

National Citizen Service Bill [HL]

SECOND MARSHALLED LIST OF AMENDMENTS TO BE MOVED IN GRAND COMMITTEE

[Amendments marked ★ are new or have been altered]

**Amendment
No.**

Clause 5

BARONESS FINN
LORD O'SHAUGHNESSY
LORD MAUDE OF HORSHAM

19 Page 2, line 24, after second “the” insert “primary”

LORD WALLACE OF SALTAIRE
BARONESS BARKER

20 Page 2, line 26, at end insert –
“() the ways in which NCS activities contribute to broader educational
programmes for citizenship education.”

21 Page 2, line 26, at end insert –
“() the extent to which the NCS coordinates its activities with other
voluntary bodies engaged in the provision of services and programmes
for young people.”

LORD STEVENSON OF BALMACARA

22 Page 2, line 27, at end insert “preceding the year”

Clause 6

BARONESS FINN
LORD O'SHAUGHNESSY
LORD MAUDE OF HORSHAM

23 Page 2, line 34, at beginning insert “primary”

Clause 6 - continued

LORD COPE OF BERKELEY

- 24 Page 2, line 40, at end insert –
“() the number of providers of those programmes for that financial year and how many were small organisations,”

BARONESS ROYALL OF BLAISDON

- 25 Page 3, line 1, at end insert “including how many participants fully complete the programme,”

BARONESS BARKER
BARONESS SCOTT OF NEEDHAM MARKET
LORD SHIPLEY

- 26 Page 3, line 3, at end insert –
“() the extent to which participants with disabilities have taken part in those programmes,
() the number of participants with disabilities for that year shown by type of disability,”

BARONESS SCOTT OF NEEDHAM MARKET

- 27 Page 3, line 5, at end insert –
“() the extent to which the NCS Trust considered the wider social, economic and environmental benefits of programmes provided or arranged by it, in accordance with the Public Services (Social Value) Act 2012,”

BARONESS BARKER
LORD WALLACE OF SALTIRE

- 28 Page 3, line 5, at end insert –
“() the extent to which the NCS Trust has collaborated with and effectively resourced the voluntary sector in delivering social action programmes,”

- 29 Page 3, line 7, at end insert “, including by comparison with alternative provision”

BARONESS ROYALL OF BLAISDON

- 30 Page 3, line 7, at end insert “, including by comparison with other youth related provision with stated purposes similar to those of the NCS Trust”

BARONESS BARKER
LORD WALLACE OF SALTIRE

- 31 Page 3, line 7, at end insert –
“() what steps have been taken to increase the efficiency and effectiveness of the NCS Trust.”

Clause 6 - continued

- 32 Page 3, line 7, at end insert –
“() the extent to which the NCS Trust has trustees who reflect the diversity of the communities within which its programmes operate.”
- 33 Page 3, line 7, at end insert –
“() the extent to which the NCS Trust has incorporated best international practice into its programmes.”
- 34 Page 3, line 7, at end insert –
“() the measures taken to ensure the independence and integrity of the members of the NCS Trust.”
- BARONESS ROYALL OF BLAISDON
- 35 Page 3, line 7, at end insert –
“() the extent of participation by hard to reach groups.”
- 36 Page 3, line 7, at end insert –
“() the extent to which participation targets have been met, and the ability to meet such targets in future.”
- 37 Page 3, line 7, at end insert –
“() the extent to which young people have been involved in setting the strategic priorities of the NCS Trust.”
- 38 Page 3, line 7, at end insert –
“() how many young people have gone onto participate in other social action opportunities, and
() the extent to which the NCS programmes impact the wider youth social action sector in both positive and negative ways.”

After Clause 6

BARONESS BARKER
LORD WALLACE OF SALTAIRE

- 39 Insert the following new Clause –
“Consultation with the voluntary sector
(1) In meeting the obligations in section 6, the NCS Trust must consult a range of voluntary sector organisations on the way in which it has performed its functions.
(2) The organisations with which the NCS Trust must consult may include –
(a) NCS Trust providers;
(b) providers of social action and volunteering opportunities; and
(c) volunteering infrastructure bodies.”

Clause 7

LORD CROMWELL

40 Page 3, line 34, at end insert –

- “(c) there is an investigation into, or allegations of, inappropriate or criminal behaviour of –
- (i) the NCS Trust or an NCS provider, or
 - (ii) an NCS Trust or an NCS provider employee or volunteer, in relation to their activities with the NCS Trust or the NCS provider.”

LORD STEVENSON OF BALMACARA

41 Page 3, line 35, leave out subsection (3) and insert –

- “(3) The accounting officer of the NCS Trust must promptly notify the Secretary of State of the matter in full and in writing.”

Clause 9

BARONESS BARKER

LORD WALLACE OF SALTAIRE

42 Page 4, line 5, at end insert –

- “() Her Majesty’s Revenue and Customs must –
- (a) inform the NCS Trust and the Secretary of State annually of the costs of fulfilling its duties under this Act; and
 - (b) include this cost in its annual report under section 6(4) of the Government Resources and Accounts Act 2000 (resource accounts: scrutiny).”

LORD STEVENSON OF BALMACARA

43 Page 4, line 12, leave out “may” and insert “must”

LORD COPE OF BERKELEY

44 Page 4, line 13, leave out subsection (4)

LORD STEVENSON OF BALMACARA

45 Page 4, line 13, leave out subsection (4) and insert –

- “(4) In this section “young people” has the meaning set out in section 1(2)(a).”

LORD COPE OF BERKELEY

Lord Cope of Berkeley gives notice of his intention to oppose the Question that Clause 9 stand part of the Bill.

After Clause 9

LORD LUCAS

46 Insert the following new Clause –

“Duty of care

- (1) The NCS Trust has a duty of care to young people who participate in its programmes.
- (2) The NCS Trust may discharge this duty by –
 - (a) assuring the quality of its programmes by –
 - (i) setting out publicly the standards which its programmes, and those organising them, should meet,
 - (ii) setting out publicly the process which it will follow in assuring these standards,
 - (iii) arranging for the assurance process to take place, and
 - (iv) publishing the results of the assurance process;
 - (b) collecting information on the experience of every young person at the end of each programme, and making reasonable efforts to do so again several months later, and then –
 - (i) publishing a digest of this information at programme and school level, and
 - (ii) making the data available to researchers subject to reasonable safeguards;
 - (c) organising and publishing biennially a longitudinal evaluation of the performance of its programmes and their long-term effects;
 - (d) establishing a system to –
 - (i) facilitate complaints and the raising of concerns,
 - (ii) take effective and appropriate action in respect of each complaint or expression of concern,
 - (iii) record the complaints or concerns and the action taken,
 and including a summary of this in its annual report;
 - (e) publishing the basis on which it recommends other organisations to its alumni, or to young people who are not yet old enough for its programmes, including –
 - (i) a list of organisations that it recommends, and
 - (ii) the material it makes available on its website and to participants in its programmes, containing information on such organisations.”

LORD HODGSON OF ASTLEY ABBOTTS

47 Insert the following new Clause –

“Independent review of NCS commissioning

Within 12 months of the coming into force of this Act, the Secretary of State must commission an independent review of commissioning by the NCS Trust, which shall include, but is not limited to –

- (a) the extent to which small local providers are able to access contracts,
- (b) the barriers which may prevent small, local providers from being able to access contracts,

After Clause 9 - continued

- (c) the extent to which providers are securing additional benefits to economic, social and environmental well-being.”

LORD STEVENSON OF BALMACARA

48 Insert the following new Clause—

“Amendments to the Royal Charter

Amendments may be made to the Royal Charter which establishes the NCS Trust provided those amendments do not contradict the provisions of this Act.”

LORD HODGSON OF ASTLEY ABBOTTS

49 Insert the following new Clause—

“Amendments to the constitution or by-laws of the NCS Trust

- (1) The NCS Trust may by resolution make changes to the constitution of the Trust provided it has first—
 - (a) obtained the permission of the Charity Commission; and
 - (b) given notice of the change to the Privy Council.
- (2) The NCS Trust may make changes to the by-laws of the Trust provided it has first given notice of the intended changes to the Charity Commission and the Privy Council.
- (3) The NCS Trust may by resolution move administrative provision from the constitution to the by-laws of the Trust provided it has first given notice of the intended change to the Charity Commission.
- (4) The Royal Charter described in section 1 shall have effect subject to any changes to the constitution or by-laws of the Trust made in accordance with this section.”

LORD BIRD

50 Insert the following new Clause—

“NCS Trust: duty to promote democratic and political education and voter registration for young people

- (1) The NCS Trust has a duty to ensure that the NCS Trust and any NCS providers promote democratic and political education in their provision of the programmes mentioned in section 1(1).
- (2) The NCS Trust has a duty to issue a voter registration form to each young person with whom it makes contact.
- (3) For the purpose of this section “democratic and political education” means education provided for the purpose of inspiring young people to take an interest in, and understand how to effectively participate in, the work of local and national democratic institutions and the wider political context within which they operate, and ways in which to register to vote, and vote, in an election or referendum.”

After Clause 9 - continued

LORD FAULKNER OF WORCESTER

50A Insert the following new Clause—**“Heritage railways and tramways: NCS programmes**

- (1) Nothing in this Act shall prevent a young person from working as a volunteer on a heritage railway or tramway, as part of a programme provided or arranged by the NCS Trust.
- (2) In carrying out its functions under this Act, the NCS Trust may not act in a manner which has the effect of preventing a young person from working as a volunteer on a heritage railway or tramway as part of a programme which is not provided or arranged by the NCS Trust.
- (3) In this section—
 - (a) “young person” has the same meaning as “child” in section 558 of the Education Act 1996, save that the person referred to must have attained the age of 12 years;
 - (b) “heritage railway” and “heritage tramway” have the same meanings as in regulation 2 of the Health and Safety (Enforcing Authority for Railways and Other Guided Transport Systems) Regulations 2006; and
 - (c) “volunteer” means a person who engages in an activity which includes spending time, unpaid (except for any travel and other out-of-pocket expenses), doing something which aims to benefit the heritage railway or heritage tramway concerned.”

Clause 11BARONESS BARKER
LORD WALLACE OF SALTAIRE

The above-named Lords give notice of their intention to oppose the Question that Clause 11 stand part of the Bill.

Clause 13

LORD COPE OF BERKELEY

51 Page 4, line 34, leave out “and Wales”

LORD STEVENSON OF BALMACARA

52 Page 4, line 34, leave out “only” and insert “, Scotland and Northern Ireland”**Schedule 1**

LORD STEVENSON OF BALMACARA

53 Page 7, line 37, leave out sub-paragraph (3) and insert—

- “(3) In order to satisfy the requirements of sub-paragraph (1), the consultation mentioned in that sub-paragraph must take place before the day on which this Act is passed.”

Schedule 1 - continued**54**

Page 7, line 38, at end insert—

“() No transfer of staff, property, rights or liabilities may be made until staff and any unions representing staff have been consulted.”

BARONESS BARKER
LORD WALLACE OF SALTIRE

The above-named Lords give notice of their intention to oppose the Question that Schedule 1 be the First Schedule to the Bill.

Schedule 2

BARONESS BARKER
LORD WALLACE OF SALTIRE

The above-named Lords give notice of their intention to oppose the Question that Schedule 2 be the Second Schedule to the Bill.

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LIST OF AMENDMENTS
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18 November 2016
