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Weekly Political Update

Week ending 27 January 2012

Westminster

Deafness and hearing loss

Click on link for full transcript

Item	Summary
PQ on Government services for people with hearing loss	Mike Crockart MP (Lib Dem, Edinburgh South) called for a debate about the provision of Government services to people who are deaf or hard of hearing. He noted that he had recently held a meeting with a deaf BSL user in his constituency over the internet using Deaf Action's SignVideo system.

Disability issues – employment and welfare

Click on link for full transcript

Item	Summary
Welfare Reform Bill – Report Stage	The Welfare Reform Bill continued to be scrutinised by Peers in the House of Lords during the fifth and sixth day of its Report stage. Action on Hearing loss continues to lobby on areas of the Bill relevant to people who are deaf and hard of hearing as part of the Disability Benefits Consortium.
PQ on universal disability payments	Shadow Disabilities Minister Anne McGuire MP (Lab, Stirling) highlighted the recommendation in the Dilnot report that universal disability payments should continue, but warned that under Personal Independence Payments (PIP) these benefits were being cut back.
PQ on legal aid	Shadow Justice Minister Andrew Slaughter MP (Lab, Hammersmith) asked what assessment the Government has made of the effect of removing welfare benefits from the scope of legal aid on the number of successful appeals against work capability assessments.
PQ on PIP assessments	Jenny Willott MP (Lib Dem, Cardiff Central) said that

	disabled people were disappointed with Atos and were scared of the new assessment for Personal Independence Payments. She asked what discussions the Government has had with disability groups on administering the new assessment.
<u>PQ on disability benefit assessments</u>	Robert Halfon MP (Con, Harlow) asked the Government for assurance that the new face-to-face assessment for Disability Living Allowance would be localised, humane and fair.
<u>PQ on appeals against decisions for Employment Support Allowance</u>	A series of questions were asked about work capability assessments and appeals.
<u>PQ on automatic qualification for Disability Living Allowance</u>	Lord Morris of Manchester (Lab/Co-op) asked about Government proposals to stop automatic qualification for disability living allowance and what plans it has to consult further on those changes.
<u>PQ on proposals to reduce rate bands for DLA</u>	Lord Morris also asked what representations had been received in support of proposals to reduce the rate bands for disability living allowance from three to two and what plans were in place to consult further on those changes.

Disability issues

Click on link for full transcript

Item	Summary
<u>PQ on accessibility of train stations</u>	Richard Graham MP (Con, Gloucester) asked what assessment the Government has made of the extent of disabled access at train stations in England.

[PQ on Government services for people with hearing loss](#)

Mike Crockart: Would my right hon. Friend agree to a debate about the provision of Government services to the deaf and hard of hearing? On Monday I had the first surgery with a deaf British sign language user in my constituency using Deaf Action's SignVideo system over the internet. We must be assured that all services, whether in education, health or justice, are equally accessible.

Sir George Young: I am sure that every Member of the House would agree with the proposition, which my hon. Friend has just put forward, that services should be more accessible to those who are deaf or hard of hearing. I will raise the issue with my hon. Friend the Under-Secretary of State for Work and Pensions, who has responsibility for disabilities, and then let my hon. Friend know what steps we have already taken in this area and what further steps are planned.

Welfare Reform Bill – Report Stage

Day Five

The Bill to introduce a universal credit was debated in the Lords at Report Stage for the fifth day today.

During the day's debate on the Welfare Reform Bill, Clauses 94, 98 and 100 were debated, as was a New Clause after Clause 99. No Government amendments were made and several probing amendments were tabled. Over the course of the session two divisions were held.

The Government was defeated on vote relating to the exclusion of child benefits from the welfare cap.

Divisions and debates

Amendment 58D to Clause 94

Moving the amendment, Shadow Work and Pensions Minister Lord McKenzie of Luton said that his Party supported a benefit cap, but one based on fairness. A particular concern was that the homelessness for vulnerable individuals, families and children would increase as the cap was currently proposed, he added.

Lord McKenzie stated that the way the cap was to be applied meant that it was an effective second cap on housing support, with local authorities having to bear the cost of the benefit cap when the Government missed its target. He added that Shelter had pointed out that it would make it difficult for many households to afford rent in the private sector and at 80 per cent of market rents in the social sector.

The Shadow Minister explained that the amendment sought exemption from the cap for those accepted as homeless and in priority need, as well as those threatened with becoming homeless because of the cap.

Lord McKenzie said it would relieve pressure on local authorities currently housing homeless families, which would face the cost of the shortfall in rent if there was no suitable alternative. Although it would not stop increased homelessness and migration within the UK driven by cuts already announced to housing benefits, it could help to stop it getting much worse, he felt.

Welfare Reform Minister Lord Freud said that the benefit cap was about changing psychology and dealing with people who were and had been excluded from the workforce entirely. He argued that arrangements had to be put in place to get them able to move back into the workforce.

Lord Freud described the amendment as a “wrecking amendment”, as it would place an exemption from the benefit cap for households provided with interim or temporary accommodation by a local authority. Under it, he felt that any local authority could consider people threatened with homelessness and in priority needed as potentially meaning any household with children.

He believed that Labour only supported a cap that was so high or with so many exemptions that it would apply to only a few people, with most households being exempt. Lord Freud believed that the Government was “well within the court” of public opinion.

Amendment 58D was defeated by 250 votes to 222.

Amendment 59 to Clause 94

Moving amendment 59, the Lord Bishop of Ripon and Leeds said that it would allow families whose benefits had been capped to retain child benefit. He added that it did not challenge the basis of the cap, or the amount of it, but would save around 80,000 children from falling into poverty.

Lord McKenzie supported the amendment, which he said would not remove all the savings that the Government wished to make from the cap, but would provide some protection for the children who were most affected by the measure. Removing child benefit from the cap would preserve a stream of funding for families and a source that was supposed to be focused on the needs of children, he argued.

Concluding, Lord McKenzie felt that the amendment would introduce greater fairness in the construction of the cap.

Lord Freud estimated that the savings generated from the cap would be £120m in 2013-14 and £130m in subsequent years, stating that amendment would cut the number of families affected by the cap from 67,000 to 40,000. He felt this took the pressure away from those families.

The Minister stressed that the Government firmly believed that there had to be a limit on the overall level of benefit that the state provided for those who were not working. Child benefit was provided by the state and funded by taxpayers, so the Lord Freud believed it was right that it was taken into account along with other state benefits when applying the cap.

Amendment 59 was agreed by 252 votes to 237.

Full list of Government amendments made

No Government amendments were made.

Full list of probing amendments

Clause 94

Amendment 58c moved by Labour peer Baroness Donaghy

Amendment 59a moved by Crossbench peer Baroness Flather

Amendment 60 moved by Crossbench peer Lord Best
Amendment 60b moved by Labour peer Baroness Drake

Clause 98

Amendment 61b moved by Crossbench peer Baroness Meacher

New Clause after Clause 99

Amendment 62 moved by Crossbench peer Baroness Meacher

Clause 100

Amendment 62za moved by Labour peer Baroness Lister of Burtersett

Full list of amendments not moved

Clause 94

Amendment 60a
Amendment 61
Amendment 61zb to 61a

Clause 98

Amendment 61c

The Welfare Reform Bill will return to the Lord for the sixth day of Report debate on the 25 January.

Day Six

The Bill to introduce a universal credit was debated in the Lords at Report Stage for the fifth day today.

During the day's debate on the Welfare Reform Bill, Clauses 100, 103, 129, 133, 134, 143 and 144 were debated, as were Schedule 13 and 14. A series of Government amendments were made and several probing amendments were tabled.

Over the course of the session two divisions were held and the Government was defeated on one.

Divisions and debates

Amendment 62BJA New Clause after Clause 132

Labour peer Baroness Lister of Burtersett said that money paid currently paid out in community care grants and crisis loans under the discretionary Social Fund to provide vital cash assistance at times of acute need. She added that the amendment required the Secretary of State to satisfy himself that the local authority would use the money for the purposes set out in the settlement letter and would require local authorities to report on the use of these arrangements.

Labour Shadow Work and Pensions Minister Lord McKenzie of Luton said that this was not about trying to retain the Social Fund as it stood, but ensuring that the money allocated through the process would be spent as it was meant to be.

He added that charities such as Scope, Crisis, and Family Action were seriously concerned that the abolition of the discretionary Social Fund and its replacement with a patchwork of local arrangements would remove one of the final safety nets for some of the most vulnerable and needy members of society.

Lords Government Whip Lord De Mauley said that the Government fully agreed that it was very important to have adequate controls in place to ensure that the funds were used in the way intended, but the amendment was unnecessary as other controls were in place to provide checks and balances before, accompanying and following the initial allocation under the new provision.

Detailing the checks and balances, he felt that through the sharing of ideas local authorities could identify how the funds could be used to best effect to support the most vulnerable, while the settlement letter would set out what funding was to be used for and the outcome that must be achieved.

Lord De Mauley stated that a review in 2014-15 would gather information about the way local authorities used the funding.

The amendment was rejected by 256 votes to 216.

Amendment 62C to Clause 134

Moving the amendment Conservative peer Lord Mackay of Clashfern said his amendment was a matter of fairness and focused on parents who had a former partner who refused to pay child maintenance voluntarily. He wanted the CSA to be concerned solely with the question of maintenance.

He explained that the debate was about whether a non-resident parent would pay maintenance and the simple way to find out is to ask him, the peer did not want to adjudicate on who is to blame for non-payment.

Lord McKenzie said that Labour supported the amendment as it would make it more likely that children would benefit from the maintenance arrangements. He added that when he had ministerial responsibility for the CSA he saw some horrendous cases about non-resident parents, mostly men, who would do anything to avoid meeting their obligations.

Lord De Mauley saw a key part of the reforms as expanding the support for parents to collaborate and did not want the CSA to be default option. The proposal would set up a system where the state would be obliged to try to arbitrate and he did not believe that the state should try to monitor whether a conversation has taken place about collaboration between two parents.

Amendment 62C was agreed to by 270 votes to 128

Full list of Government amendments made

Clause 129

Amendment 62BB
Amendment 62 BC
Amendment 62 BD
Amendment 62 BE
Amendment 62 BF
Amendment 62 BG
Amendment 62 BH

Clause 133

Amendment 62BK

Clause 134

Amendment 62BL
Amendment 62BM

New Clause after Clause 137

Amendment 62CA

New Clause after Clause 138

Amendment 62D

New Clause after Clause 140

Amendment 140

Schedule 13

Amendments 62G to 62JA
Amendment 62L

Schedule 14

Amendments 63 to 67A

Clause 144

Amendment 70

In the title

Amendment 71

Full list of probing amendments

Clause 103

Amendment 62ZC moved by Crossbench peer Baroness Hollins

New Clause after Clause 113

Amendment 62a moved by Crossbench Lord Ramsbotham

Clause 134

Amendment 62CZA moved by Opposition Whip Baroness Hayter of Kentish Town

New Clause after Clause 138

Amendment 62E moved by Crossbench peer Lord Adebowale

New Clause after Clause 141

Amendment 62M moved by Baroness Hayter

Clause 144

Amendment 69 moved by Labour peer Baroness Lister

Full list of amendments not moved

Amendment 62ZB

Amendment 62B

Amendment 62BA

Amendment 62F

Amendment 62K

Amendment 62N

Amendment 68

The Welfare Reform Bill with return to the Lords for Third Reading on 31 January.

PQ on universal disability payments

Mrs Anne McGuire: Just for balance, I should like to put on record my thanks to those who gave us the Spartacus report, which was a challenging document and took apart some of the Government's points.

The Dilnot report recommended that universal disability benefits for people of all ages should continue as now. However, under the new PIP the Government are scrapping low-rate care. Some 500,000 people, and probably more, could face escalating unmet needs that will result in pressure on council care services. What specific discussions has the Minister, as lead for the Office for Disability Issues, had on the changes with her colleagues in the Department of Health and the Department for Communities and Local Government, and with the Scottish and Welsh Governments, and what action has she taken as a result of any conversations?

Maria Miller: The right hon. Lady will know that we have been having very close conversations with both the devolved authorities and the Department of Health, and she is right that we have to consider the changes that are happening in the round. She should also be mindful of the fact that the changes that we are making under the PIP will remove something that we inherited from the

previous Government—£600 million a year going out in overpayments to people whose conditions have changed and who no longer need the same level of support.

[PQ on legal aid](#)

Mr Slaughter: To ask the Secretary of State for Justice what assessment he has made of the effect of removing welfare benefits from the scope of legal aid on the number of successful appeals against work capability assessments. [87912]

Mr Djanogly: The impact assessments published alongside both the consultation paper and the response to consultation lay out the best estimates of the potential effects of the reform programme. However, these did not specifically consider the effects of the reform programme on the number of successful appeals against work capability assessments.

[PQ on PIP assessments](#)

Jenny Willott (Cardiff Central) (LD): Many disabled people are deeply unhappy about the performance of Atos Origin in administering the work capability assessment. As a result, they are scared about the introduction of the new PIP assessment. What discussions has the Minister had with disability organisations about who will carry out the new assessments, and what reassurance has she been able to give them that the mistakes made with the work capability assessment will not be repeated with the PIP?

Maria Miller: My hon. Friend will be aware that the new personal independence payment assessment will be separate from the WCA, and that any contracts that are in place for Atos are not at all connected with the new assessment that we need for PIP. In fact, a formal competition document is going out today to start the commercial process. To reassure her about the involvement of disabled people, I say that we already have an implementation development group, which involves disabled people closely at every step of the way.

[PQ on disability benefit assessments](#)

Robert Halfon: Going back to the issue of testing disability living allowance, will the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Basingstoke (Maria Miller) reassure the House that testing will be localised, humane and fair?

Maria Miller: I thank my hon. Friend for his question, and I pay tribute to him for all the work he does to make sure that things are right as we reform the benefits system. I can absolutely assure him that we will look at ensuring that the new face-to-face assessment is done in a fair manner, and we are going out to commercial contracting on that.

[PQ on Employment Support Allowance \(1\)](#)

Mr Thomas: To ask the Secretary of State for Work and Pensions how many appeals against refusal of the employment and support allowance there were in each month from June 2010; and if he will make a statement.[91973]

Chris Grayling: The following table shows the number of employment and support allowance (ESA) appeals received by the Department for the period June 2010 to December 2011, the last date for which figures are available.

These figures represent all ESA appeals received, including those customers appealing against the result of their work capability assessment as well as those where ESA has been refused before a claimant enters the ESA assessment phase. Note that appeals against incapacity benefit reassessment claims are not included in these figures.

	ESA appeals received
2010	
June	19,600
July	20,300
August	20,300
September	19,900
October	19,700
November	21,700
December	17,400
2011	
January	15,100
February	18,200
March	22,400
April	18,200
May	17,700
June	20,400
July	18,700
August	18,000
September	12,800
October	12,800
November	12,900
December	12,600

Notes: 1.

Management Information System Programme (MISP) is the departmental performance management, data capture and reporting tool.

This type of internal management information does not form part of the official statistics outputs that are released by the Department in accordance with the UK Statistics Authority's Code of Practice.

2.

All figures have been rounded to the nearest 100.

Source: Management Information System Programme 25 January 2012.

[PQ on Employment and Support Allowance \(2\)](#)

Mr Hepburn: To ask the Secretary of State for Work and Pensions what alternatives his Department considered to the one-year time-limit on contributory employment and support allowance; and what the reasons were for not pursuing any such alternatives.[91788]

Chris Grayling: I refer the hon. Member to the written answer I gave the hon. Member for St Ives (Andrew George) on 5 December 2011, Official Report, column 92W.

[PQ on automatic qualification for Disability Living Allowance](#)

Asked by Lord Morris of Manchester - To ask Her Majesty's Government what representations they have received in support of their proposals to stop automatic qualification for the disability living allowance; and what plans they have to consult further on those changes.[HL14888]

Lord Freud: We do not think it right that we should judge people purely on the type of health condition or impairment they have and making blanket decisions about benefit entitlement. Our formal DLA Reform public consultation ran from 6 December 2010 to 18 February 2011.

We received more than 5,000 individual responses and over 500 responses from organisations.

The majority of organisations welcomed the move to the new, broader definitions of the daily living and mobility components as being a better reflection of the real experience of disabled people's daily lives. There was no consensus in the responses we received on whether people with certain impairments or health conditions should have an automatic entitlement to personal independence payment. We have no plans to consult further on automatic qualification.

People lead varied and often complex lives, with differing circumstances and needs—they do not fit neatly into boxes.

We believe that personal independence payment should reflect this, providing support tailored to these personal circumstances. On 16 January we published details on the entitlement thresholds and revised assessment criteria and started a formal 15-week consultation.

[PQ on proposals to reduce rate bands for DLA](#)

Asked by Lord Morris of Manchester - To ask Her Majesty's Government what representations they have received in support of their proposals to reduce the rate bands for disability living allowance from three to two; and what plans they have to consult further on those changes.[HL14887]

The Parliamentary Under-Secretary of State, Department for Work and Pensions (Lord Freud): Our aim is to make personal independence payment fair, more straightforward to administer than DLA, and easier and clearer for individuals to understand. Our formal DLA Reform public consultation ran from 6 December 2010 to 18 February 2011.

We received more than 5,000 individual responses and over 500 responses from organisations. The majority of organisations welcomed the move to the new, broader definitions of the daily living and mobility components as being a better reflection of the real experience of disabled people's daily lives. We have no plans to consult further on the rate bands.

However our wider engagement on the reforms continues.

We continue to meet with disabled people and their representative organisations and on 16 January we published details on the entitlement thresholds and revised assessment criteria

[PQ on accessibility of train stations](#)

Richard Graham: To ask the Secretary of State for Transport what assessment her Department has made of the extent of disabled access at train stations in (a) England (b) the South West.[91347]

Norman Baker: Information about station facilities is a matter for the Association of Train Operating Companies (ATOC) and full access audits, partly funded by the Department, of every station in Great Britain were carried out in 2009. The Department and Network Rail have also looked at the facilities available at stations across the country in selecting projects for the Access for All programme, with 153 stations selected so far to receive an accessible route.

More than 1,000 stations have also received more minor improvements.

An additional mid-tier programme was also announced in December worth £37.5 million of further access improvements.

Parliamentary terms

Early Day Motion (EDM)

Early Day Motions are formal motions for debate submitted by MPs in the House of Commons. There is usually no time available to actually debate an EDM, but they are useful for drawing attention to specific events or campaigns and demonstrating the extent of parliamentary support for a particular cause or point of view. MPs register their support by signing individual motions.

Parliamentary Question (PQ)

Parliamentary questions are oral or written questions to Ministers in the House of Commons and the House of Lords. They are used to seek information, and Ministers are obliged to explain and defend the work, policy, decisions and actions of their departments. Parliamentary questions are a vital tool in holding the Government to account. The Prime Minister answers to the House of Commons every Wednesday at midday.

Debates

Both the House of Commons and the House of Lords hold debates in which Members discuss government policy, proposed new laws and current issues. All debates are recorded in a publication called 'Hansard' which is available online or in print.

All-Party Parliamentary Group (APPG)

All-Party Parliamentary Groups (APPGs) are informal groups composed of politicians from all political parties. They provide an opportunity for cross-party discussion and co-operation on particular issues. All-party groups sometimes act as useful pressure groups for specific causes helping to keep the Government, the opposition and MPs informed of parliamentary and outside opinion.

Select Committees

House of Commons Select Committees exist to scrutinise the work of government departments. Most committees have about 11 members and reflect the relative size of each party in the Commons. They conduct enquiries on a specific issue, and gather evidence from expert witnesses. Findings are reported to the Commons, printed, and published on the Parliament website. The Government then usually has 60 days to reply to the committee's recommendations.

Select Committees in the House of Lords concentrate on four main areas: Europe, science, economics, and the UK constitution.

Written ministerial statements

Government ministers can make written statements to announce:

- The publication of reports by government agencies
- Findings of reviews and inquiries and the government's response
- Financial and statistical information
- Procedure and policy initiatives of government departments

Private Members' Bills

Private Members' Bills allow backbench MPs or Peers to introduce their own legislation. There are three types of Private Members' Bills:

- **Ballot Bills:** A ballot is held at the beginning of each parliamentary year the 20 MPs whose names come out top are allowed to introduce legislation on a subject of their choice.
- **Ten Minute Rule Bills:** The sponsoring MP is given a slot in which they may make a speech lasting up to 10 minutes in support of his or her bill
- **Presentation Bill:** a Member is not able to speak in support of it and it stands almost no chance of becoming law