORD RAMSBOTHAM

93 Insert the following new Clause—

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

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

(2) In regulation 11 (placement decision)—
(a) in paragraph (2)(d)(i) after “authority” insert “, clinical commissioning group (or local health board in Wales) and police force”;
(b) in paragraph (2)(d)(ii) after “plan” insert “and the area clinical commissioning group (or local health board in Wales) and police force have been notified”.

(3) In regulation 13 (notification of placement)—
(a) after paragraph 2(i) 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.”;
(b) after paragraph 4(b)(ii) insert—
“(iii) the child’s name and date of birth,
(iv) whether the child is—
(a) provided with accommodation under section 20 or 21 of the Children Act 1989, or
(b) subject to a care or supervision order under section 31 of the Children Act 1989,
(v) the contact details for—
After Clause 9 - continued

(a) the child’s placing authority, and
(b) the independent reviewing officer appointed for the child’s case under section 25A(1) of the Children Act 1989,
(vi) whether the child has a statement of special educational needs and, if so, details of the local authority that maintains the statement,
(vii) a risk assessment, with specific information about the risk of them 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.””

[Re-tabled as Amendment 92A]

95 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.
After Clause 9 - 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 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.

(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
After Clause 9 - continued

(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;
(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
After Clause 9 - continued

(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
(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.
After Clause 9 - continued

(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.”

BARONESS MASSEY OF DARWEN

98A

Insert the following new Clause—

“Universal credit allowance

After section 17 of the Welfare Reform and Work Act 2016 insert—

“17A Universal credit standard allowance: single claimants under the age of 25 years who are care leavers and lone parents

(1) The standard allowance payable to a single person under the age of 25 years old shall be that same higher rate of standard allowance that is payable to a single person aged 25 years old or over where the single person under 25 years old is—

(a) a care leaver; and

(b) a lone parent.

(2) For the purposes of this section, a care leaver is a person eligible to claim universal credit and to whom a duty to provide leaving care services or support is owed under the Children Act 1989.

(3) For the purposes of this section, a lone parent is a person with responsibility for a dependent child or children, that child being in their primary care.”
After Clause 9 - continued

98AA Insert the following new Clause—

“Pathway plans for looked after children and care leavers who are young parents

(1) After section 23E of the Children Act 1989 insert—

“23F Pathway plans for looked after children and care leavers who are young parents

(1) This section applies in the case of any looked after child or care leaver who is—

(a) an eligible child entitled to have a pathway plan prepared pursuant to paragraph 19B(4) of Schedule 2;  
(b) a relevant child entitled to have a pathway plan prepared pursuant to section 23B(3)(b); or  
(c) a former relevant child entitled to have a pathway plan reviewed pursuant to section 23C(3)(b).

(2) Where a looked after child or care leaver to whom this section applies is also a parent, a pathway plan must—

(a) identify the advice, assistance and support to be offered to assist the looked after child or care leaver as a young parent, and  
(b) set out how the advice, assistance and support is to be or, is being, coordinated with—

(i) any assessment in respect of the young parent’s child being carried out by a local authority, and  
(ii) any service provision for the young parent’s child provided by a local authority.

(3) For the purposes of this section, “assessments” and “provision” include—

(a) assessments, plans and support provided for under statutory guidance including Early Help Assessments, pre-birth assessments and any assessments or support in relation to a pre-proceedings process;  
(b) assessments, plans and support provided under section 17 of the Children Act 1989 (provision of services for children in need, their families and others);  
(c) accommodation provided under section 20 of the Children Act 1989 (provision of accommodation for children); and  
(d) investigation under section 47 of the Children Act 1989 and any resultant child protection plan.

(4) For the purposes of this section “coordination” includes—

(a) formal information sharing in writing and through meetings between relevant professionals including—

(i) personal advisers;  
(ii) current or previous social workers for the looked after child or care leaver;  
(iii) where the looked after child or care leaver is a young parent, any social worker for the the looked after child or care leaver’s child; and
After Clause 9 - continued

(iv) any foster carer, residential key worker or other relevant professional involved with the looked after child or care leaver;

(b) the pathway plan being informed by any assessment, plans or support in respect of the looked after child or care leaver’s child; and

(c) information in, or proposed to be in, the pathway plan being drawn upon to inform assessment, planning or support in respect of the looked after child or care leaver’s child.

(5) In this section “young parent” means a looked after child or care leaver falling within the ambit of section 23F(1) who is—

(a) an expectant parent;

(b) a parent who has their child or children in their care; or

(c) a parent who has had a child removed to kinship care, local authority care or adoption.”

98AB Insert the following new Clause—

“Assessment of needs

(1) The Care Leavers (England) Regulations 2010 are amended as follows.

(2) In regulation 5 (assessment of needs)—

(a) after paragraph (4)(a)(vi) insert—

“(vii) if the child is a parent, the child’s needs as a young parent;”;

(b) after paragraph (4)(b)(x) insert—

“(xi) any foster carer, residential key worker or other relevant professional who previously cared for or supported the child, and”;

(c) after paragraph (5)(a)(i) insert—

“(ia) if the former relevant child is a young parent, the former relevant child’s needs as a young parent, and”;

(d) after paragraph (5)(b) insert—

(c) where the former relevant child is a young parent, ensure that the assessment is coordinated with any assessment being progressed in respect of the former relevant child’s child, and any provision made further to that assessment;

(e) after paragraph (6)(c) insert—

“(d) “young parent” means—

(i) an expectant parent;

(ii) a parent who has their child or children in their care; or

(iii) a parent who has had a child removed to kinship care, local authority care or adoption.”

(3) In regulation 8(1)(d) after “plan” insert “including its coordination with any assessment, provision or care plan in respect of a child of the relevant or former relevant child, where the relevant or former relevant child is a young parent.”
After Clause 9 - continued

(4) In regulation 9(2)(a)(support and accommodation) after “disability,” insert “and where applicable, their needs as a young parent,”

(5) In regulation 9(3) after “Schedule 2” insert “and to the support in place relating to the relevant child being a young parent.”

(6) In Schedule 1 (matters to be dealt with in the pathway plan and review), after paragraph 10 insert—

“11 Details of the child’s needs as a young parent and how the pathway plan is to be coordinated with any assessment being progressed in respect of the child’s child, and any provision made further to that assessment.

(7) In Schedule 2 (matters to be considered in determining the suitability of accommodation)—

(a) in paragraph 1(e) after “support,” insert “including any support in place, or to be put in place, for the relevant child as a young parent, whether that support is detailed in the relevant child’s pathway plan or within any assessments or plans in respect of the relevant child’s child or unborn child,”.

(b) after paragraph 1(g), insert—

“(h) whether the relevant child is a young parent.””

98B Insert the following new Clause—

“Fostering for adoption in cases of children accommodated under the Children Act 1989

(1) Section 22C of the Children Act 1989 (ways in which looked after children are to be accommodated and maintained) is amended as follows.

(2) In subsection (9A) after “subject to subsection (9C)” insert “and (9D)”. 

(3) After subsection (9C) insert—

“(9D) Subsection (9B) does not apply where C is provided with accommodation by the local authority in the exercise of its functions under section 20 save where C is a “relinquished baby”. “

(4) After subsection (12) insert—

“(13) In this section a “relinquished baby” means a baby who has been placed for adoption pursuant to consent given by the birth mother under section 19 or 20 of the Adoption and Children Act 2002.””

98C [Withdrawn]
Before Clause 11

BARONESS LISTER OF BURTERSETT
THE LORD BISHOP OF DURHAM

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.”

BARONESS ARMSTRONG OF HILL TOP

Insert the following new Clause—

“Post-removal counselling for parents and legal guardians
After section 19 of the Children Act 1989 insert—

“19A Post-removal counselling for parents and legal guardians
Where a child is permanently removed from the care of a birth parent or a child’s guardian further to the powers under section 31 of the Children Act 1989 (care and supervision orders), a local authority must, so far as is reasonably practicable, provide a counselling service and commission therapeutic support for the parent or guardian of the child, in order to help them to keep any future children.”

Clause 11

LORD NASH

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

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

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

“(2) 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.”

LORD WARNER

Page 10, line 29, at end insert—

“(3A) 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

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
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;”

BARONESS WALMSLEY
BARONESS PINNOCK
108 Page 12, line 18, at end insert “, or has suffered physical injuries or harm caused by unlawful or abusive restraint in any institutional setting;”

LORD RAMSBOTHAM
109 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

109A Page 12, line 37, at end insert—
“(2A) Notification of the events listed in subsection (1) may be made by any person to the Child Safeguarding Practice Review Panel, where the serious child safeguarding case occurred in an institutional setting.

(2B) The Secretary of State shall issue guidance in connection with the procedure for notification to the Child Safeguarding Practice Review Panel made under subsections (1) or (2A), and the circumstances in which such notification shall be acted upon.”

110 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 KING’S 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

111 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.”

112 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,
After Clause 14 - continued

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.”

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.

(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.
After Clause 14 - continued

(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.”

115 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.””
After Clause 14 - continued

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.
After Clause 14 - continued

(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 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.”"
After Clause 14 - continued

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.

(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.””
After Clause 14 - continued

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.””

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”;

(b) omit “targets for”;

(c) omit “, and to Local Safeguarding Children Boards”.”
After Clause 14 - continued

LORD WILLS
LORD LOW OF DALSTON

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 KING'S HEATH

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

LORD WARNER
BARONESS WALMSLEY

130 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

131 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.”

THE EARL OF LISTOWEL

131A Page 13, line 28, at end insert—

“( ) During the period in which a local authority in England is exempt under this section from a requirement imposed by children’s social care legislation, a child or a representative acting on behalf of a child has the right to request that the child receives provisions from the local authority to meet their needs where a service or entitlement would be required by law if the local authority was not exempt under this section.”

131B Page 13, line 37, after “legislation” insert “which was subject to the negative resolution procedure”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

132 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.”
Clause 15 - continued

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD RAMSBOTHAM
BARONESS PINNOCK

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

After Clause 15

THE EARL OF LISTOWEL

132A Insert the following new Clause—

“Annual report on the impact of exemption on children and families

(1) In relation to each local authority exempted from a requirement imposed by children’s social care legislation by regulations made under section 15(2), the Secretary of State must report annually on the impact of the exemption on children in that area.

(2) In considering the impact on children for the purposes of subsection (1), the Secretary of State must take into account the effect of the exemption on—

(a) safeguarding of the children;
(b) the health and well-being of the children; and
(c) the children’s access to support and services.”

Clause 17

LORD NASH

133 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”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

133ZA Page 14, line 21, at end insert “, and conduct a review of the potential effect of the proposed different ways of working on the authority’s ability to meet the social care needs of children with special educational needs and disabilities.”

THE EARL OF LISTOWEL

133A Page 14, line 22, after “must” insert “, over a 12 week open consultation period,”

133B Page 14, line 32, at end insert—

“( ) Before making regulations under section 15, the Secretary of State must—

(a) produce a response to the consultation responses received, and
(b) deposit a copy of all the consultation responses, as well as the Secretary of State’s response, in the House of Commons Library.”
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.”

LORD DUBS

Insert the following new Clause—

“National action plan for the welfare of unaccompanied children

(1) The Secretary of State must, in consultation with the Local Government Association, the Association of Directors of Children’s Services and the Children’s Commissioner for England, publish a national action plan for the welfare of unaccompanied children.
After Clause 19 - continued

(2) The national action plan for the welfare of unaccompanied children must set out the steps the Secretary of State will take to ensure that local authorities are able to safeguard and promote the welfare of relevant children within their area and in particular to ensure that relevant children have adequate access to—

(a) legal advice;
(b) mental health and other healthcare provision;
(c) appropriate accommodation, including foster care provision and semi-independent accommodation;
(d) social work support;
(e) the education system;
(f) English language education;
(g) any other services necessary to meet the needs of relevant children.

(3) The national action plan for the welfare of unaccompanied children must set out the process by which information about children to be included in the scheme provided for under section 67 of the Immigration Act 2016 (unaccompanied refugee children: relocation and support), is to be communicated to local authorities, including details about—

(a) age;
(b) any known medical needs;
(c) any accommodation preferences expressed by children;
(d) linguistic competencies and requirements;
(e) any known special educational needs;
(f) any other available information necessary to allow local authorities to meet the needs of relevant children.

(4) The national action plan for the welfare of unaccompanied children must describe the additional infrastructure that will be put in place to ensure that the welfare of relevant children is protected during and after transfers under section 69 of the Immigration Act 2016 (transfer of responsibility for relevant children), including details about—

(a) funding to be provided to Regional Strategic Migration Partnerships;
(b) plans to draw on the expertise of service providers; and
(c) any other plans to ensure that appropriate expertise and training is available to relevant authorities.

(5) In this section—

“local authority” means a local authority within the meaning of the Children Act 1989 (see section 105(1) of that Act);
“relevant child” means -

(a) a person under the age of 18 who is unaccompanied and has made a protection claim which has not been determined,

(b) a person under the age of 18 who is unaccompanied and who requires leave to enter or remain in the United Kingdom but does not have it, or
After Clause 19 - continued

(c) a person under the age of 18 who is unaccompanied and who has been
granted humanitarian protection, refugee status, discretionary leave or limited leave to remain in the UK as an unaccompanied asylum seeking child.

“service provider” means an organisation providing basic services to relevant children including legal advice.”

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

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
LORD LOW OF DALSTON

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
After Clause 26 - continued

(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.
THIRD
MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

4 July 2016