

Children and Families Bill

AMENDMENTS
TO BE MOVED
ON REPORT

[Supplementary to the Revised Marshalled List]

Clause 21

LORD NASH

Page 20, line 16, leave out subsection (5) and insert –

- “(5) Health care provision or social care provision which educates or trains a child or young person is to be treated as special educational provision (instead of health care provision or social care provision).”

Clause 22

LORD NASH

Page 20, line 24, after “identifies” insert “–

(a) ”

Page 20, line 25, at end insert “, and

(b) all the children and young people in its area who have a disability.”

After Clause 22

BARONESS WILKINS

Insert the following new Clause –

“Data on the number of children and young people with special educational needs and disabilities

- (1) A local authority in England must publish information annually within the local offer on the number of children and young people in its area who have special educational needs and disabilities.
- (2) Information under subsection (1) must be published by type of special educational need and disability.”

Clause 23

LORD NASH

Transpose Clause 23 to after Clause 24

Clause 24

LORD NASH

Page 20, line 38, at end insert “or a disability”

Page 21, line 7, after “needs” insert “or disability”

Clause 25

LORD NASH

Page 21, line 11, leave out “special educational” and insert “educational provision and training”

Page 21, line 14, after “needs” insert “or a disability”

Clause 26

LORD NASH

Page 21, line 32, after first “for” insert “–
(a) ”

Page 21, line 33, at end insert “, and

(b) children and young people in the authority’s area who have a disability.”

Page 21, line 40, after “by” insert “–
(i) ”

Page 21, line 42, after “needs” insert “, and

(ii) the disabilities of the children and young people within subsection (1)(b)”

Page 21, line 42, leave out “concerned” and insert “within subsection (1)(a)”

Page 22, line 27, after second “for” insert “–
(i) ”

Page 22, line 29, after “needs” insert “, or

(ii) any children and young people in the authority’s area who have a disability”

Page 22, line 32, leave out “such children and young people” and insert “children and young people within paragraph (a)”

Clause 27

LORD NASH

Page 22, line 40, leave out “special educational” and insert “educational provision, training”

Page 22, line 42, after “needs” insert “or a disability”

Page 22, line 43, leave out “special educational” and insert “educational provision, training”

Page 22, line 44, after first “for” insert “–

(i) ”

Page 22, line 45, at end insert “, and

(ii) children and young people in its area who have a disability.”

Page 23, line 2, leave out “special educational” and insert “educational needs, training”

BARONESS HOWE OF IDLICOTE

Page 23, line 3, at end insert –

“(2A) If the educational and social care provision referred to in subsection (1)(a) and (b) is deemed insufficient to meet the needs of children and young people under subsection (2), a local authority must –

- (a) publish these findings;
- (b) involve those consulted under subsection (3) in producing an action plan to revise the educational and social care provision referred to in subsection (1)(a) and (b);
- (c) review and report on progress against the action plan; and
- (d) revise the local offer accordingly.

(2B) Regulations shall make provision about –

- (a) criteria to be used by local authorities in assessing whether the educational and social care provision referred to in subsection (1)(a) and (b) is sufficient under subsection (2);
- (b) the information to be included in an authority’s action plan;
- (c) how an authority is to involve children, young people and families in the production of, and assessment of progress against, its action plan;
- (d) imposing time limits on implementing the revision of the educational and social care provision referred to in subsection (1)(a) and (b) that has been deemed insufficient under subsection (2A).”

LORD NASH

Page 23, line 5, leave out paragraph (a) and insert –

- “() children and young people in its area with special educational needs, and the parents of children in its area with special educational needs;
- () children and young people in its area who have a disability, and the parents of children in its area who have a disability;”

Clause 27 – continued

Page 23, line 17, after “by” insert “–

(i) ”

Page 23, line 18, at end insert “, or

(ii) children or young people in its area who have a disability”

Page 23, line 20, after “to” insert “–

(i) ”

Page 23, line 20, at end insert “, or

(ii) children or young people in its area who have a disability”

Clause 30

LORD NASH

Page 25, line 23, after “needs” insert “or a disability”

Page 25, line 25, after first “for” insert “–

(i) ”

Page 25, line 26, at end insert “, and

(ii) children and young people in its area who have a disability.”

Page 25, line 30, at beginning insert “other”

Page 26, line 2, at end insert “–

(i) ”

Page 26, line 4, at end insert –

“(ii) children and young people who have a disability, and the parents of children who have a disability, and”

Page 26, line 5, at end insert “(including details of any action the authority intends to take)”

Page 26, line 13, after “involve” insert “–

(i) ”

Page 26, line 15, leave out from “needs,” to end of line and insert “and

(ii) children and young people who have a disability, and the parents of children who have a disability,

in the preparation and review of its local offer;”

Page 26, line 21, at end insert “–

(i) ”

Page 26, line 23, at end insert “, and

(ii) children and young people who have a disability and those who care for them”

Clause 32

LORD NASH

Page 27, line 4, after first “for” insert “children and young people for whom it is responsible, and”

Page 27, line 5, leave out “and young people for whom it is responsible,”

Page 27, line 7, at end insert –

“(1A) A local authority in England must arrange for children and young people in its area with a disability, and the parents of children in its area with a disability, to be provided with advice and information about matters relating to the disabilities of the children or young people concerned.”

Page 27, line 9, leave out “subsection (1)” and insert “subsections (1) and (1A)”

Page 27, line 10, at end insert –

“() children in its area;”

Page 27, line 15, leave out “subsection (1)” and insert “subsections (1) and (1A)”

Clause 34

BARONESS HOWE OF IDLICOTE

Page 28, line 41, leave out subsection (9)

After Clause 68

BARONESS WILKINS

Insert the following new Clause –

“Inspection and review of local authority special educational needs provision

Services included in the local offer that are delivered or commissioned by the local authority for the provision of specialist education support for children with special educational needs under this Act shall be subject to inspection by an appointed regulator and the findings shall be published.”

Schedule 3

LORD NASH

Page 161, line 5, at end insert –

“Children Act 1989 (c. 41)

- (1) The Children Act 1989 is amended as follows.
- (2) In section 23E (pathway plans), in subsection (1A)(a) after “Education Act 1996” insert “or Part 3 of the Children and Families Act 2013”.

Schedule 3 – continued

- (3) In Part 1 of Schedule 2 (provision of services to families) in paragraph 3 (assessment of children’s needs) after paragraph (b) insert –
“(ba) Part 3 of the Children and Families Act 2013;”.

Clause 73

LORD NASH

Page 51, line 40, at end insert –

- “() A child or young person has a disability for the purposes of this Part if he or she has a disability for the purposes of the Equality Act 2010.”

In the Title

LORD NASH

Line 2, after “needs” insert “or disabilities”

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