

# Children and Families Bill

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AMENDMENTS  
TO BE MOVED  
IN GRAND COMMITTEE  
*[Supplementary to the Seventh Marshalled List]*

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## Clause 89

LORD STEVENSON OF BALMACARA

Page 59, line 10, at end insert—

- “(7) Entitlements provided by regulations made under this section may be transferred to another family member or other related party in the following exceptional circumstances—
- (a) where a mother is incapacitated;
  - (b) where a medical practitioner prescribes that the mother is unable to look after the child; or
  - (c) where the mother dies in childbirth.”

Page 66, line 39, leave out “may” and insert “must”

Page 66, line 43, leave out “may” and insert “must”

## After Clause 89

LORD STEVENSON OF BALMACARA

Insert the following new Clause—

### **“Right to return to the same job after shared parental leave**

- (1) An employee who returns to work after any period of—
- (a) ordinary maternity leave,
  - (b) ordinary adoption leave,
  - (c) paternity leave,
  - (d) shared parental leave of 26 weeks or less, or
  - (e) parental leave of four weeks or less, which was—
    - (i) a period of isolated leave, or
    - (ii) a consecutive period of any statutory leave under subsection (1) of 26 weeks or less,

**After Clause 89 – continued**

is entitled to return from leave to the job in which the employee was employed before the employee's absence.

- (2) An employee who returns to work after any period of –
- (a) additional maternity leave,
  - (b) additional adoption leave,
  - (c) parental leave of more than four weeks, or
  - (d) a consecutive period of any statutory leave under subsection (1) of more than 26 weeks,

is entitled to return from leave to the job in which the employee was employed before the employee's absence, or, if it is not reasonably practicable for the employer to permit the employee to return to that job, to another job which is both suitable for the employee and appropriate for the employee to do in the circumstances.

- (3) The reference in subsections (1) and (2) to the job in which an employee was employed before the employee's absence is a reference to the job in which the employee was employed –
- (a) if the employee's return is from an isolated period of statutory leave, immediately before that period began, or
  - (b) if the employee's return is from consecutive periods of statutory leave, immediately before the first such period."

**After Clause 93**

LORD STEVENSON OF BALMACARA

Insert the following new Clause –

**“Review of statutory rights to leave and pay for kinship carers and special guardians**

Before the end of one year beginning with the day on which this Act is passed, the Secretary of State must –

- (a) carry out a review of the impact of the lack of statutory pay and leave on kinship carers and special guardians remaining in employment; and
- (b) publish, and lay before both Houses of Parliament, a report of the conclusions of the review."

**Clause 99**

LORD STEVENSON OF BALMACARA

Page 92, line 26, after “take” insert “reasonable”

Page 92, leave out lines 29 to 33

Page 95, line 21, after “take” insert “reasonable”

Page 95, leave out lines 25 to 29

**Clause 99 – continued**

Page 95, leave out lines 25 to 27 and insert –

- “(2) In relation to a singleton pregnancy, an employee is not entitled to take time off for the purpose specified in subsection (1) on more than two occasions, and in relation to a multiple pregnancy, an employee is not entitled to take time off for the purpose specified in subsection (1) on more than six occasions.”

**Clause 104**

LORD STEVENSON OF BALMACARA

Page 112, line 10, leave out “If an employer allows an employee to appeal” and insert “Where an employee appeals”

Page 112, line 34, leave out “the employer allow the employee to appeal” and insert “an employee appeals”

*Lord Stevenson of Balmacara gives notice of his intention to oppose the Question that Clause 104 stand part of the Bill.*

**After Clause 106**

BARONESS JONES OF WHITCHURCH  
BARONESS HUGHES OF STRETFORD

Insert the following new Clause –

**“Promoting flexible working: review**

- (1) Before the end of one year beginning with the day on which this Act is passed, the Secretary of State must –
  - (a) carry out a review looking into ways of promoting flexible working; and
  - (b) publish, and lay before both Houses of Parliament, a report of the conclusions of the review.
- (2) A review under subsection (1) will consider in particular –
  - (a) how to promote the right to request flexible working among employees;
  - (b) how to encourage employers to discuss flexible working at the earliest opportunity; and
  - (c) whether all advertisements for employment opportunities in the public sector should specify the possibility of discussing flexible working at interview.”

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*30th October 2013*

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