### Clause 1

#### Amendment No. 1

**Page 1, line 10, after second “the” insert “physical and mental”**

**THE EARL OF LISTOWEL**

**LORD WARNER**

#### Amendment No. 2

**Page 2, line 6, at end insert—**

“() to nurture, protect and maintain relationships with families and carers with whom they have lived previously and with whom they wish to remain in contact.”

**LORD RAMSBOTHAM**

**LORD HUNT OF KINGS HEATH**

**LORD WARNER**

#### Amendment No. 3★

**Page 2, line 6, at end insert—**

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

**LORD RAMSBOTHAM**

**LORD HUNT OF KINGS HEATH**

**LORD WARNER**

#### Amendment No. 4

**Page 2, line 13, 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 to identify any neurodevelopmental disorders or neurodisability needs, as listed in subsection (3);

(b) ensure that those working with the children and young people are trained in awareness of neurodevelopmental disorders and neurodisability needs; and
Clause 1 - continued

(c) ensure appropriate support is provided for those of the children and young people mentioned in subsection (2) who have neurodevelopmental or neurodisability needs.”

Page 2, line 24, at end insert—

““neurodisability” includes—
(a) intellectual disabilities;
(b) specific learning disabilities;
(c) communication disorders;
(d) attention deficit hyperactive disorder (ADHD);
(e) autism spectrum disorders (ASD);
(f) traumatic brain injury (TBI);
(g) epilepsy;
(h) foetal alcohol syndrome;”

LORD WARNER

Page 2, line 27, leave out “A local authority in England must” and insert “In discharging its duties under subsection (1), a local authority must—

(a) ensure that all the local authority’s relevant partners are aware of their duty under sections 10 (co-operation to improve well-being) and 11 (arrangements to safeguard and promote welfare) of the Children Act 2004 to co-operate with local authorities to improve the well-being and safeguard and promote the welfare of children who fall under subsection (2); and

(b) ”

LORD WATSON OF INVERGOWRIE
LORD WARNER

Page 2, line 28, 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), co-operate with corporate parenting partners who exercise functions, or are engaged in activities, in the authority’s area relating to those children and young people.

( ) In this section “corporate parenting partner”, in relation to a local authority area in England, means—

(a) a clinical commissioning group for an area, any part of which falls within the local authority area;
(b) the chief officer of police for a police area, any part of which falls within the local authority area; and
(c) such other persons or bodies as may be defined in regulations subject to the affirmative resolution procedure.”
After Clause 1

BARONESS TYLER OF ENFIELD
THE EARL OF LISTOWEL
BARONESS MASSEY OF DARWEN

8 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).”

LORD MACKAY OF CLASHFERN
LORD WARNER

9 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 residential 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 the appointment under subsection (1), the authority must forthwith appoint another member of its care staff to be responsible for the well-being of the child.”
After Clause 1 - continued

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

10★ 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.

(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 2

LORD FARMER
BARONESS TYLER OF ENFIELD
LORD MACKAY OF CLASHFERN

11 Page 2, line 43, at end insert—

“( ) relationships.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

12 Page 3, line 4, at end insert—

“( ) The Secretary of State must publish a national minimum standard setting 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.”

After Clause 2

THE EARL OF LISTOWEL
LORD WATSON OF INVERGOWRIE
BARONESS BAKEWELL OF HARDINGTON MANDEVILLE

13 Insert the following new Clause—

“National offer for care leavers

(1) The Universal Credit Regulations 2013 are amended as follows.

(2) In regulation 102(2) —

(a) in paragraph (a) after “18 or over” insert “and paragraph (b) does not apply”;
After Clause 2 - continued

(b) in paragraph (b) after “16 or 17” insert “or is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016 and is under the age of 25”.

(3) In regulation 103(2) —
   (a) in paragraph (a) after “18 or over” insert “and paragraph (b) does not apply”;
   (b) in paragraph (b) after “16 or 17” insert “or is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016 and is under the age of 25”.

(4) In regulation 104(2) after “18 or over” insert “and section (3) does not apply”.

(5) In regulation 104(3) after “16 or 17” insert “or is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016 and is under the age of 25”.

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

(7) In regulation 4(1), Second Condition, after paragraph (b) insert—
   “(c) is aged at least 18 and is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016, and is under the age of 25, and undertakes not less than 30 hours work per week.”

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

(9) 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”.

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

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

(12) 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 care leaver within the meaning given by section 2 of the Children and Social Work Act 2016; and
   (b) under the age of 25.”

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

(14) In Article 3, Class N, after paragraph 1(b) insert—
   “(c) occupied only by one or more care leavers within the meaning given by section 2 of the Children and Social Work Act 2016 who are under the age of 25.”
After Clause 2 - continued

(15) The Secretary of State may by regulations made by statutory instrument make additions to the national offer for care leavers beyond those elements prescribed in the Income Support (General) Regulations 1987, the Working Tax Credit (Entitlement and Maximum Rate) Regulations, the Housing Benefit Regulations, the Local Government Finance Act, and the Council Tax (Exempt Dwellings) Order.

(16) 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.”

Clause 3

LORD NASH

Page 3, line 44, leave out “on request”

Page 4, line 5, leave out “requests” and insert “informs the local authority that he or she wishes to receive”

Page 4, line 6, leave out “following duties” and insert “duties provided for in subsections (3) to (6)”

LORD RAMSBOTHAM

Page 4, leave out lines 10 and 11

LORD NASH

Page 4, leave out lines 26 to 30 and insert—

“(7) Where a former relevant child to whom this section applies is not receiving advice and support under this section, the local authority must offer such advice and support—

(a) as soon as possible after he or she reaches the age of 21, and

(b) at least once in every 12 months.”

LORD RAMSBOTHAM

Page 4, line 26, leave out “take steps to”

Clause 4

LORD NASH

Page 5, leave out line 28 and insert—

“(a) any person who has parental responsibility for the child,”

Page 6, line 9, after “by” insert “section 72(1) of the Adoption Act 1976 or”
Clause 4 - continued

BARONESS KING OF BOW
LORD ALTON OF LIVERPOOL
LORD WARNER
BARONESS WALMSLEY

Page 6, line 10, at end insert—
“or a child adopted from care in a country outside England, who is now resident in England.”

Clause 5

BARONESS KING OF BOW
LORD WARNER
BARONESS WALMSLEY

Page 6, line 26, after “(2)” insert “and (2A)”

LORD NASH

Page 6, line 40, after “by” insert “section 72(1) of the Adoption Act 1976 or”

BARONESS KING OF BOW
LORD ALTON OF LIVERPOOL
BARONESS WALMSLEY

Page 6, line 41, at end insert—
“(2A) A registered pupil is within this subsection if the pupil was adopted from care in a country outside England, and now resides in England.”

Clause 6

BARONESS KING OF BOW
LORD ALTON OF LIVERPOOL
LORD WARNER
BARONESS WALMSLEY

Page 8, line 7, at end insert—
“(c) was adopted from care in a country outside England, and now resides in England.”

LORD NASH

Page 8, line 16, after “by” insert “section 72(1) of the Adoption Act 1976 or”
After Clause 7

BARONESS KING OF BOW
LORD ALTON OF LIVERPOOL
LORD WARNER
BARONESS WALMSLEY

28 Insert the following new Clause—

“Educational entitlement for children adopted from care in countries outside England

(1) The Secretary of State must extend all educational entitlements given to adopted children in England to children who have been adopted from care in a country outside England, and who now reside in England.

(2) The entitlements referred to in subsection (1) shall include—

(a) priority admissions for schools; and

(b) early years and school pupil premium.”

Clause 8

LORD RAMSBOTHAM

29★ Page 8, line 35, after “orders)” insert “—

(a) after subsection (2)(b)(ii) insert—

“(iii) there being no person who has parental responsibility for the child.”

(b) ”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH
LORD WARNER

30 Page 8, line 42, leave out from “child’s” to end of line 2 on page 9 and insert “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 carer or other person;

(iv) long-term care not within sub-paragraph (i), (ii) or (iii);”

BARONESS WALMSLEY
BARONESS BUTLER-SLOSS
LORD WARNER

31 Page 9, line 9, at end insert—

“(iv) the child’s wishes and feelings.””
Clause 9

LORD NASH

Page 9, line 11, leave out subsections (1) to (3) and insert—

“In section 1(4) of the Adoption and Children Act 2002 (matters to which court is to have regard in coming to a decision relating to the adoption of a child), in paragraph (f) (relationships), after “relatives,” in the first place it occurs, insert “with any person who is a prospective adopter with whom the child is placed.””

After Clause 9

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
BARONESS WALMSLEY
LORD WARNER

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.”

BARONESS KING OF BOW
LORD WARNER

Insert the following new Clause—

“Adopted children: exemptions in relation to child related benefits

(1) The Secretary of State must, by regulations made by statutory instrument, make provision for child related benefits to be payable in respect of all adopted children, whether or not they are adopted in sibling groups, and regardless of any limit on the number of children in respect of whom those benefits are usually payable.

(2) Regulations under this section are subject to the affirmative resolution procedure.”

LORD WATSON OF INVERGOWRIE
LORD WARNER

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;
After Clause 9 - continued

(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.”

Clause 12

LORD NASH

36 Page 11, line 10, leave out “arrangements” and insert “regulations”

37 Page 11, leave out lines 15 to 17 and insert—

“( ) The purpose of a review under subsection (1)(b) is to identify any improvements that should be made by safeguarding partners or others to safeguard and promote the welfare of children.”

38 Page 11, line 29, leave out “lessons to be learned from the case” and insert “improvements that should be made following the review”

39 Page 11, line 31, leave out “The arrangements under subsection (1) may include arrangements” and insert “Regulations under this section may include provision”

LORD WARNER

40 Page 12, line 10, at end insert—

“(c) handling the implications for a local authority’s discharge of their safeguarding responsibilities in respect of any judicial decision-making in a particular review.”

LORD NASH

41 Page 12, line 13, at end insert—

““safeguarding partners” means persons who, under section 16E, are safeguarding partners in relation to one or more local authority areas in England (see subsection (3) of that section);”

42 Page 12, line 21, at end insert—

“( ) In section 66(3) of that Act (regulations subject to affirmative procedure) after “12B(1)(b)” insert “, 16B,”.”

Clause 13

LORD NASH

43 Page 12, leave out lines 25 to 34 and insert—

“(1) Where a local authority in England knows or suspects that a child has been abused or neglected, the local authority must notify the Child Safeguarding Practice Review Panel if—
Clause 13 - continued

(a) the child dies or is seriously harmed in the local authority’s area, or
(b) while normally resident in the local authority’s area, the child
dies or is seriously harmed outside England.”

Clause 15

LORD NASH

Page 12, leave out lines 39 and 40

Clause 16

LORD NASH

Page 14, line 10, at end insert—

“() In section 66(3) of that Act (regulations subject to affirmative procedure) after “16B,” (inserted by section 12) insert “16E(3)”.”

Clause 17

LORD NASH

Page 14, line 37, leave out “lessons to be learned from the case” and insert “improvements that should be made following the review”

Clause 23

LORD NASH

Page 15, line 25, at end insert “(but the regulations may not create criminal offences)”

Clause 23

LORD NASH

Page 18, leave out line 11 and insert—

“(1A) The child death review partners may also, if they consider it
appropriate, make arrangements for the review of a death in their area
of a child not normally resident there.

(1B) The child death review partners must make arrangements for the
analysis of information about deaths reviewed under this section.”

Page 18, line 12, leave out “subsection (1)” and insert “this section”

Page 18, line 13, leave out “death, or the deaths generally,” and insert “death or
deaths”
After Clause 28

LORD WILLS
BARONESS WHEELER

52 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.”

53 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) Regulations under subsection (1) must be made by statutory instrument, and a statutory instrument containing such regulations 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 29

LORD NASH

54 Page 20, line 25, at end insert—

“( ) Regulations under this section may not be used so as to remove any prohibition on a local authority in England arranging for functions to be carried out by a body whose activities are carried on for profit.”

55 Page 20, line 32, leave out subsections (6) and (7)

56 Page 21, line 1, leave out subsection (9)
Clause 29 - continued

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
LORD WARNER

57 Leave out Clause 29

Clause 30

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
LORD WARNER

58 Leave out Clause 30

After Clause 30

LORD NASH

59 Insert the following new Clause—

“Parliamentary procedure

(1) Regulations under section 29 are subject to the negative resolution procedure if they only —
   (a) relate to requirements imposed by subordinate legislation that was not subject to affirmative resolution procedure, or
   (b) revoke earlier regulations under that section.

(2) Any other regulations under section 29 are subject to the affirmative resolution procedure.

(3) At the same time as laying a draft of a statutory instrument containing regulations under section 29 before Parliament, the Secretary of State must lay before Parliament a report—
   (a) explaining how the regulations are expected to achieve the purpose mentioned in subsection (1) of that section, and
   (b) confirming that the regulations are not expected to have a detrimental effect on the welfare of any child and explaining any measures that have been put in place to ensure that is the case.

(4) If regulations under section 29 are subject to the affirmative resolution procedure and would, but for this subsection, be treated for the purposes of the standing orders of either House of Parliament as a hybrid instrument, they are to proceed in that House as if they were not a hybrid instrument.

(5) For the purposes of subsection (1)(a) subordinate legislation “was not subject to affirmative resolution procedure” if it was not subject to any requirement for a draft to be laid before, and approved by a resolution of, each House of Parliament.”
Clause 31

LORD WARNER
LORD WATSON OF INVERGOWRIE

60 Page 21, line 20, leave out “consult” and insert “consider the published advice of an independent review panel established to consider whether exemptions or modifications made under the regulations are likely adversely to affect any legislative safeguards or rights of children approved by Parliament, before consulting”

LORD NASH

61 Page 21, line 22, leave out subsections (2) and (3) and insert—

“(2) Where a local authority in England asks the Secretary of State to make regulations under section 29 the Secretary of State must invite an expert panel to give advice about—

(a) the likely impact of the regulations on children, and

(b) the adequacy of any measures that will be in place to monitor their impact on children.

(3) The expert panel is to consist of—

(a) the Children’s Commissioner,

(b) Her Majesty’s Chief Inspector of Education, Children’s Services and Skills, and

(c) one or more other persons appointed by the Secretary of State to consider the request.

(3A) The Secretary of State may appoint a person under subsection (3)(c) to consider a request only if the Secretary of State thinks that the person has expertise relevant to the subject matter of the request.

(3B) Having invited the expert panel to advise, the Secretary of State must wait at least 6 weeks before making regulations under section 29 in response to the application.

(3C) Before making regulations under section 29 in response to the application, the Secretary of State must also publish any written advice given during that 6 week period by the expert panel.”

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

62 Page 21, line 24, at end insert—

“( ) the Children’s Improvement Board,”

LORD NASH

63 Page 21, line 31, leave out “or the Secretary of State”

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
LORD WARNER

64 Leave out Clause 31
Clause 32

LORD WATSON OF INVERGOWRIE
LORD HUNT OF KINGS HEATH

65★ Page 21, line 42, at end insert—
“( ) In making regulations under section 29 in reliance on subsection (1), the Secretary of State must consider the published advice of the Children’s Improvement Board.”

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
LORD WARNER

66 Leave out Clause 32

Clause 33

LORD NASH

67 Page 22, line 22, at end insert—
““child” means a person under the age of 18 (and “children” means people under the age of 18);”

LORD RAMSBOTHAM
LORD WATSON OF INVERGOWRIE
LORD WARNER

68 Leave out Clause 33

After Clause 33

BARONESS WALMSLEY
BARONESS WHEELER

69 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.”
After Clause 33 - continued

(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.”

LORD DUBS
THE LORD BISHOP OF DURHAM
BARONESS SHEEHAN

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

70

Insert the following new Clause—

“Safeguarding unaccompanied refugee children

After section 67 of the Immigration Act 2016 (unaccompanied refugee children: relocation and support), insert—

“67A Strategy for safeguarding of unaccompanied refugee children

(1) The Secretary of State must, by 1 May 2017, publish a strategy for the safeguarding of unaccompanied refugee children living in the United Kingdom, and children who have been identified for resettlement in the United Kingdom under section 67 of this Act.

(2) In formulating the strategy, the Secretary of State must, in addition to other actions he or she considers relevant to the duty under subsection (1)—

(a) consult with all public agencies who may be required to provide services to child refugees, including the European Asylum Support Office, local government and the devolved administrations, for the purposes of enabling them to discharge their safeguarding duties towards those unaccompanied children, as set out in—

(i) section 17 of the Children Act 1989 (provision of services for children in need, their families and others),
(ii) section 47 of that Act (local authority’s duty to investigate), and
(iii) the sections of that Act which deal with public agencies’ housing and care-leaving responsibilities;

(b) evaluate the procedures for, and speed of, resettling those unaccompanied refugee children who have been identified for resettlement in the United Kingdom under section 67 of this Act;

(c) liaise with non-governmental bodies relevant to the implementation of the strategy;

(d) make recommendations on how to ensure the provision of full-cost reimbursement to agencies required to provide services under the strategy for whatever period is required to fulfil their duties.

(3) The strategy must include—

(a) how safeguarding will differ for those children covered by the strategy who have family members in the United Kingdom and those who do not;
After Clause 33 - continued

(b) plans for coordinating operational activity with, and learning best practice from, the Syrian Vulnerable Person Resettlement Programme for the purposes of—

(i) expediting a speedy and safe transfer to the United Kingdom of the children who have been identified for resettlement in the United Kingdom under section 67 of this Act; and

(ii) involving local authorities in assessments prior to the arrival of those children, to ensure that safeguarding and other duties are fulfilled;

(c) plans for the publication of monthly updates on the progress of the strategy;

(d) plans to ensure that the Children's Commissioners of England, Wales, Scotland and Northern Ireland are able to make representations on behalf of children relocated under section 67 of this Act, as part of their statutory duty under section 2 of the Children Act 2004 (primary function: children's rights, views and interests), and for the government to consult with the Children's Commissioners of other countries about those countries' arrangements for the safeguarding of unaccompanied refugee children living in those countries;

(e) plans to provide an annual update to Parliament on the arrangements made to support refugee children in the United Kingdom covered by the strategy, which must include details of funding provided, staff deployed, local authorities involved and those children's legal status."

BARONESS HAMWEE

BARONESS LAWRENCE OF CLARENDON

71★ Insert the following new Clause—

“Duty to have due regard to United Nations Convention on the Rights of the Child

(1) A public authority must, in the exercise of its functions relating to safeguarding and the welfare of children, have due regard to the United Nations Convention on the Rights of the Child.

(2) For the purposes of this section—

“public authority” has the same meaning as in section 6 of the Human Rights Act 1998, and

“United Nations Convention on the Rights of the Child” has the same meaning as in section 2A(2) of the Children Act 2004.”
After Clause 40

LORD WILLS
BARONESS WHEELER

72
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.”

73
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) Regulations under subsection (1) must be made by statutory instrument, and a statutory instrument containing such regulations may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”
Children and Social Work Bill [HL]

MARBALLED
LIST OF AMENDMENTS
TO BE MOVED
ON REPORT

14 October 2016