



HL Bill 84 of 2024–25

Children’s Wellbeing and Schools Bill

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The [Children’s Wellbeing and Schools Bill](#) is a government bill scheduled for second reading in the House of Lords on 1 May 2025. It is made up of 67 clauses and split into 3 parts. Part 1 of the bill includes provisions on children’s social care, part 2 relates to schools and part 3 includes general provisions (such as extent and commencement).

Part 1 of the bill includes measures aimed at improving the safeguarding of children, such as further regulation and financial oversight of children’s homes, regulations on the use of agency social workers and a single unique identifier for children. It would define kinship carers in law and require local authorities to offer families a group decision-making meeting before seeking to take a child into care. Part 2 includes measures introducing free breakfast clubs in state primary schools, limiting branded items of school uniform and introducing a register of children not in school. It also includes a number of provisions about academies.

Several elements of the bill build on measures put forward by the previous government, and there has been cross-party consensus on many of the clauses in the bill, notably on provisions regarding social care and safeguarding. The schools element of the bill was subject to much greater debate, particularly provisions which would reduce the freedom of academy schools in areas such as the national curriculum, pay and conditions of teachers and requiring all staff to be working towards qualified teacher status (QTS).

The Education Committee chair, amongst others, expressed concern about the number of government amendments tabled at a late stage. Two substantive government amendments were made at committee stage: to stop certain care leavers under 25 being classed as intentionally homeless and to clarify required minimum pay rates for academy teachers were “a floor, not a ceiling”. During report stage the government proposed six new clauses and over 150 amendments. New clauses related to corporate parenting responsibilities for a wider range of public bodies and information sharing.

The majority of the bill’s measures would extend to England and Wales and apply to England.





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I. Background

The 2024 Labour Party manifesto set out five missions which it said would rebuild the UK. One of these missions was to “break down barriers to opportunity by reforming our childcare and education systems, to make sure there is no class ceiling on the ambitions of young people in Britain”.¹ The subsequent 2024 King’s Speech included a commitment to introduce a bill “to raise standards in education and promote children’s wellbeing”.²

The [Children’s Wellbeing and Schools Bill](#) was introduced in the House of Commons on 17 December 2024. It completed its passage in the Commons on 18 March 2025 and was introduced into the House of Lords on 19 March 2025.

The bill would make provisions about children’s social care and schools. Outlining the purpose of the bill, the government stated that the bill:

[...] has 40 measures aiming to deliver the Labour Party’s 2024 commitments to remove barriers to opportunity in schools and improve the education system to make it safer for every child. It also seeks to deliver commitments in the Labour Party’s 2024 manifesto on children’s social care by strengthening regulation, improving quality of care to ensure it meets children’s needs and keeping children rooted in their families and local communities where possible.³

The government’s impact assessment breaks the measures contained in the bill into seven different groups:⁴

- **Keeping families together and children safe.** Measures include mandating local authorities to offer ‘family group decision making’, improving information sharing by enabling a single unique identifier to address a lack of joint working or information sharing between agencies involved in children’s

¹ Labour Party, [‘Labour Party manifesto 2024’](#), June 2024, p 13. For more information about education proposals made in the Labour Party manifesto see House of Lords Library, [‘King’s Speech 2024: Education’](#), 12 July 2024.

² Prime Minister’s Office, [‘The King’s Speech 2024’](#), 17 July 2024.

³ [Explanatory notes](#), p 4.

⁴ Department for Education, [‘Children’s Wellbeing and Schools Bill: Impact Assessment’](#), 21 March 2025, pp 3–4.



safeguarding, strengthening the role of education in safeguarding, requiring multi-agency child protection teams and ensuring children are employed safely.

- **Supporting children with care experience to thrive.** Measures include requiring local authorities to publish their local offer for children in kinship care and their carers, extending the virtual school head role to children in kinship care as well as those with a social worker, strengthening support for eligible care leavers and requiring local authorities to publish information to ensure care leavers have a planned and supportive transition to adulthood.
- **Making the care system child-centred.** Measures include a statutory framework to enable children with complex needs and who need to be deprived of their liberty to be placed in community provision. Other measures focus on empowering the regulator, Ofsted, to tackle breaches of the [Care Standards Act 2000](#), including against unregistered children's homes, limiting the use of agency social workers and closing a legal gap around low-level abuse (ill treatment or wilful neglect) of children aged 16 and 17.
- **Improve the children's social care placement market and tackle profiteering.** Measures include establishing a 'financial oversight regime' to increase transparency of care providers and their corporate owners. They also include measures enabling the secretary of state for education to implement a cap on the profits of non-local authority providers of children's social care in future, if other market intervention measures do not have the desired effect, and supporting the creation of 'regional care co-operatives' to improve the forecasting and commissioning of placements.
- **Removing barriers to opportunity in schools.** Measures on manifesto commitments to provide free breakfast clubs to state primary schools and limit the number of branded uniform items that schools can require.
- **Creating a safer and higher quality education system for every child.** Measures include the duty for local authorities to have and maintain 'children not in school' registers, changes to the regulation and inspection of independent education institutions and improving investigation of serious teacher misconduct.
- **Driving high and rising standards for every child.** Measures include provisions about school admissions, the national curriculum and qualified teacher status.

This briefing provides an overview of some of the most legally and politically significant of the proposals. It does not provide an exhaustive guide to every clause. The government has



produced a number of documents to accompany the bill, including the '[Children's Wellbeing and Schools Bill: Policy summary notes](#)', '[Explanatory notes](#)', '[Delegated powers memorandum](#)' and '[Impact assessment](#)'.

In addition, the House of Commons Library has produced a comprehensive briefing on the bill, '[Children's Wellbeing and Schools Bill 2024–25](#)' (3 January 2025), including background on a number of the clauses. A further briefing, '[Children's Wellbeing and Schools Bill 2024–25: Progress of the bill](#)' (4 March 2025), was produced following committee stage.

Children's social care and education are devolved policy areas. The majority of the bill extends to England and Wales and applies in England. However, provisions for a register of children not in school and clause 20 on ill-treatment or wilful neglect of a child apply in England and Wales. The corporate parenting provisions added at report stage (clauses 21 to 25), as well as part 3 of the bill (on general provisions) extend to the UK. Finally, clause 11 deals with deprivation of liberty orders. The clause extends and applies to England and Wales and makes consequential amendments to Scottish legislation and would therefore extend to Scotland. Annex A in the [explanatory notes](#) provides a summary table regarding territorial extent and application.

Several MPs, including the chair of the Education Committee, Helen Hayes (Labour MP for Dulwich and West Norwood), commented on the speed of the bill's passage and the number of government amendments tabled "at a late stage".⁵ At report stage the government proposed six new clauses and over 150 government amendments.

During the bill's passage the most contentious issues related to provisions which would reduce the freedom of academy schools in areas such as the national curriculum, pay and conditions of teachers and requiring all staff to be working towards qualified teacher status (QTS). While the register of children in schools has been broadly welcomed, several MPs sought assurances that requirements for home-schooling parents to inform local authorities about a child's education would not be onerous. Measures related to child safeguarding in part 1 of the bill were broadly welcomed and most proposed amendments related to how the provisions would work in practice.

⁵ [HC Hansard, 18 March 2025, cols 230–1.](#)



2. What would the bill do?

The bill is made up of three parts:

- Part 1 relates to children's social care and contains 26 clauses. These include proposals to strengthen safeguarding measures, expand support for care leavers and further regulate accommodation for looked-after children.
- Part 2 on schools contains 36 clauses. Provisions in this part include requirements for free breakfast clubs for state primary schools, a register of children not in school and changes to academies.
- Part 3 contains general provisions such as financial provision and territorial extent. This part includes 5 clauses.

Some of the key measures in the bill are outlined below.

2.1 Part 1: Children's social care

Part 1 of the bill, clauses 1 to 26, relates to children's social care. It includes provisions about:

- family group decision-making (clause 1)
- child protection and safeguarding (clauses 2 to 4)
- support for children in care, leaving care or in kinship care and carers (clauses 5 to 9)
- accommodation of children (clauses 10 to 11)
- regulation of children's homes, fostering agencies etc (clauses 12 to 18)
- care workers (clause 20)
- corporate parenting (clauses 21 to 25)
- employment of children (clause 26)

The government states that the bill "contains a number of changes to the children's social



care system aimed at keeping families together and children safe”.⁶ The changes build on proposals in the November 2024 policy paper ‘[Keeping children safe, helping families thrive](#)’, which set out the government’s plan to “reset the children’s social care system”. This outlined the government’s four key reform principles:⁷

- children should remain with their families and be safely prevented from entering the care system in the first place
- where children cannot remain at home and it is in their best interests, we should support children to live with kinship carers or in fostering families, rather than in residential care
- the “broken care market” should be fixed to ensure levels of profit are not above what would be expected in a well-functioning market
- key enablers which underpin the children’s social care system, such as the workforce, better data and information sharing should be invested in

A number of reviews and consultations concerning children’s social care have occurred in the last few years, with several more in train. For example:

- Josh MacAlister, ‘[The independent review of children’s social care: Final report](#)’, May 2022
- Child Safeguarding Practice Review Panel, ‘[Child protection in England: National review into the murders of Arthur Labinjo-Hughes and Star Hobson](#)’, May 2022
- Competition and Markets Authority, ‘[Children’s social care market study: Final report](#)’, 10 March 2022

For more detail about proposals for children’s social care reforms prior to the 2024 general election and previous reviews and reports on the subject, see the House of Commons Library briefing ‘[Reform of children’s social care in England](#)’ (21 March 2024).

⁶ [Explanatory notes](#), p 10.

⁷ Department for Education, ‘[Keeping children safe, helping families thrive](#)’, 18 November 2024, CP 1200, pp 5–6.



2.1.1 Family group decision-making (clause 1)

Kinship care is currently not defined in law, although statutory guidance defines it as “any situation in which a child is being raised in the care of a friend or family member who is not their parent. The arrangement may be temporary or longer”.⁸ An Office for National Statistics estimate from 2021 census data suggests there are around 141,000 children living in kinship care in England and Wales.⁹

Recent reports have highlighted that despite the positive impact of kinship care in children’s outcomes, there is a lack of recognition and consistent support for kinship carers which can vary according to location. In addition, concerns have been raised about the failure to involve and support a child’s wider family network before a child is taken into local authority care.¹⁰

Clause 1 would require local authorities to offer a family group decision-making (FGDM) meeting before applying to the court for a care or supervision order. FGDM is an umbrella term to describe voluntary family-led meetings that allow a family network to come together and make a plan in response to concerns about a child’s safety and wellbeing, working alongside professionals.¹¹ The government says that FGDMs help ensure that a family network is “engaged and empowered” and that the measure would ensure a consistent offer to families across England.

The clause would implement the recommendation in the final report of the Independent Review of Children’s Social Care, published in May 2022, which called for the government to introduce a legal right to an FGDM before a local authority applies to court for a care order.¹² The duty in the clause does not apply if the local authority determines that it would not be in the child’s best interests to offer an FGDM. The clause defines an FGDM and outlines the process by which they would be run, including who should attend. The clause would require a local authority to seek the views of the child in relation to the FGDM, unless it does not consider it appropriate; the child may also attend the meeting.

⁸ Department for Education, ‘[Kinship care: Statutory guidance for local authorities](#)’, October 2024, p7.

⁹ Office for National Statistics, ‘[Kinship care in England and Wales: Census 2021](#)’, 26 September 2023.

¹⁰ For more detailed background information about kinship care, see House of Commons Library, ‘[Kinship carers in England](#)’, 3 January 2025.

¹¹ [Explanatory notes](#), p 10.

¹² Josh MacAlister, ‘[The independent review of children’s social care: Final report](#)’, May 2022, p 41.



2.1.2 Child protection and safeguarding (clauses 2 to 4)

Section 11 of the Children Act 2004 requires local authorities, as well as other agencies such as the police and health services, to ensure they consider the need to safeguard and promote the welfare of children when carrying out their functions. Other legislation places a similar duty on other agencies, such as schools. Section 16E of the Children Act 2004 requires three safeguarding partners—NHS integrated care boards, the local authority and the chief officer of police—to determine how safeguarding arrangements should work in their area. The bill proposes changes intended to create “better join-up between children’s social care, police and health services with education” and strengthen the role for education in child protection.¹³

Clause 2 would amend the Children Act 2004 to make it a requirement for the three safeguarding partners in each local area to include education and childcare settings automatically in their multi-agency safeguarding arrangements. The clause would give the secretary of state the power to make regulations designating education and childcare agencies.

Clause 3 would amend the Children Act 2004 to require safeguarding partners to establish and run one or more multi-agency child protection teams in their area. The aim of these new teams is to support the local authority in delivering its child protection duties. The clause would give the secretary of state the power to set out more detail about the support the teams would provide in regulations. The clause would also make provision for two or more local authorities to work together to deliver multi-agency child protection teams. The government argues this would help agencies such as the police and health services, which work on a different geographical footprint, make the best use of their resources and effectively deliver child protection.¹⁴

Clause 4 would amend the Children Act 2004 to require specified persons or bodies (known as “relevant persons”) to disclose information that may be relevant to safeguarding or promoting the welfare of a child to other relevant persons in certain circumstances. The clause provides that the information should be shared where the bodies consider that the disclosure will help other agencies in exercising safeguarding functions. This duty would also apply where an agency receives a request for information from another agency. The clause would provide that any disclosure in accordance with this clause must comply with the data protection legislation.

¹³ [Explanatory notes](#), p 11.

¹⁴ As above.



The clause would also amend the 2004 act to allow the secretary of state to make regulations specifying a consistent identifier for children, referred to as a “single unique identifier” (SUI). A “designated person” would be required to use the SUI when they process information about a child. The clause defines a “designated person” as a person listed in section 11(1) of the 2004 act or a designated childcare or education agency that has been designated in regulations by the secretary of state. The duties to share information would not apply where a person thinks including the identifier would be more detrimental to the child than not including it, or the person does not know the identifier and considers that finding it out would cause unreasonable delay to the processing of information.

The government has argued that the duty to share information seeks to address long standing barriers to information sharing.¹⁵

2.1.3 Support for children in care, leaving care or in kinship care and carers (clauses 5 to 9)

Clause 5 would place a duty on local authorities to publish clear information for kinship carers and children in kinship arrangements outlining support available to them. The clause includes details of what information should be included in the “kinship local offer” and would introduce a statutory definition of kinship care. The government has stated that the clause is seeking to address “inconsistent compliance with the former expectation on local authorities to publish a local policy on family and friends care”.¹⁶

Clause 6 seeks to extend the role of virtual school heads (VSH) to include promoting the educational achievement of all children in need and all children living in kinship care. Local authorities are currently required to appoint a VSH to ensure arrangements are in place to improve the educational achievement of the children they look after, including those placed out of area, and those who have left care for example through adoption or special guardianship. The VSH role was extended on a non-statutory basis in 2021 to cover oversight of educational outcomes of children with a social worker in a local authority’s area. In September 2024, it was extended on a non-statutory basis to children in kinship care; clause 6 would make it a statutory requirement.

Clauses 7 to 9 relate to support for those aged 16 or over who were previously looked after

¹⁵ As above.

¹⁶ As above, p 13.



by a local authority.¹⁷ Research has previously suggested that care leavers experience worse outcomes than their peers and are over-represented in the adult prison population and homelessness/rough sleeping data.¹⁸

Since the Children and Families Act 2014, local authorities have been required to provide support to enable young people in foster care to remain living with their former foster family to age 21. This is known as the ‘staying put’ arrangement. In July 2016, a similar programme for young people leaving local authority residential care was announced. The ‘staying close’ programme aimed to support young care leavers to “live independently, in a location close to their children’s home with ongoing support from that home”.¹⁹ The ‘staying close’ programme has subsequently been piloted, evaluated and expanded. The previous Conservative government’s strategy ‘[Stable homes, built on love](#)’, included a pledge to roll the programme out nationally.

Clause 7 would require local authorities to assess whether care leavers under the age of 25 require ‘staying close’ support and provide it where necessary. This could include support to find and keep suitable accommodation and support to access services relating to health and wellbeing, relationships, education and training, employment and participating in society.²⁰

Clause 8 would amend section 2 of the Children and Social Work Act 2017, which relates to the local offer for care leavers in England. While local authorities are currently required to provide details of their local offer for care leavers, previous reports suggest that this is inconsistent.²¹ The new clause would require local authorities to publish information about the services they offer to “support and assist care leavers in their transition to adulthood and independent living”.²² The information required would include information about how the local authority would anticipate the future needs of care leavers for accommodation, co-operate with the local housing authorities in its area and provide assistance to eligible care leavers who were at risk of homelessness.

Clause 9 would amend section 191 of the Housing Act 1996 to disapply the intentional

¹⁷ For more detailed background information see House of Commons Library, ‘[Support for care leavers](#)’, 11 November 2024.

¹⁸ [Explanatory notes](#), pp 13–14.

¹⁹ Department for Education, ‘[Putting children first: Delivering our vision for excellent children’s social care](#)’, July 2016, p 32.

²⁰ [Explanatory notes](#), p 14.

²¹ House of Commons Library, ‘[Children’s Wellbeing and Schools Bill 2024–25](#)’, 3 January 2025, pp 40–1.

²² [Explanatory notes](#), p 14.



homelessness test for care leavers aged 25 and under. ‘Intentionally homeless’ is a legal term which means a local authority believes an individual to be homeless because of something they did or failed to do. Where they are classified as intentionally homeless, individuals are “are owed a lesser duty” by a local authority than they would be if they were homeless unintentionally.²³ The clause would prevent care leavers within the scope of the corporate parenting duty (clauses 21 to 25) and not looked after by a local authority from being classified as intentionally homeless. This would therefore require local authorities to secure settled accommodation for in-scope care leavers, even in circumstances where their actions may have caused or contributed to their homelessness. The government argues that care leavers are particularly vulnerable to becoming homeless and that the clause would help facilitate successful transition from care to adulthood and address the “cliff edge” of support available to care leavers.²⁴

2.1.4 Accommodation of children (clauses 10 to 11)

The Children Act 1989 requires a local authority to provide children in its care with accommodation in the most appropriate placement available.²⁵ Accommodation can include a children’s home, a local authority foster parent or semi-independent ‘supported accommodation’ for older children.²⁶

On 31 March 2024, there were 83,630 looked-after children in England (including adoptions), representing 70 per 10,000 children.²⁷ These figures are very similar to the 2023 figures and include a large increase in unaccompanied asylum-seeking children (UASC) in recent years. The number of looked-after children has steadily increased, with 58,100 in 2000 and 64,460 in 2010. The high number of looked-after children has meant many local authorities struggle to find suitable placements. This can lead to an increasing number of children placed outside their home local authority, increasing costs for placements (with some allegations of profiteering by providers) and increasing numbers of children placed in unregistered settings with no regulatory oversight.²⁸

²³ Ministry of Housing, Communities and Local Government, [‘Homelessness code of guidance for local authorities’](#), 13 February 2025, chapter 9.

²⁴ [Explanatory notes](#), p 14.

²⁵ For more detailed background see: House of Commons Library, [‘Finding homes for looked after children’](#), 16 July 2024.

²⁶ Independent fostering agencies work with local authorities to provide foster care services for children who cannot be placed with local authority foster carers. See House of Commons, [‘Children’s Wellbeing and Schools Bill 2024–25’](#), 3 January 2025, pp 47–8.

²⁷ Department for Education, [‘Children looked after in England including adoptions’](#), 14 November 2024.

²⁸ Competition and Markets Authority, [‘Children’s social care market study: Final report’](#), March 2022, pp 6–8.



The 2022 Competition and Markets Authority report '[Children's social care market study: Final report](#)' examined the social care market. It focused on the difficulty that local authorities had in accessing placements and the significant financial strain local authorities faced due to high prices and growing demand. It concluded that "this market is not working well and that it will not improve without focused policy reform". The report of the Independent Review of Children's Social Care, published in the same year, also examined the issue and highlighted issues with unregulated accommodation.²⁹

The previous government published a strategy, '[Stable homes, built on love](#)', in February 2023, which outlined proposed changes to children's social care. The strategy included similar plans to some provisions in the Children's Wellbeing and Schools Bill. Proposals in the strategy included increasing support for foster carers, introducing a financial oversight regime for the largest providers of homes for children in care, testing the use of regional care co-operation agreements and developing a core overarching set of standards for fostering, children's homes and supported accommodation.

Clause 10 of the bill would provide the secretary of state with powers to direct local authorities to establish regional co-operation arrangements to carry out their functions in relation to the accommodation of looked-after children. The government has said that the arrangements would support local authorities with their strategic accommodation functions, such as the future accommodation needs of looked-after children across the region.³⁰ The clause defines "strategic accommodation functions". The arrangements between two or more local authorities could either be to carry out their strategic accommodation functions jointly, for those functions to be carried out by one of the local authorities on behalf of the others, or for a corporate body (specified in the secretary of state's direction) to support them in carrying out those functions.

Clause 11 relates to deprivation of liberty orders. Article 5 of the European Convention on Human Rights (ECHR) provides that everyone has the right to liberty. Where a person is confined to a particular place for a period of time and they do not or cannot consent to this they are deprived of their liberty.³¹ The current legislative framework for depriving children of their liberty (outside of frameworks which currently exist for areas such as mental health) is section 25 of the Children Act 1989. Section 25 allows for a secure accommodation order to be made which authorises the placement of a looked-after child in a registered secure

²⁹ Josh MacAlister, '[The independent review of children's social care: Final report](#)', May 2022.

³⁰ [Explanatory notes](#), p15.

³¹ Nuffield Family Justice Observatory, '[Children subject to deprivation of liberty orders](#)', September 2023, p 1.



children's home (SCH).³² A key feature of an SCH is that it should be designed for, or has as its primary purpose, prevention of a child from absconding or causing harm to him/herself or others.³³

The Independent Review of Children's Social Care has previously examined issues regarding the use of deprivation of liberty orders for looked-after children. It concluded that a growing number of children who were a danger to themselves or others, or who were being exploited, were being deprived of their liberty because of a lack of suitable places to support them. It called for "better quality, more flexible and innovative types of provision which can provide care for these children".³⁴

Clause 11 would provide for deprivation of liberty to be used in other types of accommodation which were aimed at providing care and treatment for a vulnerable, complex cohort, who also require restrictions which may deprive them of their liberty.³⁵

The clause would provide the secretary of state with the power to make regulations regarding the maximum period for which a child may be kept in relevant accommodation both with and without the authority of a court, the cohort of children who may be placed in relevant accommodation and to define relevant accommodation. Clause 11 would apply to England and Wales. It would also make consequential amendments to Scottish legislation and would therefore extend to Scotland.

2.1.5 Regulation of children's homes, fostering agencies etc (clauses 12 to 18)

Ofsted has previously called for greater powers to regulate unregistered providers of children's social care. In addition, Ofsted asked for powers to regulate groups of children's homes ('parent undertakings') rather than just an individual provider.³⁶ Clause 12 would amend the Care Standards Act 2000 to give powers to the Ofsted chief inspector, known as the chief inspector of education, children's services and skills (CIECSS), to regulate parent undertakings. This could include issuing an improvement plan. The clause includes details of the improvement plan process.

³² [Explanatory notes](#), p 15.

³³ As above.

³⁴ Josh MacAlister, '[The independent review of children's social care: Final report](#)', May 2022, p 118.

³⁵ [Explanatory notes](#), p 15.

³⁶ Ofsted, '[Hearing feedback, accepting criticism and building a better Ofsted: The response to the Big Listen](#)', September 2024.



Clause 13 would amend the Care Standards Act 2000 to give the CIECSS powers to impose monetary penalties on a parent undertaking if it did not comply with the improvement plan process. In addition, the clause would allow for the CIECSS to impose monetary penalties on those unregistered settings. The government has argued that the current powers available to Ofsted to regulate unregistered settings, through prosecution for the offence of carrying on or managing an establishment or agency without being registered, are insufficient. It claims these do not allow Ofsted to take “appropriate targeted action, or act in an agile and proportionate manner given the length of time and costs involved”.³⁷ The power to issue a monetary penalty to persons operating, or considering operating, unregistered settings would, the government argues, act as a greater deterrent.

Clause 14 would allow the secretary of state to prescribe conditions to determine that certain non-local authority providers of children’s homes and fostering agencies should be subject to financial oversight.³⁸ Those providers would be required to provide certain information to the secretary of state. The conditions for determining whether a provider or agency should be subject to financial oversight could be related to factors such as the number of establishments or agencies the provider runs or their size and market share. The government has said that the financial oversight scheme would allow for “an accurate, real-time assessment of financial risk” and would also provide advance warning to local authorities of possible financial failure.³⁹

Clause 15 would give the secretary of state power to cap, at a prescribed level, the profits of providers of children’s homes and independent fostering agencies. The cap would be prescribed through regulations; the secretary of state would be required to hold a consultation before making these. The regulations would also allow the secretary of state to make provision for “disguised profit arrangements” which the government says could be used to artificially reduce the level of profit in order to fall within a profit cap.⁴⁰ Breaches of the regulations would be a civil offence incurring a monetary penalty. The government has stated that the provisions would allow the government to take action in future if other measures do not “sufficiently improve the functioning of the market and reduce profiteering” in the children’s social care placements market.⁴¹ In addition, the clause would allow the

³⁷ [Explanatory notes](#), p 16.

³⁸ Independent fostering agencies are private or voluntary organisations which work with local authorities to provide foster care services for children who cannot be placed with local authority foster carers. For more information see House of Commons Library, ‘[Children’s Wellbeing and Schools Bill 2024–25](#)’, 3 January 2025, pp 47–8.

³⁹ [Explanatory notes](#), p 16.

⁴⁰ As above.

⁴¹ As above, p 17.



secretary of state to make regulations requiring providers to make an annual return in order to determine whether a profit cap is being complied with.

Clause 16 would insert a new section into the Care Standards Act 2000 to provide the secretary of state with the power to issue a civil monetary penalty in the case of a breach of the financial oversight scheme or the profit cap regime. Clause 17 would add a new section to the Care Standards Act 2000 which sets out the procedure for the issue of monetary penalties by the CIECSS or the secretary of state.

Clause 18 provides for information sharing between the CIECSS and the secretary of state to assist in carrying out the regulation of children's homes and fostering agencies and the financial oversight scheme. In addition, the clause would allow information sharing between the secretary of state and the Care Quality Commission. The clause does not authorise the processing of data which would contravene the data protection legislation.

2.1.6 Care workers (clauses 19 to 20)

Clause 19 would give the secretary of state power to make regulations about the use of agency workers in local authority children's services. The extensive use of agency staff in children's social care was criticised in the final report of the Independent Review of Children's Social Care, which also noted the higher costs of agency staff.⁴² The report recommended national rules regarding agency staff use. The previous Conservative government consulted on whether to set national rules on the use of agency social workers. The Labour government published statutory guidance on using agency child and family social workers in September 2024.⁴³

The government has said that the workforce instability high agency staff usage creates can negatively impact on both the quality of social work support provided to children and families and the care provided to looked-after children in residential settings.⁴⁴ It argues that the clause would strengthen the existing statutory guidance for agency workers in local authority children's social care services and extend it more widely to local authorities' social care workforce. The clause includes details of what the regulations may include, such as provisions about the terms on which agency workers are supplied to local authorities. It would require the secretary of state to consult on regulations.

⁴² Josh MacAlister, '[The independent review of children's social care: Final report](#)', May 2022, pp 188–9.

⁴³ For more background see, House of Commons Library, '[Children's Wellbeing and Schools Bill 2024–25](#)', 3 January 2025, pp 67–9.

⁴⁴ [Explanatory notes](#), p 17.



Clause 20 seeks to address a gap in the legal framework which means that 16- and 17-year-olds in social care are not protected from ill-treatment or wilful neglect while adults over 18 years old and children under 16 years old are.⁴⁵ The clause would amend the Criminal Justice and Courts Act 2015 to extend the ill-treatment or wilful neglect offences to children aged 16 or 17 in regulated establishments in England and Wales.

2.1.7 Corporate parenting (clauses 21 to 25 and schedule 1)

The bill provides for new corporate parenting responsibilities on relevant authorities, which include secretaries of state and certain public bodies. The clauses were added at report stage of the bill.

The Children and Social Work Act 2017 currently requires local authorities to have regard to seven corporate parenting principles when exercising their functions in relation to looked-after children and care leavers. This is in recognition that children in care and care leavers do not have the family support networks that other children and young people benefit from. The government has said that while local authorities currently have responsibility for supporting looked-after children and care leavers, “they do not have all the levers needed to ensure good outcomes” for these children.⁴⁶ The bill would therefore extend corporate parenting responsibilities to a wider set of public sector organisations. Proposals to extend corporate parenting responsibilities were contained in the government’s November 2024 policy paper [‘Keeping children safe, helping families thrive: Breaking down barriers to opportunity’](#). The former Conservative government also previously announced plans to legislate in this area.⁴⁷

Clause 21 sets out the new corporate parenting responsibilities and defines the children and young people who would be in scope of the new duties. Schedule 1 provides a list of corporate parents (known as relevant authorities). Clause 22 outlines when corporate parenting responsibilities would not apply. The responsibilities would not apply to any function of the secretary of state in relation to immigration, asylum, nationality or customs. In addition, it would not apply where a corporate parent is exercising devolved functions in or as regards Scotland, Wales or Northern Ireland.

Clause 23 would require corporate parents and local authorities in England to collaborate

⁴⁵ As above.

⁴⁶ As above, p 12.

⁴⁷ For more detail see House of Commons Library, [‘Support for care leavers’](#), 11 November 2024.



with each other. Clause 24 would require relevant authorities to have regard to guidance from the secretary of state about the performance of the corporate parenting duty. It includes details of what the guidance could include. It would also require the secretary of state to consult relevant authorities and others before giving guidance. Clause 24 would require the secretary of state to lay a report before Parliament every three years outlining how they have performed their corporate parenting responsibilities.

Clauses 21 to 25 extend to England, Wales, Scotland and Northern Ireland.

2.1.8 Employment of children (clause 26)

Clause 26 would insert a new section into the Children and Young Persons Act 1933 to apply to children (any person not over compulsory school age) working in England. The clause would replace current restrictions on days and times when a child can work with new restrictions. However, it would not amend the overall limits on the amount of time a child can be employed.

Changes include allowing children to work until 8pm (rather than the current 7pm) on any evening, allowing children to work for up to an hour before school and removing the two-hour limit on work on Sundays. The government says the changes will give children and employers “more flexibility and will ensure that children have more opportunities to take up suitable employment”.⁴⁸ The clause would also give the secretary of state power to make regulations about child employment; this would replace the power local authorities currently have to make bylaws. The clause would not impact the employment rules for children taking part in paid performances, such as actors, which are governed by different legislation.

2.2 Part 2: Schools

Part 2 of the bill, clauses 27 to 62, relates to schools. It includes provisions about:

- breakfast clubs and food and drink provided at academies (clauses 27 to 28)
- school uniforms (clause 29)
- children not in school (clauses 30 to 35)

⁴⁸ [Explanatory notes](#), p 12.



- independent education institutions (clauses 36 to 43)
- inspection of schools and colleges (clause 44)
- teacher misconduct (clause 45)
- school teachers' qualifications and induction (clause 46)
- academies (clauses 47 to 50)
- teachers' pay and conditions (clauses 51 to 52)
- school places and admissions (clauses 53 to 56)
- establishment of new schools (clauses 57 to 62)

Many of the provisions in the bill reflect commitments made in the 2024 Labour Party manifesto.⁴⁹ These include requirements for teachers to have or to be working towards qualified teacher status, funding free breakfast clubs in every state primary school and limiting the number of branded items of uniform a school can require.

In addition, in July 2024 the Labour government launched a review of the national curriculum and assessment, as promised in its manifesto.⁵⁰ The review published interim findings on 18 March 2025; a final report and recommendations are due to be published in autumn 2025.⁵¹

2.2.1 Breakfast clubs and food and drink provided at academies (clauses 27 to 28)

The 2024 Labour Party manifesto included a pledge to introduce free breakfast clubs in every primary school, accessible to all children, which Labour said would “support parents through the cost-of-living crisis”.⁵² These will be piloted in up to 750 primary schools in England from April 2025.⁵³ The government has argued that breakfast clubs give children “a great start to the school day” and help “break down barriers to opportunity”.⁵⁴

⁴⁹ Labour Party, [‘Labour Party manifesto 2024’](#), June 2024.

⁵⁰ Department for Education, [‘Government launches curriculum and assessment review’](#), 19 July 2024.

⁵¹ Department for Education, [‘Curriculum and assessment review publishes interim findings’](#), 18 March 2025.

⁵² Labour Party, [‘Labour Party manifesto 2024’](#), June 2024, p 84.

⁵³ Labour Party, [‘Rachel Reeves speech at Labour Party conference 2024’](#), 23 September 2024.

⁵⁴ Department for Education, [‘Children’s Wellbeing and Schools Bill: Policy summary notes’](#), January 2025, p 69.



There is no current statutory requirement for schools to provide breakfast clubs, although many do. The national school breakfast club programme, run by the charity Family Action, provides government support to certain eligible schools.⁵⁵ These include state-funded primary, secondary and special schools and alternative provision. To be eligible, schools in disadvantaged areas must have 40% or more pupils in bands A to F of the income deprivation affecting children index (IDACI).⁵⁶ All participating schools receive a 75% subsidy for the food and delivery costs of breakfast club provision until the end of July 2025. Schools contribute 25% of costs and all pupils in participating schools should be offered breakfast supplies at no cost to them or their parents.⁵⁷ Currently the programme supports up to 2,700 schools.⁵⁸

The government has said that the current system is “fragmented, with some children being able to access paid-for childcare before school and others not able to benefit”.⁵⁹ It argues that the provisions in the bill would ensure consistency and availability across England, increase accessibility and ensure longevity of provision and future certainty for schools.⁶⁰ Clause 27 of the bill amends the Education Act 1996 to require the appropriate authority of state schools to secure breakfast club provision, free of charge, for all primary school pupils in reception to year 6 at the school.⁶¹ The bill defines breakfast club provision as the provision of a minimum of 30 minutes’ childcare immediately before the start of the school day and the provision of breakfast in line with school food standards.

The clause would specify the requirements of the provision, such as a breakfast club’s duration and location, and would define the schools to which it applies. This would be state-funded primary schools (reception to year 6) and would include maintained schools, academies, non-maintained special schools, alternative provision academies and pupil referral units.⁶² The clause would also provide the secretary of state with the power to exempt schools from the duty to provide free breakfast clubs and outlines the process for this to occur. The clause would also require the secretary of state to issue guidance about discharging the duty to provide free breakfast clubs and any exemptions.

⁵⁵ Family Action, ‘[National school breakfast programme](#)’, accessed 26 February 2025.

⁵⁶ Department for Education, ‘[National school breakfast club programme](#)’, 28 March 2025

⁵⁷ As above.

⁵⁸ House of Commons, ‘[Written question: Breakfast clubs: Disadvantaged \(5982\)](#)’, 23 October 2024.

⁵⁹ Department for Education, ‘[Children’s Wellbeing and Schools Bill: Policy summary notes](#)’, January 2025, p 69.

⁶⁰ As above.

⁶¹ An appropriate authority is defined as a proprietor of an academy or non-maintained special school, a governing body for a maintained school and the local authority for a pupil referral unit.

⁶² Department for Education, ‘[Children’s Wellbeing and Schools Bill: Policy summary notes](#)’, January 2025, p 70.



The commencement of the duty to provide free breakfast clubs will be decided “by ministers in due course”.⁶³ The government has stated that it will use the breakfast club pilot to “test and learn how to implement this new duty” and help develop statutory guidance.⁶⁴ Statutory guidance will be published prior to the commencement of the duty to provide free breakfast clubs, with national rollout informed by spending review decisions.⁶⁵

School food standards are detailed in the [Requirements for School Food Regulations 2014](#). Clause 28 would extend the statutory duty to comply with the school food standards to breakfast and lunch provision for all academies. The government argues this provision would mirror the regulatory framework for maintained schools, stating “it is a long-standing policy position that all academies should follow the regulations in full and this amendment seeks to formalise this position”.⁶⁶ Provisions in clause 28 would come into force two months after the act was passed.

2.2.2 School uniforms (clause 29)

In England, school uniforms are not mandatory, although their use is encouraged by the Department for Education.⁶⁷ The department has published general guidance on the use of uniforms, which includes provisions about the need to ensure uniforms are not too expensive. The department also published statutory guidance on the cost of school uniforms in November 2021, which includes requirements to keep the use of branded items to a minimum.

The government has argued that school uniform costs are a matter of public concern, with concerns about costs usually focused on “excessive use of branded items” which are often more expensive than generic items.⁶⁸ The Labour Party manifesto included a pledge to “bring down the cost of school” by limiting the number of branded items of uniform and PE kit that schools can require.⁶⁹

Clause 29 would amend the Education Act 1996 to create a limit on the number of branded

⁶³ As above, p 71.

⁶⁴ As above.

⁶⁵ As above.

⁶⁶ [Explanatory notes](#), p 18.

⁶⁷ For more detailed analysis see House of Commons Library, '[School uniform costs in England](#)', 9 January 2025.

⁶⁸ [Explanatory notes](#), p 19.

⁶⁹ Labour Party, '[Labour Party manifesto 2024](#)', June 2024, p 84.



uniform items that a school can require pupils to have over the course of a school year. The limits would be no more than three branded items for primary and secondary school pupils for use during a school year (or four branded items for secondary school pupils if one item is a tie). An item of school uniform would be considered required for “use during a school year” if a pupil was required to have it for general use at school, travelling to or from school, or to participate in any lesson, club, activity or event facilitated by the school during that year. Items required for PE and sport whether compulsory or optional would therefore be included. The limit covers the total uniform that parents would be required to buy over the school year, including items that may only be worn for part of the year (for example, summer dresses). The clause includes a definition of a branded item and defines which schools would be covered by the clause; these include academies, maintained schools, non-maintained special schools and pupil referral units, and city technology colleges or city colleges for the technology of the arts, unless established in a hospital.⁷⁰

2.2.3 Children not in school (clauses 30 to 35 and schedule 2)

While education is compulsory, schooling is not and parents have the right to choose how to educate their children, including at home. Home education is covered by section 7 of the Education Act 1996 as “education otherwise than at school”. There is currently no legal obligation for a parent to inform a local authority that their child is being home-educated, although some authorities do run voluntary schemes.

Clauses 30 to 35 include provisions to create compulsory registers of children not in school in each local authority, introduce changes to the school attendance order (SAO) process, require a parent to obtain local authority consent to home educate in some circumstances (such as where a child is on a child protection plan), and give a local authority power to review home education of a child (in certain circumstances) and require them to be registered at school. The clauses would apply in England and Wales and engage the legislative consent motion process.

The government argues that the number of home-educated children is increasing and that some children may be receiving an unsuitable education or may be in an unsafe home environment.⁷¹ Measures in the bill would, it says, “ensure that fewer children slip under the radar and more are afforded the best start in life”.⁷²

⁷⁰ [Explanatory notes](#), p 52.

⁷¹ As above, pp 19–20.

⁷² As above, p 22.



The Conservative government under Theresa May consulted on proposals to establish a local authority registration system for children who do not attend state-funded or registered independent schools. Boris Johnson's government subsequently said it would introduce legislation to take forward the plans. However, no such legislation was enacted in the previous parliament. The 2022 Schools Bill included provisions to introduce a register but in December 2022 the government announced it would not proceed with the bill.⁷³

No further government bills containing these measures were brought forward in the 2019–2024 parliament. However, in the 2023–24 session, the then government produced the explanatory notes for Flick Drummond's (then Conservative MP for Meon Valley) [Children Not in School \(Registers, Support and Orders\) Bill](#). This private member's bill would have introduced a duty on local authorities in England to maintain registers of children of compulsory school age who were not educated full-time in schools. The bill received its second reading without debate on 15 March 2024, but did not progress any further.⁷⁴

Clause 30 of the bill would require parents to get the permission of the local authority to educate their children “otherwise than at school” in certain circumstances. It would amend the Education Act 1996 and apply to children of compulsory school age who are in the below categories:⁷⁵

- at a special school maintained by a local authority, special academy or non-maintained special school, or at an independent school which is specially organised to make special educational provision for pupils with SEND
- the subject of an enquiry by the local authority under section 47 of the Children Act 1989
- on child protection plans

The clause would require the local authority to process the application quickly and includes the reasons a local authority could refuse consent. The clause would provide a mechanism for parents to appeal a local authority's decision. Local authorities would not need to consider another application for the same child until six months from the previous application.

⁷³ See House of Lords Library, '[King's speech 2023: Education](#)', 1 November 2023.

⁷⁴ For more detailed background and previous proposals for change see House of Lords Library, '[Home School Education Registration and Support Bill \[HL\]: HL Bill 22 of 2024–25](#)', 4 November 2024.

⁷⁵ [Explanatory notes](#), p 21.



Clause 31 would amend the Education Act 1996 to place a duty on local authorities to register children not in school. It would also provide for the contents, maintenance and use of those registers. The clause would place a duty on parents to provide the required information to local authorities. Information required would include details of the amount of time spent on education and whether it was supervised by a parent. In addition, the clauses would provide the local authority with a power to require information from those it believes to be providing out-of-school education for more than a prescribed amount of time to eligible children. It also includes provisions on monetary penalties for those not providing required information for the registers. The clause includes provisions regarding the sharing of this information by local authorities to certain persons if necessary to safeguard the education or welfare of the child. Local authorities in England or Wales would be able to share information from registers with other local authorities in England and Wales, and those in Scotland and Northern Ireland.

Currently, local authorities have the power to issue school attendance orders (SAO) where a child appears not to be receiving a suitable education, either “otherwise than at school” or at school. The order requires a child’s parents to register the child at a named school and failure to comply with an SAO can be prosecuted. Clause 32 sets out the requirements for local authorities in England to issue an SAO where they are not satisfied the requirements about a register of children not in school are being met. The clause includes provisions regarding how the SAO process would work.

Clause 33 provides details of how data protection laws would apply to the processing of information related to local authority consent for withdrawal of certain children from school, children not in school registers, SAOs and monetary penalties.

Clause 34 would require that local authorities in England have regard to statutory guidance issued by the secretary of state on the register of children not in school and SAOs created by this bill. Local authorities in Wales must have regard to guidance given by the Welsh ministers.

Clause 35 and schedule 2 would make consequential amendments relating to clause 32 on SAOs.

2.2.4 Independent educational institutions (clauses 36 to 38)

The bill includes several clauses which relate to the regulation of independent educational



institutions which are providing a full-time education to children of compulsory school age. The government has said the changes would ensure more of these institutions were registered and subject to regular inspection, with children attending them able to “receive a safe and broad education”.⁷⁶

Independent schools in England are currently required to register and to adhere to the independent school standards. Independent school is defined in the Education Act 1996. The definition includes reference to a school providing “full-time education” to certain children. A definition of independent educational institutions, which includes schools and those that provide part-time education, is in the Education and Skills Act 2008.

Clause 36 would amend the Education and Skills Act 2008 to expand the definition of independent educational institutions in England and therefore the scope of settings regulated by it. The clause includes a non-exhaustive list of factors to take into account in determining what constitutes “full-time education”. The clause would also provide a power for the secretary of state to make regulations which may include an amount of time which is to be treated as “full-time education”.

Clause 37 would make provision for the standards for registered independent educational institutions that the secretary of state can prescribe in regulations; this includes the power for the secretary of state to make provision about the suitability of proprietors of independent educational institutions. Independent educational institutions which do not meet the standards may face regulatory action, up to and including de-registration. The clause details the regulatory and appeals process.

Clause 38 would amend section 96 of the Education and Skills Act 2008 to include provisions about prevention orders. Prevention orders could be imposed where a person is convicted of running an unregistered independent educational institution and where a court thinks it is appropriate to do so to protect children from the risk of harm. The clause would create an offence of breaching a prevention order and includes details about issues such as the duration of a prevention order.

Clause 39 would amend the regime that requires prior approval by the secretary of state for “material changes” to be made in independent educational institutions. The clause would expand the categories of actions that constitute “material changes”. The clause would give

⁷⁶ As above, p 22.



the secretary of state the power to make regulations detailing what information applications for a material change must contain and would also allow them to order an inspection regarding material changes. Clause 40 would give the secretary of state the power to remove an institution from the register where the proprietor agrees to this, or requests it, in writing.

Clause 41 would amend the secretary of state's existing powers in situations where material changes were made to an independent educational institution without their consent. The additional power added would allow the secretary of state to impose a relevant restriction on the proprietor where there is an unapproved material change. Relevant restrictions which could apply are defined in the Education and Skills Act 2008 and would include the power to cease to use any part of the institution's premises for all purposes or specified purposes, to close any part of the institution's operation, or to cease to admit any new students or new students of specified descriptions. It would be a summary criminal offence for a proprietor to breach a relevant restriction imposed for this reason, punishable by an unlimited fine and/or a term of up to six months' imprisonment.

Clause 42 relates to the powers of Ofsted to carry out inspections of independent educational institutions. It would introduce what the government describes as "a broader and stronger investigation regime". The clause would confer powers of entry and investigation on the chief inspector in situations where there was "reasonable cause" to believe a "relevant offence" (such as operating an unregistered or suspended school) was being carried out. The clause defines "reasonable cause" and "relevant offence". It would specify how powers and investigations should be exercised and would create an offence of failure to produce a required document or refusing to be interviewed for the purposes of these investigations.

Clause 43 would amend the Education and Skills Act 2008 to give the secretary of state power to make regulations to apply any enactments made before or during the current session of parliament which apply to independent schools to also apply to independent educational institutions. Regulations made under this new power would be subject to the affirmative resolution procedure.

2.2.5 Inspections of schools and colleges (clause 44)

Section 106 of the Education and Skills Act 2008 provides the education secretary with the power to approve independent inspectorates to carry out inspections of registered independent educational institutions. At present the Independent Schools Inspectorate (ISI) is the only body registered to carry out inspections of registered independent schools; it is



responsible for the inspection of schools which are members of the associations that make up the Independent Schools Council. In addition, Ofsted inspects independent schools that are not members of associations. These are known as non-association independent schools. Finally, the secretary of state can also appoint inspectors of boarding provision in schools and colleges, as set out in section 87A of the Children Act 1989.

Ofsted is responsible for monitoring the work of the independent inspectorates on behalf of the secretary of state and currently reports at least annually on the inspectorates' work.

Clause 44 of the bill seeks to change the relationship between Ofsted and the ISI (or any other independent inspectorate approved under section 106 of the 2008 act, if there were one). It would replace the requirement for Ofsted to report annually with a duty to report on independent inspectorates (individually or generally) when required by the secretary of state. The clause would also make similar changes to provisions in the Children Act 1989 relating to inspectors of boarding provision in colleges and schools.

The clause would also enable the chief inspector to provide information to independent inspectors to facilitate their work and to individual inspectorates to enable or facilitate their inspections. The government has argued that the measures “will facilitate joint working between independent inspectorates and Ofsted, leading to improved safeguarding for children”.⁷⁷ The clause would come into force two months after the bill was passed.

2.2.6 Teacher misconduct (clause 40)

The Education Act 2002 requires the education secretary to regulate teachers' conduct and hold a list of teachers who have been prohibited from teaching.⁷⁸ The act provides them with the power to investigate an alleged case of misconduct by a teacher, and to prohibit the teacher from being able to undertake teaching work if the misconduct is proved. The Teaching Regulation Agency (TRA) operates this power on behalf of the secretary of state.⁷⁹

Clause 45 would amend the Education Act 2002 to expand the scope of the current teacher regulation regime in England. It would allow the secretary of state to take disciplinary action

⁷⁷ [Explanatory notes](#), p 26.

⁷⁸ For more detailed analysis see House of Commons Library, '[Safeguarding in English schools](#)', 5 December 2024.

⁷⁹ Teaching Regulation Agency, '[Teacher misconduct: Regulating the teaching profession](#)', 21 November 2024.



against any teacher regardless of whether they were employed as a teacher at the time of the misconduct or the referral to the TRA. The clause would extend the scope of the teacher misconduct regime to prevent a prohibited teacher from teaching young people under the age of 19 in a number of education settings. These are listed in subsection 2 of the clause and include further education institutions, independent educational institutions and online education providers.

The clause would remove the requirement for a referral of an alleged case of teacher misconduct to come from a person or organisation that is external to the Department for Education in order for it to be investigated. The government has argued that this would enable the secretary of state to investigate a misconduct case “regardless of how it comes to their attention”.⁸⁰

The previous Conservative government held a consultation on proposals to expand the scope of the teacher regulation regime in 2022,⁸¹ and the subsequent Schools Bill included measures in this area.⁸² The provisions in the Children’s Wellbeing and Schools Bill are similar to those proposed in the Schools Bill.

2.2.7 Academies (clauses 46 to 50)

Academies are state schools that are not controlled by the local authority (LA). Schools that are controlled and funded by LAs are called maintained schools.⁸³ Academies receive funding directly from the government and are run by an academy trust. Academies were first introduced under the 1997–2010 Labour government. The 2010–15 Conservative-Liberal Democrat coalition government expanded the academies and free schools policy. From 2015 onwards, consecutive Conservative policies continued to support the growth of academies.

In the 2023/24 academic year, 43.5% of all schools were academies; 42.7% of primary schools and 81.9% of secondary schools were academies, in addition to 46.8% of special schools (excluding non-maintained special schools).⁸⁴

⁸⁰ [Explanatory notes](#), p 77.

⁸¹ Department for Education, ‘[Consultation document on regulating the teaching profession](#)’, 1 February 2022.

⁸² The government announced in December 2022 that the Schools Bill would not proceed, the measures were therefore not enacted.

⁸³ For more detailed analysis see House of Lords Library, ‘[Academy schools: Government plans for change](#)’, 20 January 2025.

⁸⁴ Department for Education, ‘[Schools, pupils and their characteristics: Academic year 2023/24](#)’, 6 June 2024.



There are three types of academy schools:

- **Converters:** These are formerly LA maintained schools that have chosen to become academies.
- **Sponsored:** These are previously underperforming LA maintained schools that are in need of support and/or have been judged ‘inadequate’ by Ofsted and have been required by law to become academies.
- **Free schools:** These are new schools established to meet a need for good school places in an area.

Academies currently have more control than LA maintained schools over some aspects of delivering education. For example, they do not have to follow the national curriculum and can set their own pay and conditions. However, academies must follow the same rules on admissions, special educational needs and exclusions as other state schools, and their students sit the same exams.

The bill includes several measures which would affect the amount of control that academies are able to exercise. For example, several provisions would apply the same rules to academies that currently apply to LA maintained schools. The government has argued that changes to academies will help drive “high and rising standards” in every school, give children and parents certainty in “a national core of high-quality education” and ensure all children have access to a good school.⁸⁵

Clause 46 would amend section 133 of the Education Act 2002 to extend to academies the requirement for new teachers to either have or be working towards QTS. This requirement is currently applicable to LA maintained schools and non-maintained special schools in England and is subject to certain exceptions. If the bill is enacted, the QTS requirement would come into force on 1 September 2026. The academies in scope would be defined by regulations.⁸⁶ Additionally, the bill would allow the secretary of state through regulations to extend to academies existing statutory induction conditions, including which teachers would be in scope, how inductions were conducted and who was responsible. The government said these measures would standardise the approach taken on new teacher qualifications and inductions across state-funded schools.

⁸⁵ [Explanatory notes](#), p 27.

⁸⁶ Department for Education, [‘Children’s Wellbeing and Schools Bill: Policy summary notes’](#), March 2025, p 122.



Clause 47 would amend the Academies Act 2010 to introduce a requirement for academies to teach the national curriculum in the same way as other state-funded schools.⁸⁷ The government has said the bill's measure would create a "common entitlement" for all children in state-funded schools and give parents assurance of the minimum curriculum their child would be taught. It has also argued that making academies teach the national curriculum would "empower" and not restrict schools and ensure teachers have the flexibility to "innovate and adapt" to their pupils' needs.⁸⁸ If the bill becomes law, this provision is not expected to be implemented immediately. The government said this measure would be commenced after its 'curriculum and assessment review' had concluded and a revised national curriculum introduced.⁸⁹ The review's final report is expected to be published in autumn 2025.⁹⁰ However, the government has said that it will take several years after the final report's publication for the review's recommendations to be implemented.

Clause 48 would extend education provision for improving behaviour to academies. The government has said the clause would "regularise the legal framework [...] so all schools are subject to the same statutory requirements".⁹¹ Currently, LA maintained schools have the power to temporarily direct pupils off-site for the purpose of receiving educational provision which is intended to improve their behaviour.⁹² This power is set out in section 29A of the Education Act 2002. Whilst the existing legislation does not apply to academies, they are able to arrange off-site placements for similar purposes using their general powers. If enacted, academies would need to adhere to the same requirements as maintained schools such as establishing objectives for the placement and notifying local authorities in specified cases.⁹³ The government said this provision was not intended to change existing practices but to regularise the legal framework.⁹⁴

Clause 49 would introduce compliance directions for academy trusts. Currently, failure of an academy trust to comply with its legal duties is considered a breach of its funding agreement.⁹⁵ In these circumstances, the Department for Education has the power to intervene by issuing a termination warning notice followed by a termination notice if a trust fails to address the concerns. The effect of a termination notice means the removal of

⁸⁷ For further information about current national curriculum requirements and current use of academy national curriculum freedoms see House of Commons Library, '[Children's Wellbeing and Schools Bill 2024–25](#)', 3 January 2025, pp 122–4.

⁸⁸ Department for Education, '[Children's Wellbeing and Schools Bill: Policy summary notes](#)', March 2025, p 127.

⁸⁹ Department for Education, '[Curriculum and assessment review](#)', accessed 11 March 2025.

⁹⁰ Department for Education, '[Children's Wellbeing and Schools Bill: Policy summary notes](#)', March 2025, p 127.

⁹¹ [Explanatory notes](#), p 27.

⁹² Department for Education, '[Children's Wellbeing and Schools Bill: Policy summary notes](#)', March 2025, p 128.

⁹³ As above, p 129.

⁹⁴ As above, pp 128–9.

⁹⁵ As above, p 131.



schools from their existing academy trust and transferral to another trust. In some cases, this could cause trusts to close, which the government said can be disruptive for pupils and parents. To date, this is the only intervention method available to the government to ensure academy trusts comply with their legal duties. Proposals for greater intervention in academies were amongst provisions included in the Conservative government's Schools Bill, introduced in the 2022–23 session, but these were controversial. On 30 June 2022, the government announced that 18 clauses dealing with the regulation of academies and trusts would be removed. Subsequently, when giving evidence to the House of Commons Education Committee on 7 December 2022, the then education secretary, Gillian Keegan, confirmed that the bill as a whole would not progress.⁹⁶

The current Labour government has said it wants to increase the intervention options available.⁹⁷ It noted that academy trusts' wide range of legal duties and powers meant that "commencing the process leading to the eventual termination [was] not always an appropriate, effective or [...] proportionate course of action". To address this, the bill would introduce a new mechanism called a 'compliance direction'.⁹⁸ This would allow the government to intervene if a trust breached its legal obligations or acted unreasonably. The direction would specify what actions the trust must take to remedy the failure. Any failure by the trust to take further action could result in it receiving a termination warning notice or formal legal action to ensure compliance. The government said these new compliance powers would provide a proportionate way of ensuring trusts met their legal obligations whilst also protecting the interests of students, parents and carers.⁹⁹

Clause 50 would remove the existing duty of the education secretary to make an academy order (beginning the process of converting a maintained school to an academy) if a maintained school is in special measures or has serious weaknesses. The government has said the "forced academisation" by academy order is not always effective and can be "highly disruptive for pupils, staff and parents".¹⁰⁰ To address these concerns, it wants to make this duty discretionary and has introduced a provision to this effect in the bill. Rather than defaulting to an academy order, the government said the provision would allow LA maintained schools to benefit from different approaches that suited their circumstances. For example, the secretary of state could support school improvement through other means such as the deployment of "regional improvement for standards and excellence (RISE) teams".¹⁰¹

⁹⁶ For more information see House of Lords Library, '[King's Speech 2023: Education](#)', 1 November 2023.

⁹⁷ Department for Education, '[Children's Wellbeing and Schools Bill: Policy summary notes](#)', March 2025, p 132.

⁹⁸ As above, p 132.

⁹⁹ As above, p 133.

¹⁰⁰ As above, p 135.

¹⁰¹ As above, p 135.



2.2.8 Teachers' pay and conditions (clauses 51 to 52 and schedule 3)

Clause 51 would introduce schedule 3, which would amend the statutory school teachers' pay and conditions framework set out in Part 8 of the Education Act 2002. Currently, this framework only applies to LA maintained schools in England.¹⁰² Clause 51 would create a power for the education secretary to require teachers in academy schools and alternative provision academies to be paid at least specified minimum rates of remuneration.¹⁰³ This would not apply to teachers in 16 to 19 academies. The clause would also require academies to have regard to the statutory school teachers' pay and conditions document and guidance.

During committee stage the minister for schools standards, Catherine McKinnell, argued that the clause created “a floor with no ceiling on teachers' pay”.¹⁰⁴ She also committed to consulting on changes to the school teachers' pay and conditions document “to remove the ceiling and allow all schools to innovate and attract the top teaching talent that they need”.

Clause 52 would repeal a redundant power for maintained schools in education action zones (EAZs) to apply to determine their own teacher pay and conditions. EAZs were discontinued in 2006.

2.2.9 School places and admissions (clauses 53 to 56)

Clause 53 would insert a new section 85ZA into the School Standards and Framework Act 1998 to require co-operation between maintained school governing bodies, academy trusts, and local authorities when discharging their admissions functions. Currently, local authorities in England have statutory duties to ensure there are sufficient school places, and primary and secondary schools for all children of compulsory school age who require one. While local authorities have responsibilities for co-ordinating admissions processes for many common points of school entry, they are not responsible for setting admissions criteria for all schools. Many schools, such as academies, voluntary aided and foundation schools are “own admission authority” schools and set their own criteria. The government has said that the clause seeks “to foster greater co-operation” regarding admissions and place planning and

¹⁰² Department for Education, '[School teachers' pay and conditions](#)', updated 21 October 2024.

¹⁰³ Alternative provision academies are schools that provide education for children who cannot go to mainstream school.

¹⁰⁴ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill](#)', 4 February 2025, session 2024–25, 10th sitting, cols 403–4.



provide a mechanism for the secretary of state to intervene to address serious failures to co-operate.¹⁰⁵

At present a school admission authority can refuse to admit a child in some circumstances. While local authorities can require voluntary aided and foundation schools to admit pupils, this does not extend to academies. Voluntary aided and foundation schools can appeal local authority directions to the schools adjudicator. In the case of academies, a local authority can request that the education secretary makes a direction; the education secretary can ask the schools adjudicator for advice. An academy cannot appeal the decision about a subsequent decision by the education secretary about a direction.

Clause 54 would extend local authorities' powers to direct a pupil's admission to an academy. The government has argued the measure would "give local authorities stronger levers to fulfil their statutory duties" and also enable academies to appeal to the schools adjudicator where they do not agree with the local authority's decision.¹⁰⁶ Clause 55 would introduce specific powers of direction for previously looked-after and hard-to-place children.

Currently, school admissions authorities will determine admissions criteria annually, including a published admissions number (PAN). While there are statutory rights to object to the schools adjudicator about these determined admissions arrangements, local authorities cannot object to an academy, voluntary aided or foundation school decision to keep the same PAN as last year or increase its PAN. Local authorities can, however, object where a PAN has been reduced. If the objection is upheld by the adjudicator, it is for the admissions authority to implement the adjudicator's decision. The decision is binding and enforceable.

Clause 56 would give the schools adjudicator powers to set the PAN for a school where they uphold an objection from a local authority to a PAN set by an admission authority. The government says this would ensure the schools adjudicator can set the PAN at a level which best meets the needs of the local community.¹⁰⁷

The clause would provide for regulations to set out the factors the adjudicator would have to consider before setting a PAN. The government says it would also extend the types of objection possible to where a school intends to keep the same PAN as the previous year or

¹⁰⁵ [Explanatory notes](#), p 29.

¹⁰⁶ As above.

¹⁰⁷ As above, p 85.



increase it.¹⁰⁸ The new clause would therefore apply to all of these types of objection to a PAN.¹⁰⁹

2.2.10 Establishment of new schools (clauses 57 to 62 and schedule 4)

Where a new school is required in an area, the existing law requires local authorities to invite academy proposals only.¹¹⁰ Additionally, local authorities are only permitted to propose new schools in limited circumstances. Clause 57 would remove this existing legal presumption that new schools should be academies. Instead, it would allow local authorities to invite proposals for other types of school, in addition to proposals for academies. They would also be given the discretion to put forward their own proposals, alongside others. The government said this measure “better aligns local authorities’ responsibility for securing sufficient school places with their ability to open new schools”.¹¹¹

Clause 58 would change the current process for establishing a new school or replacing a maintained school or pupil referral unit (PRU). The clause would amend the Education and Inspections Act 2006 to mean a local authority could publish its own proposals for new or replacement schools directly and would not need the education secretary’s consent to publish these proposals. Clause 59 would require that new PRUs must only be established via the provisions in the amended Education and Inspections Act 2006.

Clause 60 would insert schedule 4 into the bill. Schedule 4 would amend schedule 2 to the Education and Inspections Act 2006 which sets out the process for considering, approving or implementing proposals for opening new or replacement schools. It would require equal treatment of academy and non-academy proposals and would clarify who was responsible for making decisions on new school proposals in different circumstances.

Clause 61 would make provisions regarding data protection in relation to the establishment, discontinuance or alteration of schools. The clause would amend the Education and Inspections Act 2006 to ensure that personal data used in these circumstances was processed in a way which was compliant with data protection legislation.

¹⁰⁸ As above, p 30.

¹⁰⁹ As above, p 85.

¹¹⁰ Department for Education, [‘Children’s Wellbeing and Schools Bill: Policy summary notes’](#), March 2025, p 153.

¹¹¹ As above, p 155.



Clause 62 is a transitional provision applying to situations where a local authority has sought proposals, or a proposer has published proposals, which are awaiting decision under the existing provisions in the 2006 act at the time the new law comes into effect. In these circumstances, the old legislative provisions and processes would continue to apply. The clause provides that in cases where there had been a consultation relating to those new school proposals under the previous legislation, a fresh consultation would not be required.

2.3 Part 3: General provisions

Part 3 of the bill includes five clauses which would make provisions on consequential amendments, the making of regulations, extent of the legislation, commencement and short title.

Clause 63 would allow the secretary of state to make consequential provision relating to measures in this bill through regulations, including in other acts passed during this parliamentary session. Regulations would follow the negative procedure unless primary legislation was being amended, in which case the affirmative procedure would apply.¹¹²

Clause 64 would make financial provision for the bill's measures. Clause 65 details the territorial extent of the bill. The majority of the bill's measures would extend to England and Wales and apply to England. Provisions for a register of children not in school would apply to both England and Wales. Corporate parenting provisions would extend to the whole of the UK. Clause 11, which deals with deprivation of liberty orders, makes consequential amendments to Scottish legislation and would therefore extend to Scotland; it also applies to England and Wales. Annex A of the [explanatory notes](#) outlines the territorial extent of the bill.

Clause 66 outlines when different clauses of the bill would come into force. The majority of clauses would come into force when the secretary of state makes regulations. However, some clauses would come into force two months after the act was passed; these include:

- measures on information for children in kinship care and their carers (clause 5)

¹¹² For details about negative and affirmative procedures see: UK Parliament, '[Statutory instruments procedure in the House of Lords](#)', accessed 12 March 2025.



- extending ill-treatment or wilful neglect offences to children aged 16 or 17 in regulated establishments in England (clause 20)
- provisions on food and drinks provided by academies (clause 28)
- measures concerning the inspection of independent inspectorates by Ofsted (clause 44)
- a number of clauses concerning academies, notably on the behaviour of pupils, giving the secretary of state powers to intervene in academies, repealing the duty to make automatic academy orders and extending the statutory framework for teacher pay and conditions at maintained schools to academies (clauses 48 to 51)
- duties to co-operate on school admissions (clause 53)

Provisions on the register of children not in schools would come into force in Wales on the day appointed by regulations by a Welsh minister.

Clause 67 details the short title of the bill.

3. Responses to the bill

A number of organisations in both the children’s social care and education sectors have reacted to the Children’s Wellbeing and Schools Bill since its introduction in the House of Commons. The below section provides an overview of some commentary. For a more detailed analysis of initial responses to different aspects of the bill, see the House of Commons Library’s briefing [‘Children’s Wellbeing and Schools Bill’](#) (3 January 2025).

3.1 Part I: Children’s social care

In evidence to the public bill committee, the children’s commissioner for England, Rachel de Souza, welcomed many measures in part I of the bill, such as the introduction of a unique identifying number for children and changes to the process of depriving children of their liberty.¹¹³ However, she highlighted what she saw as weaknesses in the bill and called for the removal of “reasonable punishment” defence for corporal punishment of children and for the

¹¹³ Children’s Commissioner, [‘Children’s Wellbeing and Schools Bill: Children’s Commissioner’s written evidence’](#), January 2025.



government to make schools the fourth statutory safeguarding partner. The commissioner also urged the government to produce a child-friendly version of the bill.

Calls to make education a statutory safeguarding partner were echoed by the Local Government Association (LGA). The LGA welcomed measures in the bill such as FGDM meetings, the introduction of a single unique identifier for children and greater regulation of children's homes.¹¹⁴ In addition, it called for greater clarity about the circumstances in which councils might be directed to form or terminate multi-agency partnerships.

On a similar note, the British Association of Social Workers (BASW) called for a comprehensive evaluation of multi-agency safeguarding arrangements before they were implemented and for more guidance on the different roles proposed by agencies in safeguarding reform.¹¹⁵ It also urged the government to provide stronger, longer-term support for care leavers and kinship carers.

The children's charity Barnardo's welcomed measures in the bill which it said would help more care leavers find safe and affordable accommodation and more children to stay living safely with their immediate or extended families.¹¹⁶ However, the charity suggested several changes to the bill including proposals to make schools a statutory safeguarding partner and amending the bill to ban smacking by removing the 'reasonable chastisement' defence for physically assaulting a child.

3.2 Part 2: Schools

The Sutton Trust, which describes itself as the UK's leading social mobility charity, said the bill had "the potential to be a bold step forward" in breaking down barriers to opportunity".¹¹⁷ It welcomed provisions on breakfast clubs and provisions giving local authorities a greater role in school admissions, which it said could be "transformational in making access to high performing schools fair for children from all backgrounds".

The children's commissioner for England strongly supported measures in the bill to

¹¹⁴ Local Government Association, '[Children's Wellbeing and Schools Bill: Second reading, House of Commons, 8 January 2025](#)', 7 January 2025.

¹¹⁵ British Association of Social Workers, '[Briefing for MPs: Second reading of the Children's Wellbeing and Schools Bill](#)', 3 January 2025.

¹¹⁶ Barnardo's, '[Children's Wellbeing and Schools Bill: Second reading](#)', 8 January 2025.

¹¹⁷ Sutton Trust, '[Sutton Trust statement on the Children's Wellbeing and Schools Bill](#)', 17 December 2024.



introduce a register of children not in school, something she “had long called for”.¹¹⁸ However, she also called for greater support for parents educating their children at home. The Local Government Association also supported the bill’s provisions concerning elective home education but “would like to see these go further”.¹¹⁹ It requested additional powers for councils and resources to “speak to children directly and check that they are safe and being taught a suitable education”.

Education Otherwise describes itself as the foremost charity across England and Wales that promotes and supports the right of a parent or guardian to home educate their child should they wish to do so.¹²⁰ It criticised the bill for “conflating home education with safeguarding risk despite there being no evidence that home education represents a risk to children”, saying the bill was “pushed out with unseemly haste”.¹²¹ It called for more support for home education from the government, particularly concerning examination centres. The charity also highlighted issues such as poor-quality special educational needs (SEN) support in schools which were leading to some increases in home education but were not addressed in the bill.

The National Education Union (NEU) welcomed the bill, which it said would make a “meaningful difference to the lives of staff and children”.¹²² It praised provisions on academy teachers’ pay and conditions and ending the presumption that new schools need to be academies. It urged the government to provide “adequate investment” to ensure the bill had “meaning on the ground”.

The Confederation of School Trusts (CST), which represents academy trusts in England, described itself as “very concerned” about part 2 of the bill, particularly the provisions “which would remove academies’ freedoms”.¹²³ Amongst issues highlighted were the bill’s provisions giving the schools adjudicator a greater role in academy admissions and the potential impact of the QTS requirements on recruitment of specialists. In addition, the CST criticised the “broad scope” of the powers the bill would give the secretary of state to direct academies, noting “we are seeking legal advice on how the bill might be improved in this regard”.

¹¹⁸ Children’s Commissioner, ‘[Children’s Wellbeing and Schools Bill: Children’s Commissioner’s written evidence](#)’, January 2025.

¹¹⁹ Local Government Association, ‘[Children’s Wellbeing and Schools Bill: Second reading, House of Commons, 8 January 2025](#)’, 7 January 2025.

¹²⁰ Education Otherwise, ‘[About Education Otherwise](#)’, accessed 1 April 2025.

¹²¹ Education Otherwise, ‘[Children’s Wellbeing and Schools Bill](#)’, 29 December 2024.

¹²² National Education Union, ‘[Children’s Wellbeing and Schools Bill](#)’, 17 December 2024.

¹²³ Confederation of School Trusts, ‘[Briefing note: Children’s Wellbeing and Schools Bill](#)’, 16 January 2025.



In evidence to the House of Commons Education Committee, the National Association of Head Teachers (NAHT) strongly supported the creation of a register of children not in school and the local authority consent motion for the withdrawal of certain children from school.¹²⁴ It said the measures would help improve safeguarding. However, the NAHT also said it was “essential” that local authorities had the necessary resources and capacity to be able to put them in place. The NAHT welcomed measures concerning academies, such as provisions to ensure teachers had or were working towards QTS status and that academies taught the national curriculum. While noting the importance of breakfast clubs, it again highlighted the importance of adequate funding.

4. House of Commons: Stages of the bill

4.1 Second reading

The bill was introduced in the House of Commons on 17 December 2024.¹²⁵ It received second reading on 8 January 2025.¹²⁶

Prior to second reading, the issues of children’s safeguarding and child sexual exploitation had been the subject of some attention.¹²⁷ In October 2024, Safeguarding Minister Jess Phillips had refused a request for a new national inquiry into historic sex abuse cases in Oldham.¹²⁸ Instead, she said it was for the council to decide to commission an inquiry locally.

In early 2025 the government’s decision received a substantial amount of media attention, particularly following social media comments by Elon Musk.¹²⁹ In January 2025, the government announced several measures to tackle child sex abuse.¹³⁰ These included proposals to make grooming an aggravating factor in the sentencing of child sex offences and a mandatory duty to report child sexual abuse. The measures are in the Crime and Policing

¹²⁴ National Association of Head Teachers, [‘Written evidence submitted to House of Commons Education Committee’](#), 11 February 2025.

¹²⁵ [HC Hansard, 17 December 2024, col 188.](#)

¹²⁶ [HC Hansard, 8 January 2025, cols 853–960.](#)

¹²⁷ BBC News, [‘Why some want a new Oldham grooming gang inquiry’](#), 14 January 2025.

¹²⁸ For more background see House of Commons Library, [‘Duties to report child abuse in England’](#), 24 January 2025.

¹²⁹ BBC News, [‘Musk ‘misinformed’ on grooming gangs, says Streeting’](#), 3 January 2025 and Sky News, [‘Grooming gangs scandal timeline’](#), 8 January 2025.

¹³⁰ [HC Hansard, 6 January 2025, col 631.](#)



Bill, which is currently going through its parliamentary stages in the House of Commons.¹³¹ The government also commissioned a “rapid national audit to uncover the scale and profile of group-based offending” in the UK. The audit will be led by Baroness Louise Casey (Baroness Casey of Blackstock, Crossbench).¹³²

During the second reading debate, the speaker selected a reasoned amendment in the name of the leader of the opposition, Kemi Badenoch. The text of the amendment welcomed measures to improve child protection and safeguarding, but “declines to give a second reading to the Children’s Wellbeing and Schools Bill”.¹³³ It highlighted concerns regarding the bill itself, particularly in relation to some freedoms for academies. The final sentence of the amendment called on the government “to develop new legislative proposals for children’s wellbeing including establishing a national statutory inquiry into historical child sexual exploitation, focused on grooming gangs”.

Reasoned amendments are not like other amendments as they do not propose changes to the text of the bill. Instead, they are essentially motions in which an MP sets out their reasons for not wanting the bill to have a second or third reading.¹³⁴ If a reasoned amendment is agreed to, the bill cannot progress.¹³⁵

Opening the debate for the government at second reading, the secretary of state for education, Bridget Phillipson, said that the bill put forward a number of “bold new measures to keep children safe”.¹³⁶ Outlining the measures in the bill relating to children’s social care and schools policy, she said the bill contained “an agenda for excellence” for “safe and secure childhoods”, with “high and rising standards” and a “top quality core offer in all our schools”.¹³⁷

The education secretary argued that “a vote against this bill is a vote against the safety of our children”. She said that “seeking to block this bill is quite simply beneath contempt”.¹³⁸ She contended that the changes in the bill regarding school teachers’ pay and conditions “will not

¹³¹ For more detail see House of Commons Library, [‘Crime and Policing Bill 2024–25’](#), 6 March 2025.

¹³² Home Office, [‘Survivors of sexual abuse to be empowered in closed case reviews’](#), 16 January 2025.

¹³³ Full text of the amendment can be seen at [HC Hansard, 8 January 2025, cols 862–3](#).

¹³⁴ UK Parliament, [‘MP’s guide to procedure: Amendments’](#), accessed 1 April 2025.

¹³⁵ UK Parliament, [‘MP’s guide to procedure: Reasoned amendments to second or third reading’](#), accessed 1 March 2025.

¹³⁶ [HC Hansard, 8 January 2025, col 853](#).

¹³⁷ [HC Hansard, 8 January 2025, col 854](#).

¹³⁸ [HC Hansard, 8 January 2025, col 853](#).



cut teachers' pay",¹³⁹ and that criticisms about the impact of the bill on the academy system were "simply a mischaracterisation".¹⁴⁰ She stated that the bill contained "no pet projects or stale dogma" and that "our focus is firmly on children: their life chances are the aim, their protection is the objective and their success in our common cause".¹⁴¹

Responding, the shadow secretary of state for education, Laura Trott, moved the reasoned amendment declining to give the bill a second reading.¹⁴² The shadow education secretary stated that the bill came in two halves. She said that while she could "see value" in the measures to improve child protection and safeguarding, the second half of the bill concerning schools was "the policy equivalent of a wrecking ball" and "destroys consensus built over two decades" about how to improve schools.¹⁴³ Ms Trott focused many of her criticisms on provisions in the bill relating to academies, concluding "the government must get rid of the academy elements of the bill".¹⁴⁴ She spoke in support of her amendment, arguing that a "comprehensive national inquiry into grooming gangs" was necessary and denying that it would necessarily lead to the wrecking of the bill.¹⁴⁵

The chair of the House of Commons Education Committee, Helen Hayes, welcomed the bill, arguing that it "begins the work of stitching back together a support system for children and families".¹⁴⁶ She was positive about measures such as a single unique identifier for children and the register of children not in school, but noted that the Education Committee would take "a close interest in this legislation". Ms Hayes pressed the government about funding in children's social care and breakfast clubs and questioned the proposed exemptions in the bill for breakfast club provision for children with SEND. She argued for the introduction of auto-enrolment for free school meals and urged the government to go further on measures supporting care leavers.

Speaking for the Liberal Democrats, education spokesperson Munira Wilson (Liberal Democrat MP for Twickenham) said that the party would approach the bill "in a spirit of constructive co-operation" and accused the Conservative Party of wanting to "derail this important bill instead".¹⁴⁷ While welcoming many of the measures in the bill, Ms Wilson also

¹³⁹ [HC Hansard, 8 January 2025, col 860.](#)

¹⁴⁰ [HC Hansard, 8 January 2025, col 854.](#)

¹⁴¹ [HC Hansard, 8 January 2025, col 862.](#)

¹⁴² [HC Hansard, 8 January 2025, cols 862–3.](#)

¹⁴³ [HC Hansard, 8 January 2025, col 863.](#)

¹⁴⁴ [HC Hansard, 8 January 2025, col 866.](#)

¹⁴⁵ [HC Hansard, 8 January 2025, col 867.](#)

¹⁴⁶ [HC Hansard, 8 January 2025, col 869.](#)

¹⁴⁷ [HC Hansard, 8 January 2025, col 871.](#)



called for “greater ambition”.¹⁴⁸ Amongst her suggestions were the expansion of allowances to kinship carers, expansion of the provision of free school meals at lunchtime, auto-enrolment for those entitled to free school meals and the introduction of requirements for schools to have a dedicated mental health professional.

There were numerous contributions in the six-hour debate with many members speaking in support of elements such as breakfast clubs, limits on the number of branded school uniform items, support for care leavers and safeguarding measures.

Proposed changes to academies received some comment. Former education secretary Damian Hinds (Conservative MP for East Hampshire) was critical of what he described as the bill “attacking school and trust autonomy”.¹⁴⁹ He argued that the requirement for academies to follow the national curriculum set out in the bill pre-empted the outcome of an independent review of what the national curriculum should include. Shadow Education Minister Neil O’Brien said the bill was “a massive step backwards” which reduced freedoms of academies in a number of areas.¹⁵⁰ He argued that the proposed amendment was the first opportunity for MPs to vote for “a proper national inquiry into the grooming gangs” and ensure that people in authority were held to account.¹⁵¹

Winding up the debate, the minister for school standards, Catherine McKinnell, said the legislation was “a significant bill that puts children first”.¹⁵² She welcomed the “fantastic response” to the bill, and the “constructive speeches” of the Liberal Democrat education spokesperson and the chair of the education committee.¹⁵³ She argued that the proposed Conservative amendment was “political opportunism” which would cause the bill to fall, meaning the loss of the safeguarding measures proposed in the legislation.¹⁵⁴ The minister argued that there was “a huge amount of misunderstanding and misinterpretation of the bill’s measures on academies” and described comments about reducing teacher’s pay as “wild claims”.¹⁵⁵

¹⁴⁸ [HC Hansard, 8 January 2025, col 875.](#)

¹⁴⁹ [HC Hansard, 8 January 2025, col 878.](#)

¹⁵⁰ [HC Hansard, 8 January 2025, col 950.](#)

¹⁵¹ [HC Hansard, 8 January 2025, col 951.](#)

¹⁵² [HC Hansard, 8 January 2025, col 953.](#)

¹⁵³ [HC Hansard, 8 January 2025, col 953.](#)

¹⁵⁴ [HC Hansard, 8 January 2025, col 953.](#)

¹⁵⁵ [HC Hansard, 8 January 2025, col 954.](#)



The amendment tabled by the leader of the opposition was negated on division by 364 votes to 111.¹⁵⁶ The bill received its second reading.

Prior to committee stage, the House of Commons approved a money resolution.¹⁵⁷ This was required as the bill would authorise new public expenditure. The government has stated that the most significant new public expenditure would arise from clause 27, which would require the appropriate authority for a school to provide breakfast clubs for all pupils of primary school age.¹⁵⁸

4.2 Committee stage

The committee stage of the Children’s Wellbeing and Schools Bill ran from 21 January to 11 February 2025 with 14 sittings.¹⁵⁹ During the first two sittings, the committee took oral evidence from expert witnesses; it also invited written evidence. For a more detailed analysis, including debate on proposed amendments, see House of Commons Library, ‘[Children’s Wellbeing and Schools Bill 2024–25: Progress of the bill](#)’ (4 March 2025).

During committee stage government amendments were made on:

- **Support for care leavers.** A new government clause (clause 9 in the bill brought from the Commons) which would stop certain care leavers aged 25 and under from being classed as intentionally homeless.¹⁶⁰
- **Multi-agency safeguarding teams.** Five government technical amendments relating to local authority nominations to multi-agency child protection teams.¹⁶¹
- **Academies: Pay and conditions.** A new government clause (clause 51 in the bill brought from the commons) and a new schedule (schedule 3 in the bill brought from the commons), which would create a power for the secretary

¹⁵⁶ [HC Hansard, 8 January 2025, cols 957–9.](#)

¹⁵⁷ [HC Hansard, 8 January 2025, col 960.](#)

¹⁵⁸ [Explanatory notes](#), p 91.

¹⁵⁹ Transcripts of proceedings can be found on the [Children’s Wellbeing and Schools Bill 2024–25](#) bill page.

A summary of all proceedings during committee stage, ‘[Children’s Wellbeing and Schools Bill \(Committee stage decisions\)](#)’, 11 February 2025 is also available.

¹⁶⁰ House of Commons, [Children’s Wellbeing and Schools Bill \(Committee stage decisions\)](#), 11 February 2025, pp 30–1.

¹⁶¹ As above, pp 6–7.



of state to require academies to pay teachers at least specified minimum rates set out in statutory pay guidance for maintained schools, although they could be paid more. National conditions set out in statutory pay and conditions guidance would also apply to academy teachers.¹⁶²

- **School breakfast clubs.** A technical government amendment to ensure that the definition of a maintained school would not exclude community or foundation special schools established in a hospital.¹⁶³
- **School uniform.** A series of government technical and drafting amendments regarding requirements to limit branded school uniform items.¹⁶⁴

There were no non-government amendments made during committee stage. Divisions were held on the following topics:

- **Family group decision making.** The Liberal Democrats tabled amendments 36 and 37 aimed at strengthening the requirements for local authorities to include family members and children in FGDMs. Amendment 36 was negated on division (12 votes to 2)¹⁶⁵. The Conservatives tabled amendment 18, which would have stipulated that nothing in clause 1 permits an extension to the current 26-week time limit for care proceedings. Amendment 18 was negated on division (11 votes to 3).¹⁶⁶
- **Support for kinship carers.** A Liberal Democrat amendment which would have given kinship carers the right to a financial allowance on a par with foster carers was negated on division (10 votes to 3).¹⁶⁷
- **Multi-agency safeguarding teams.** The Conservatives tabled amendment 19, which would have required the secretary of state to report annually on the work and impact of the multi-agency child protection teams. The

¹⁶² House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 4 February 2025, session 2024–25, 10th sitting, cols 403–7.

¹⁶³ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 30 January 2025, session 2024–25, 8th sitting, col 296.

¹⁶³ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 30 January 2025, session 2024–25, 7th sitting, col 263.

¹⁶⁴ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 30 January 2025, session 2024–25, 8th sitting, cols 283–8.

¹⁶⁵ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 23 January 2025, session 2024–25, 3rd sitting, col 128.

¹⁶⁶ As above.

¹⁶⁷ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 11 February 2025, session 2024–25, 14th sitting, col 579.



amendment was negated on division (11 votes to 5).¹⁶⁸

- **Care leavers support.** Conservative amendment 23 which would have required local authorities to take account of the wishes of young people when providing ‘staying close’ support and to record their wishes. Amendment 23 was negated on division (11 votes to 5).¹⁶⁹
- **Deprivation of liberty.** The Conservatives tabled amendment 24 which would have placed a duty on local authorities to provide therapeutic support for children in secure accommodation. Shadow Education Minister Neil O’Brien said he would press the amendment to a vote to make the point that there was scope for improvement in the clause “and I suspect that their lordships will provide it”. Amendment 24 was negated on division (11 votes to 5).¹⁷⁰
- **Regulations capping the profits of non-local authority providers of children’s homes and fostering agencies at a set level.** The Liberal Democrats introduced amendment 42, which would have included independent special schools within the profit cap. Amendment 42 was negated on division (11 votes to 2)¹⁷¹. The Conservatives tabled amendment 25, which would have required that, before making regulations introducing a profit cap, the secretary of state should produce a report on the number and availability of placements and an analysis of the expected impact of a profit cap on placement supply. Amendment 25 was negated on division (11 votes to 3).¹⁷²
- **Child sexual abuse.** The Liberal Democrats proposed a new clause 39 which would have required the secretary of state to establish a child protection authority for England (the second recommendation of the Independent Inquiry into Child Sexual Abuse). New clause 39 was negated on division (10 votes to 3).¹⁷³ The Conservatives moved new clause 15, which would have required the secretary of state to set up a statutory inquiry into

¹⁶⁸ House of Commons Public Bill Committee, ‘[Children’s Wellbeing and Schools Bill 2024–25](#)’, 23 January 2025, session 2024–25, 4th sitting, col 145.

¹⁶⁹ House of Commons Public Bill Committee, ‘[Children’s Wellbeing and Schools Bill 2024–25](#)’, 28 January 2025, session 2024–25, 5th sitting, col 182.

¹⁷⁰ As above, col 202.

¹⁷¹ House of Commons Public Bill Committee, ‘[Children’s Wellbeing and Schools Bill 2024–25](#)’, 28 January 2025, session 2024–25, 6th sitting, col 240.

¹⁷² As above, col 230.

¹⁷³ House of Commons Public Bill Committee, ‘[Children’s Wellbeing and Schools Bill 2024–25](#)’, 11 February 2025, session 2024–25, 14th sitting, col 547.



grooming gangs. New clause 15 was negated on division (11 votes to 3).¹⁷⁴

- **Free school meals.** The Liberal Democrats proposed two new clauses. Clause 31 would have widened the scope of free school meals to children whose household income was less than £20,000 a year. Clause 67 would have put a duty on the secretary of state to ensure eligible children were enrolled. Clause 31 was negated on division (10 votes to 3). Clause 67 was negated on division (10 votes to 3).¹⁷⁵
- **School uniform.** Liberal Democrat amendment 87 would have set a monetary limit on how much pupils could spend on school uniform. Neil O'Brien moved amendment 91 to exempt sports kit from the limit on branded school uniform items. Amendment 87 was negated on division (10 votes to 2). Amendment 91 was negated on division (10 votes to 3).¹⁷⁶
- **Register of children not in school.** The Liberal Democrats moved amendment 46 to remove the requirement for children in special schools to secure local authority consent to be home educated. Amendment 46 was negated on division (10 votes to 5).¹⁷⁷
- **Independent educational institutions.** The Conservatives moved amendment 70, which would have specified that when conserving academies, the secretary of state should rely on the provisions in funding agreements. The shadow minister also moved amendment 71, which would have removed the requirement for a school to notify the secretary of state where there was a change of the buildings occupied by it and used for students. Amendment 70 was negated on division (12 votes to 3).¹⁷⁸ Amendment 71 was negated on division (11 votes to 6).
- **Academies: Qualified teacher status.** The Conservatives moved amendment 75, which would have disapplied the requirement for QTS in primary and secondary academies for shortage subjects. Amendment 75 was negated on division (12 votes to 5).¹⁷⁹
- **Academies: Powers to intervene.** Conservative amendment 88 aimed to

¹⁷⁴ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 11 February 2025, session 2024–25, 13th sitting, col 516.

¹⁷⁵ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 11 February 2025, session 2024–25, 14th sitting, cols 535 and 584.

¹⁷⁶ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 30 January 2025, session 2024–25, 8th sitting, col 290.

¹⁷⁷ As above, col 296.

¹⁷⁸ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 4 February 2025, session 2024–25, 9th sitting, cols 323 and 329.

¹⁷⁹ As above, col 353.



limit the secretary of state's power of direction should an academy breach, or act unreasonably in respect of, the performance of a relevant duty.

Amendment 88 was negated on division (12 votes to 3).¹⁸⁰

- **School admissions role of adjudicator.** The Conservatives moved amendment 84 and new clause 46, which would have required the adjudicator, when determining a PAN, to consider whether a school was oversubscribed and its performance. Amendment 84 and new clause 46 were negated on division (12 votes to 5).¹⁸¹
- **Opening new schools.** The Liberal Democrats moved amendment 48, which would have placed a cap of 50% on the proportion of places allocated according to faith in new faith schools. Amendment 48 was negated on division (12 votes to 3).¹⁸²
- **Special educational needs or disabilities (SEND).** The Liberal Democrats tabled new clause 36, which would have required the secretary of state to establish a national body for SEND to co-ordinate SEND provision nationally and advise on funding needed by local authorities. New clause 36 was negated on division (10 votes to 3).¹⁸³
- **Mental health provision in schools.** The Liberal Democrats moved new clause 33, which would have required state-funded schools in England to have a mental health practitioner. New clause 33 was negated on division (10 votes to 3).¹⁸⁴
- **National children and young people's wellbeing measurement programme.** The Liberal Democrats moved new clause 42, which sought to place a duty on the education secretary to introduce a national programme to regularly measure and report on the mental health and wellbeing of children and young people in schools. New clause 42 was negated on division (10 votes to 3).¹⁸⁵
- **Mobile phones in schools.** The Conservatives moved new clause 42, which would have required schools in England to ban the use of mobile phones

¹⁸⁰ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 4 February 2025, session 2024–25, 10th sitting, col 393.

¹⁸¹ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 6 February 2025, session 2024–25, 11th sitting, cols 441–2.

¹⁸² House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 6 February 2025, session 2024–25, 12th sitting, col 455.

¹⁸³ House of Commons Public Bill Committee, '[Children's Wellbeing and Schools Bill 2024–25](#)', 11 February 2025, session 2024–25, 14th sitting, col 542.

¹⁸⁴ As above, col 538.

¹⁸⁵ As above, col 549.



during the school day. New clause 42 was negated on division (10 votes to 6).¹⁸⁶

4.3 Report stage

On 28 February 2025, between committee and report stage, the House of Commons Education Committee published '[Scrutiny of the Children's Wellbeing and Schools Bill](#)'. While welcoming the bill, the committee criticised the government for not engaging "as productively as we would have liked", stating the bill's timetable was "rushed and inadequate" which it argued "has made it more difficult for us to conduct proper scrutiny".¹⁸⁷ The report included recommendations regarding free school meals auto-enrolment, breakfast club inclusion for pupils with SEND, a national care offer and assessing the mental health of children in care.

Report stage of the bill took place over two days on 17 and 18 March 2025. The government tabled over 150 new clauses and amendments to the bill. Government new clauses and amendments passed without division. No non-government amendments were made to the bill. Over the two days of report, divisions on non-government amendments were held on a ban on mobile phones in schools, extending the profit cap to independent special schools, the regulation of children's homes, academy orders, school admissions and free school meals.

4.3.1 Part I: Children's social care

Part I of the bill, on children's social care, was considered on 17 March 2025. In addition to government amendments, the government introduced five new clauses and a new schedule. Government new clauses 18 to 22 (clauses 21 to 25 in the bill brought from the Commons) and a new schedule (schedule 1 in the bill brought from the Commons) related to corporate parenting responsibilities.¹⁸⁸ The new government clauses and schedule, alongside government amendments 119 to 131, were agreed without a division.¹⁸⁹

¹⁸⁶ As above, cols 563–4.

¹⁸⁷ House of Commons Education Committee, '[Scrutiny of the Children's Wellbeing and Schools Bill](#)', 28 February 2025, HC 732 of session 2024–5, p 1.

¹⁸⁸ A full list of proposed amendments to Part I of the bill at report stage can be found at House of Commons, '[Report stage: Children's Wellbeing and Schools Bill, as amended \(Amendment paper\)](#)', 17 March 2025.

¹⁸⁹ [HC Hansard, 17 March 2025, cols 112–115 and 131–2.](#)



Opening report stage, the early education minister, Stephen Morgan, hailed the bill as a “key piece of legislation” that would break the link between people’s background and their future success and protect children from abuse”.¹⁹⁰ Introducing the proposed new government clauses, he explained that they would introduce corporate parenting duties for departments and relevant public bodies, referred to as “relevant authorities” and listed in new schedule I. New corporate parents would “need to be alert to the needs of children in care and care leavers” and the clause included a duty on corporate parents to work collaboratively with each other and to have regard to guidance from the secretary of state. In addition, the government moved a range of amendments. These related to:

- Data protection in relation to information sharing about consistent identifiers and the regulation of children’s homes. The amendments sought to ensure that while data protection legislation was complied with, appropriate restrictions did not prevent the sharing of data. It also aimed to ensure drafting consistency across the bill.
- Allowing information about a provider’s financial risk to be shared between the Department for Education and the Care Quality Commission.
- Extending clauses to Wales on the application of deprivation of liberty orders.

Speaking for the opposition, Neil O’Brien spoke to proposed new clause 36 which would ban mobile phones from schools. He said the proposal “does not need to be a party-political issue”, stating that there had been an “explosion in mental health problems” which needed to be addressed.¹⁹¹ A statutory ban, rather than relying on guidance, would “support schools and have their back” and reset social norms about children and smartphones and social media. Munira Wilson, Liberal Democrat spokesperson for education, welcomed the Conservatives’ proposed ban on mobile phones in schools, arguing “we need to treat children’s social media and phone addiction as a public health issue”.¹⁹² Former schools minister Damian Hinds called the lack of a ban “glaring in its absence”.¹⁹³

In response, Tristan Osborne (Labour MP for Chatham and Aylesford) questioned why the Conservative Party had failed to ban mobile phones whilst in office,¹⁹⁴ while Stephen Morgan described the proposal as “the new bandwagon that the Conservatives have jumped on”.¹⁹⁵

¹⁹⁰ [HC Hansard, 17 March 2025, col 61.](#)

¹⁹¹ [HC Hansard, 17 March 2025, col 65.](#)

¹⁹² [HC Hansard, 17 March 2025, col 73.](#)

¹⁹³ [HC Hansard, 17 March 2025, col 87.](#)

¹⁹⁴ [HC Hansard, 17 March 2025, col 77.](#)

¹⁹⁵ [HC Hansard, 17 March 2025, col 116.](#)



He argued that schools “have the government’s full backing” in ridding classrooms of mobile phones and “have the means to do so”.¹⁹⁶ New clause 36 was negatived on division by 317 votes to 159.¹⁹⁷

Munira Wilson expressed disappointment about the “sheer number of amendments tabled by the government ahead of report”.¹⁹⁸ While she noted that most of the measures were “welcome and uncontroversial”, she said she hoped “that the government do not make a habit of depriving committees of their chance to properly scrutinise bills”.¹⁹⁹ Ms Wilson moved amendment 171, which would have applied clause 15, on the power to limit the profits of providers of children’s homes and fostering agencies, to independent special schools. She argued the market was “simply not functioning”, with some suppliers “shamelessly profiteering” from the lack of specialist support.²⁰⁰ Stephen Morgan argued that “nothing is off the table when it comes to SEND reform” but that the government “do not want to tinker around the edges of what is frankly a generational change”.²⁰¹ He stated that plans for wide-ranging, expert-led and whole-system reform would be set out “in due course”.²⁰² The amendment was negatived on division by 317 votes to 65.²⁰³

Ms Wilson also moved proposed new clauses and amendments which related to kinship care and would have increased the support available for kinship carers, whom she described as “unsung heroes”. Her amendments were supported by Liberal Democrat MP for Carshalton and Wallington Bobby Dean, who also tabled amendments which sought to “lessen the cliff edge” of support for care leavers.²⁰⁴ Neil O’Brien agreed with Mr Dean’s sentiments concerning kinship care, commenting that “he made the case for kinship care powerfully [...] and I hope that we will make progress on the issue as the bill goes to the other place”.²⁰⁵ Responding, Stephen Morgan emphasised “how much the government value kinship carers” and pointed to government investment such as the kinship care financial allowance pilot.²⁰⁶

Chair of the House of Commons Education Committee Helen Hayes said that the

¹⁹⁶ [HC Hansard, 17 March 2025, col 110.](#)

¹⁹⁷ [HC Hansard, 17 March 2025, cols 116–9.](#)

¹⁹⁸ [HC Hansard, 17 March 2025, col 72.](#)

¹⁹⁹ [HC Hansard, 17 March 2025, col 72.](#)

²⁰⁰ [HC Hansard, 17 March 2025, col 72.](#)

²⁰¹ [HC Hansard, 17 March 2025, col 112.](#)

²⁰² [HC Hansard, 17 March 2025, col 112.](#)

²⁰³ [HC Hansard, 17 March 2025, cols 126–28.](#)

²⁰⁴ [HC Hansard, 17 March 2025, col 105.](#)

²⁰⁵ [HC Hansard, 17 March 2025, col 107.](#)

²⁰⁶ [HC Hansard, 17 March 2025, col 108.](#)



committee “broadly [...] welcomes the scale of the government’s ambition” in the bill, particularly regarding safeguarding, but repeated proposals from the Education Committee’s report.²⁰⁷ These related to a draft national offer for care leavers and health assessments of children in the care system to include assessment by a mental health practitioner. Stephen Morgan argued that support for care leavers “is a government priority”, and measures in the bill would require local authorities to publish information about support for care leavers and “assist care leavers in their transition to adulthood”.²⁰⁸

Shadow Education Secretary Laura Trott tabled amendment 188 relating to the regulation of children’s homes. The amendment would have required an inspection of the parent company or any subsidiaries if the chief inspector of education, children’s services and skills (CIECSS) believed that there were reasons to cancel a children’s home registration, rather than issue an improvement plan notice. Stephen Morgan argued that the amendment was not necessary as the bill was “deliberately designed in a way that supplements the existing robust regime for inspection of individual settings” and “ensures that Ofsted can take the quickest and most effective action to safeguard vulnerable children”.²⁰⁹ The amendment was negated on division by 319 votes to 160.²¹⁰

Much of the bill received cross-party support. Former Schools Minister Damian Hinds welcomed part 1 of the bill, stating that there was “a great deal” on which the parties agreed, with “quite large parts of it” in the previous government’s proposals.²¹¹ Other amendments discussed included placing a duty on local authorities to notify a child’s school and registered GP practice where a child was placed in temporary accommodation and removing the “reasonable punishment” defence relating to corporal punishment of a child.

4.3.2 Part 2: Schools

Part 2 of the bill was considered on 18 March 2025.²¹² The government introduced new clause 17 (clause 61 in the bill brought from the Commons), which sought to introduce a “data protection override” to provisions relating to opening, closing and altering schools so

²⁰⁷ [HC Hansard, 17 March 2025, col 68.](#)

²⁰⁸ [HC Hansard, 17 March 2025, col 108.](#)

²⁰⁹ [HC Hansard, 17 March 2025, col 109.](#)

²¹⁰ [HC Hansard, 17 March 2025, cols 122–24.](#)

²¹¹ [HC Hansard, 17 March 2025, col 83.](#)

²¹² A full list of proposed amendments to part 2 at report stage can be found at House of Commons, ‘[Report stage: Children’s Wellbeing and Schools Bill, as amended \(Amendment paper\)](#)’, 18 March 2025.



that the sharing of data to protect the welfare of a child would not be prevented.²¹³ The government new clause and amendments were made without division.

Introducing the government's new clause and amendments, Minister for School Standards Catherine McKinnell argued that "the number of substantive amendments is small" and would strengthen the bill and ensure that it worked as intended.²¹⁴ She called the legislation a "significant step" on the government's mission "to break down barriers of opportunity for each and every child".²¹⁵

The majority of government amendments extended the provisions on the register of children not in school to Wales. In addition, amendments 189 and 170 extended the provisions about the corporate parenting duty to the whole of the UK. Other government amendments included changes to ensure that a school attendance order was not required where enquiries or action under section 47 of the Children Act 1989 (children at risk) were no longer ongoing.

Speaking for the opposition, Shadow Education Minister Neil O'Brien said the bill did not address big challenges such as discipline and behaviour and "takes a wrecking ball to 40 years of cross-party reform".²¹⁶ He was highly critical of provisions relating to academies, such as on the national curriculum and requiring teachers to be working towards qualified teacher status. In addition, he argued that provisions in the bill were currently too broad and allowed "the secretary of state to direct academy schools to do pretty much anything".²¹⁷

Speaking for the Liberal Democrats, Munira Wilson asked why the government "have chosen to tinker with academies and governance arrangements as their priority" rather than focus on issues such as persistent absence.²¹⁸ She said the government "are mostly trying to fix a problem that does not really exist", and were "putting the cart before the horse" in relation to the national curriculum requirements.²¹⁹ David Baines (Labour MP for St Helens North) argued that ensuring every classroom has a qualified teacher at the front of it and making sure that all schools teach the same core curriculum "are common sense to most parents and carers".²²⁰ Steve Witherden (Labour MP for Montgomeryshire and Glyndŵr) also

²¹³ [HC Hansard, 18 March 2025, col 223.](#)

²¹⁴ [HC Hansard, 18 March 2025, col 222.](#)

²¹⁵ [HC Hansard, 18 March 2025, col 220.](#)

²¹⁶ [HC Hansard, 18 March 2025, col 224.](#)

²¹⁷ [HC Hansard, 18 March 2025, col 226.](#)

²¹⁸ [HC Hansard, 18 March 2025, col 231.](#)

²¹⁹ [HC Hansard, 18 March 2025, col 233.](#)

²²⁰ [HC Hansard, 18 March 2025, col 245.](#)



welcomed provisions relating to academies. He argued that freedoms to set pay by academies had led “to the exploitation of teachers”, and the system of academies becoming the default model in schooling had led to local authorities being “sidelined”.²²¹

Amendment 209 in the name of Shadow Education Secretary Laura Trott proposed removing provisions in the bill which would repeal the existing duty to automatically make schools causing concerns into academies. The amendment was negated on division by 324 votes to 107.²²² Amendment 210, also in Laura Trott’s name, sought to remove the bill’s provisions which would give the schools adjudicator powers to set the published admissions number (PAN) for a school in some circumstances. The amendment was negated on division by 324 votes to 167.²²³

Chair of the Education Select Committee Helen Hayes spoke in support of several measures in the bill, such as provisions “to restore coherence” to the school admissions process, reduce the price of school uniforms and introduce a register of children not in school.²²⁴ However, she noted the bill “is being taken through this House very quickly and not subject to any pre-legislative scrutiny”.²²⁵ In addition, “a number of measures in the bill will be contingent on government policies which are not in the bill for their success”, such as the curriculum assessment review.²²⁶ Ms Hayes proposed new clause 2, which would have required the secretary of state to conduct regular reviews of the impact of the act and publish reports. The government argued that it intended to conduct and publish a post-implementation review/impact assessment of the bill and would “consider other post-implementation reviews as necessary”.²²⁷ The new clause was not pushed to a vote.

In addition, Helen Hayes tabled new clause 1, which would have introduced automatic enrolment for free school meals to eligible children. She also tabled an amendment to require breakfast club providers to make particular provision for the needs of children on a school’s SEND register. Ms Hayes did not push any of her amendments to a vote following government assurances about increasing the take-up of free school meals for children who are already eligible. However, she noted the Education Committee would be monitoring progress to increase take-up of free school meals closely.²²⁸

²²¹ [HC Hansard, 18 March 2025, col 235.](#)

²²² [HC Hansard, 18 March 2025, cols 303–5.](#)

²²³ [HC Hansard, 18 March 2025, cols 307–9.](#)

²²⁴ [HC Hansard, 18 March 2025, col 229.](#)

²²⁵ [HC Hansard, 18 March 2025, cols 230–1.](#)

²²⁶ [HC Hansard, 18 March 2025, cols 230–1.](#)

²²⁷ [HC Hansard, 18 March 2025, cols 282–3.](#)

²²⁸ [HC Hansard, 18 March 2025, col 279.](#)



Similarly, Munira Wilson proposed new clause 7, which also related to automatic enrolment for free school meals. The clause would have automatically enrolled all children eligible for free school meals, in addition to all children whose household income was less than £20,000 per year. She said this was an “effective, targeted intervention” that would help children in poverty thrive.²²⁹ The new clause was negated on division by 313 to 77 votes.²³⁰

New clause 34, proposed by Adrian Ramsay (Green MP for Waveney Valley), sought to extend free school lunches to all pupils in state primary schools. He argued that the need for free school meals was “acute” and urged MPs to vote for the new clause “because we know that children cannot learn when they are hungry and free school dinners for all is a winning policy”.²³¹ The amendment was negated on division by 315 votes to 77.²³²

Several members discussed provisions for home-educated pupils in the register for children not in school. Liberal Democrat Munira Wilson argued that the level of detail that home-educating parents would be required to supply to local authorities under the bill “risks becoming intrusive and unnecessary”.²³³ She proposed several amendments relating to home education, such as a review of the impact of the children’s register and removal of the requirement for carers of children in special schools to secure local authority consent to be home educated.

Vikki Slade (Liberal Democrat MP for Mid Dorset and North Poole) proposed amendment 221, which would require only those who provide more than six hours per week of education or activity to be included in the register of children not in school. She said this “strikes a reasonable balance by ensuring key educators are identified without overwhelming families or local authorities”.²³⁴ Graham Stuart (Conservative MP for Beverley and Holderness) sought reassurance that “some sensible and proportional rules” would apply to the information required for home-educated pupils and called on “colleagues in the other place” to follow up on Ms Slade’s proposals.²³⁵

Lizzi Collinge (Labour MP for Morecambe and Lunesdale) said she did not accept that the proposals were “a major imposition”. She argued that having no oversight of children not in

²²⁹ [HC Hansard, 18 March 2025, col 231.](#)

²³⁰ [HC Hansard, 18 March 2025, cols 284–6.](#)

²³¹ [HC Hansard, 18 March 2025, col 251.](#)

²³² [HC Hansard, 18 March 2025, cols 287–9.](#)

²³³ [HC Hansard, 18 March 2025, col 234.](#)

²³⁴ [HC Hansard, 18 March 2025, col 270.](#)

²³⁵ [HC Hansard, 18 March 2025, col 270.](#)



school was “an unacceptable risk”, and also welcomed provisions in the bill to tackle illegal schools.²³⁶ Shadow Education Minister Neil O’Brien concluded: “I hope, as we go to the debate in the other place, that we are in complete agreement on the excessive nature of some of the requirements being made of home schoolers”.²³⁷

4.4 Third reading

Opening third reading, Education Secretary Bridget Phillipson stated that the bill “belongs to children”.²³⁸ She said that the government was on a mission to break down the barriers to opportunity for every child and to “sever the link between background and success”, and the Children’s Wellbeing and Schools Bill “sits at the centre of that mission”.²³⁹ Outlining the measures in the bill, she accused the opposition of spreading “doom-laden stories” about the consequences of the bill. The Conservative Party was, she said, “on the wrong side of parents, resisting change and protecting privilege”.²⁴⁰

Responding, Shadow Education Secretary Laura Trott highlighted the “vast number of respected voices from the education sector” who had warned the bill was “a disaster for education standards in this country”.²⁴¹ Ms Trott welcomed part I of the bill on safeguarding, saying “we absolutely agree with the principle of that”.²⁴² However, she claimed the second half of the bill on schools was “putting ideology and the interests of union bosses over what is best for children and parents”.²⁴³

A division was held on third reading. Third reading passed by 382 votes to 104.²⁴⁴

²³⁶ [HC Hansard, 18 March 2025, col 254.](#)

²³⁷ [HC Hansard, 18 March 2025, col 276.](#)

²³⁸ [HC Hansard, 18 March 2025, col 311.](#)

²³⁹ [HC Hansard, 18 March 2025, col 311.](#)

²⁴⁰ [HC Hansard, 18 March 2025, col 312.](#)

²⁴¹ [HC Hansard, 18 March 2025, col 313.](#)

²⁴² [HC Hansard, 18 March 2025, col 314.](#)

²⁴³ [HC Hansard, 18 March 2025, col 314.](#)

²⁴⁴ [HC Hansard, 18 March 2025, cols 315–318.](#)



5. Read more

- House of Commons Library, '[Children's Wellbeing and Schools Bill 2024–25](#)', 3 January 2025; and '[Children's Wellbeing and Schools Bill 2024–25: Progress of the bill](#)', 4 March 2025.
- House of Commons Education Committee, '[Scrutiny of the Children's Wellbeing and Schools Bill](#)', 28 February 2025, HC 732 of session 2024–25
- Schools Week, '[Fact check: Does the schools bill criticism really add up?](#)', 31 January 2025; and '[Revealed: The true impact of the schools bill](#)', 30 January 2025
- Professor Colin Diamond, '[How the Children's Wellbeing and Schools Bill shifts power to local authorities](#)', The Conversation, 19 December 2024

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