AMENDMENTS
TO BE MOVED
ON REPORT

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After Clause 1

BARONESS TYLER OF ENFIELD

In substitution for the amendment published on sheet HL Bill 57(e)

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 (general duty of local authority in relation to children looked after by them), after subsection (3C) insert—

“(3D) The duty of a local authority under subsection (3)(a) to safeguard and promote the welfare of a looked after child includes a particular duty to promote the child’s physical and mental health and emotional well-being.

(3E) A local authority must develop a local care pathway to ensure that the needs of looked after children, relevant children and former relevant children are addressed through the provision of—

(a) a mental health assessment at the time the child enters care;
(b) regular monitoring of the child’s on-going need for mental health support;
(c) a mental health assessment at the time the child becomes a relevant child or former relevant child;
(d) provision of the necessary support to meet the needs of the child, relevant child or former relevant child as identified by the assessment and monitoring conducted under paragraphs (a) and (b), for as long as is necessary until the former relevant child reaches the age of twenty-five.

(3F) 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 subsections (3D) and (3E).

(3G) Each clinical commissioning group must appoint at least one registered medical practitioner and at least one registered nurse for the purpose of discharging the duty under subsection (3F).”
After Clause 33

BARONESS WALMSLEY

Insert the following new Clause—


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

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

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

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

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9 September 2016