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Weekly Political Update

Week ending 20 January 2012

Westminster

Deafness and hearing loss

Click on link for full transcript

Item	Summary
<u>Debate in the House of Commons – access to music venues for deaf and disabled people</u>	Matthew Hancock MP (Conservative, West Suffolk) highlighted information from Action on Hearing Loss's membership survey, about the benefits to businesses of being accessible to people with hearing loss, during a debate in the House of Commons on the accessibility of music venues for deaf and disabled people.
<u>EDM on hearing loop provision</u>	David Ward MP (Lib Dem, Bradford East) tabled an EDM highlighting figures from Action on Hearing Loss's survey of hearing loop provision in the UK. The EDM calls on the Government to take steps to encourage providers to install hearing loops and train staff in their use.
<u>PQ on number of deafblind children in the UK</u>	Robert Buckland MP (Con, South Swindon) asked the Government when research was last undertaken into the number of deafblind or multi-sensory impaired children in the UK.

Disability issues – employment and welfare

Click on link for full transcript

Item	Summary
<u>Welfare Reform Bill – Report Stage (day four)</u>	During scrutiny of the Welfare Reform Bill in the House of Lords, Baroness Grey-Thompson's (Crossbencher) amendment, which would have required the replacement for DLA to be trialled first, was narrowly defeated. However Welfare Reform Minister Lord Freud (Con) revealed that in addition to pre-implementation work, the number of new PIP claims would be limited to a few thousand a month for the first few months of implementation to fully trial the processes in a live environment.

<p><u>PQ on 'Responsible Reform' report</u></p>	<p>Richard Burden MP (Lab, Birmingham, Northfield) asked the Government if they would assess the findings of the '<u>Responsible Reform</u>' report, published by disability representatives. The report found that the consultation process on welfare reform did not meet the Government's own Code of Practice and claims that the majority of respondents did not support proposals for Personal Independence Payments.</p>
<p><u>PQ on cuts to legal aid</u></p>	<p>Shadow Employment Minister Stephen Timms MP (Lab, East Ham) asked whether the Government had consulted disabled people on the potential effect of removing welfare benefits from the scope of legal aid.</p> <p>Shadow Justice Minister Andrew Slaughter MP (Lab, Hammersmith) asked about the resulting additional costs to the NHS and other Government departments of removing welfare benefits from the scope of legal aid.</p>
<p><u>PQs on the Work Programme</u></p>	<p>Shadow Employment Minister Stephen Timms MP (Lab, East Ham) asked the Government about monitoring the performance of Work Programme providers.</p> <p>He also asked questions about an independent evaluation of the Work Programme and the nature of outcomes data which is to be published in Autumn 2012.</p>
<p><u>PQ on research into those found fit for work</u></p>	<p>In response to a question from Tom Greatrex MP (Lab/Co-op, Rutherglen and Hamilton West) Employment Minister Chris Grayling MP (Con, Epsom and Ewell) stated that the Government plans to publish research on 27 January into what happens to people found fit for work, and those placed in work related activity and support groups.</p> <p>Tom Greatrex MP (Lab/Co-op, Rutherglen and Hamilton West) asked a series of questions related to disability benefits.</p>
<p><u>PQ on reform of DLA</u></p>	<p>Adrian Sanders MP (Lib Dem, Torbay) asked the Government why an increase in the number of claimants of disability living allowance required the allowance to be reformed.</p>

PQ on Work Capability Assessments	Shadow Employment Minister Stephen Timms MP (Lab, East Ham) asked the Government about the number of Work Capability Assessment recommendations which have been overturned since its introduction.
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Disability issues – social care
Click on link for full transcript

Item	Summary
Health Select Committee – inquiry into social care	During an evidence session on social care, members of the Health Select Committee told Social Care Minister Paul Burstow MP (Lib Dem, Sutton and Cheam) that the Committee is yet to be convinced by the Government’s approach to the integration of health and social care.
PQ on social care provision	Kwasi Kwarteng MP (Con, Spelthorne) asked what steps the Government is taking to reduce the cost of social care provision.
PQ on reform of adult social care	Jonathan Reynolds MP (Lab/Co-op, Stalybridge and Hyde) asked if the Government will consider introducing national eligibility criteria and portable assessments for the provision of adult social care.

Disability issues
Click on link for full transcript

Item	Summary
PQ on accessible bus services	Jim Cunningham MP (Lab, Coventry South) asked the Government how it plans to increase access to bus services for disabled people. He also asked about increasing access to travel advice and information for disabled people.

[Debate in the House of Commons – access to music venues for deaf and disabled people](#)

Provision of training is important to ensure understanding of the legal requirements to disabled access in the music industry, MPs heard today.

Conservative Parliamentary Under-Secretary of State for Culture, Olympics, Media and Sport, Edward Vaizey, said that provision of training opportunities would be one way to make sure there is adequate understanding in the music industry about the requirements of disabled access.

In line with the Government's aim to reduce red tape, the Minister was not keen to place further conditions on venues putting on events, in response to the report by the charity Attitude is Everything, recommending making disabled access a condition for entertainment licensing.

Mr Vaizey expressed a wish for the Department to expand its work on leading the debate on accessibility. He pointed to the film policy review consultation that is due in March and the Minister pledged to address issues of disability access to cinema in the response.

Highlighting the Department's current work on accessibility, he also expressed frustration with the lack of engagement from business and telecom companies in the Department's e-inclusion accessibility forum and calls for video technology for deaf people.

Conservative MP Matthew Hancock secured the debate on access to live music for deaf and disabled people and referenced a report into live music accessibility carried out by Attitude is Everything. Mr Hancock asserted that the law was in place in the Equality Act 2010 with the requirement of ensuring access through 'reasonable adjustment', it was rather a question of enforcement.

[EDM on hearing loop provision](#)

That this House expresses concern that a recent survey has found that only one in six public service providers has an acceptable standard of hearing loop provision for the two million hearing aid users in the UK and that a significant number of shops and service providers that display the hearing loop sign do not have a fully functioning system or have not provided sufficient training to allow their staff to use the system appropriately; notes that under the Equality Act 2010, service providers are required to make reasonable adjustments to make their service accessible for customers with disabilities; and calls on the Government to take steps to encourage service providers, where feasible and appropriate, to install hearing loops and train staff to use them so that services are more accessible for customers with hearing loss.

[PQ on number of deafblind children in the UK](#)

Mr Buckland: To ask the Secretary of State for Health (1) when the Government last undertook research into the number of deafblind or multi-sensory impaired children in the UK; [88387] (2) how many children in England have been identified as deafblind or multi-sensory impaired in each of the last five years; and how many such children have received a statutory assessment.[88388]

Anne Milton: The NHS Information Centre for health and social care published the report "Registered Blind and Partially Sighted People—Year ending 31 March 2011, in England" on 1 September 2011.

The report has detail on the number of people registered as blind or partially sighted by age group as at 31 March for the period 1982 to 2011.

Information is not available for each of the last five years nor on the number of children who have

received a statutory assessment.

The report is available at: <http://www.ic.nhs.uk/pubs/blindpartiallysighted11>The following tables show the number of people aged 0-17 years who are registered blind or partially sighted who also have a hearing impediment.

The data is a snapshot of the position on 31 March 2006, 2008 and 2011 in England.

It should be noted that the registration of blindness is voluntary.

Number of people aged 0-17 years registered blind who also have a hearing impairment, as at 31 March 2006, 2008 and 2011, England(1)				
Rounded number				
	With additional disability of			
		Of which:		
	Deaf	With speech	Without speech	Hearing impediment
2011	50	20	30	95
2008	70	45	30	80
2006	70	35	35	55

(1) Estimates have not been made where a council has not been able to provide the information separately for those with an additional disability, therefore the table contains the total only from those councils from which returns were received.

Notes: 1.
Data rounded to the nearest five.
2.
Figures for 2011 are based on actual returns received from 150 councils out of 152.
3.
Figures for 2008 are based on actual returns received from 145 councils out of 150.
4.
Figures for 2006 are based on actual returns received from 128 councils out of 150.
Source: SSDA 902.

Number of people aged 0-17 years registered partially sighted who also have a hearing impairment, as at 31 March 2006, 2008 and 2011, England(1)				
Rounded number				
	With additional disability of			
		Of which:		
	Deaf	With speech	Without speech	Hearing impediment
2011	55	25	30	90
2008	70	35	35	120
2006	50	25	25	80

(1) Estimates have not been made where a council has not been able to provide the information separately for those with an additional disability, therefore the table contains the total only from those councils from which returns were received.

Notes: 1.
Data rounded to the nearest five.

2.
Figures for 2011 are based on actual returns received from 150 councils out of 152.
3.
Figures for 2008 are based on actual returns received from 145 councils out of 150.
4.
Figures for 2006 are based on actual returns received from 127 councils out of 150.
Source: SSDA 902.

[Welfare Reform Bill – Report Stage \(day four\)](#)

The Bill to introduce a universal credit was debated in the Lords at Report stage for the 4th day today.

During the day's debate on the Welfare Reform Bill, most Clauses between 69 and 93 were debated, as well as Schedule 9 and 10. A series of Government amendments were made and several probing amendments were tabled. Over the course of the session one division was held.

Divisions and debates

Amendment 50E to Clause 80

Moving amendment 50E to Clause 80, Crossbench peer Baroness Grey-Thompson of Eaglescliffe said that its purpose was to ensure that there was an independent report on the plans for both the Personal Independence Payment (PIP) and its implementation before the implementation started, and a trial period before it was implemented in full.

She added that there was huge concern about Disability Living Allowance (DLA) reform and modelling suggested that there would be a caseload of 1.7 million people receiving PIP in 2015-16. Baroness Grey-Thompson said that without introducing the new benefit it was expected that the number of 16 to 64 year-olds claiming DLA in 2015-16 to be 2.2 million, a reduction of half a million people who would not receive any help with the cost of disability who would have been receiving DLA.

Labour Shadow Work and Pensions Minister Lord McKenzie of Luton supported the amendment, which called for an added layer of safeguards within the process of reform and called for the full involvement of disabled people and their organisations in the process. He accepted that DLA needed updating, but the huge difference the benefit had made to the lives of millions required the maximum assurance to be provided before any replacement was implemented.

Welfare Reform Minister Lord Freud said that the amendment would significantly delay the trialling for the process. He added that there had been and would continue to be significant opportunities from disabled people and their organisations to be involved in discussions.

In addition to pre-implementation work, Lord Freud revealed to the House that the number of new PIP claims would be limited to a few thousand a month for the first few months of implementation to fully trial the processes in a live environment. He reminded the House of the cost of the amendments already made to the so far, which would total £5.2bn if this amendment was agreed too.

Amendment 50E was disagreed by 229 votes to 213.

Amendment 51 to Clause 80

Barons Thomas of Winchester moved the amendment, stating that the Government had conceded on the qualifying period for PIP being brought back to three months from six months. Baroness Thomas was grateful to the Minister for listening to the concerns expressed by many disabled people and the organisations that supported them about the hardship that such a long qualifying period could cause.

Labour Shadow Work and Pensions Minister Lord McKenzie said that the arguments for a three month qualifying period were strong and commended the Government for listening.

Welfare Reform Minister Lord Freud was pleased to support the amendments in the group and thanked Macmillan and CLIC Sargent for the advice they had given. He indicated that the Government had tried to balance payments being made sooner against the potential for more assessments, which was why it had ended up going for six months initially, but had been persuaded that the balance should shift.

Amendment 51 was agreed without vote

Full list of Government amendments made

Clause 84

Amendment 54EA
Amendment 54FA
Amendment 54GB
Amendment 54GC

New Clause after 84

Amendment 54GB

Clause 87

Amendment 56ZA
Amendment 56ZB

Schedule 9

Amendment 56KA
Amendment 56LA
Amendment 56ZDA

Non-Government amendments agreed to without vote

Clause 80

Amendment 51 moved by Liberal Democrat peer Baroness Thomas
Amendment 52 moved by Liberal Democrat peer Baroness Thomas
Amendment 53 moved by Liberal Democrat peer Baroness Thomas
Amendment 54 moved by Liberal Democrat peer Baroness Thomas

Full list of probing amendments

Clause 69

Amendment 50ZA moved by Labour peer Baroness Lister of Burtersett

Clause 76

Amendment 50ZGA moved by Crossbench peer Baroness Meacher

Clause 77

Amendment 50ZGB moved by Crossbench peer Baroness Grey-Thompson

Amendment 50ZH moved by Crossbench peer Baroness Grey-Thompson

Clause 79

Amendment 50ZR moved by Crossbench peer Baroness Grey-Thompson

Amendment 50AB moved by Liberal Democrat peer Baroness Thomas

Clause 82

Amendment 54C moved by Crossbench peer Lord Low of Dalston

New Clause after 83

Amendment 54D moved by Crossbench peer Baroness Hollins

Clause 86

Amendment 55 moved by Crossbench peer Lord Rix

Full list of amendments not moved

Clause 69

Amendment 50ZB

Amendment 50 ZC

Clause 74

Amendment 50ZD

Clause 76

Amendment 50ZE

Amendment 50ZF

Amendment 50ZG

Clause 77

Amendment 50ZGH
Amendments 50ZJ to 50ZJA

Clause 78

Amendment 50ZK
Amendment 50ZL

Clause 79

Amendment 50ZM
Amendment 50ZQ
Amendments 50ABA to 50D

Clause 80

Amendment 51A
Amendment 52A

Clause 81

Amendment 54A
Amendment 54B

Clause 83

Amendment 54E

Clause 84

Amendment 54F
Amendment 54G
Amendment 54 GA

Clause 85

Amendment 54HA
Amendment 54J
Amendment 54K

Clause 86

Amendment 56

Clause 88

Amendment 56ZC

Schedule 9

Amendments 56A to 56K
Amendment 56L
Amendments 56M to 56ZD
Amendments 56ZE to 56ZJ

Clause 91

Amendment 56ZK

Schedule 10

Amendments 56ZL to 56ZY

Clause 92

Amendments 57 to 58ZA

Clause 93

Amendments 58A and 58B

The Welfare Reform Bill with return to the Lords for the 5th day of Report Stage debate on the 23 January.

[PQ on 'Responsible Reform' report](#)

Richard Burden: To ask the Secretary of State for Work and Pensions if he will assess the findings of the report entitled Responsible Reform: A report on the proposed changes to Disability Living Allowance, published by Dr S J Campbell and other disability representatives; and if he will make a statement. [90885]

Maria Miller: I am aware of the publication of this report.

I believe that the report seriously misrepresents the way the Department has carried out consultation and design of necessary reforms to disability living allowance.

In particular the report fails to acknowledge the extensive work that the Department has done since the formal consultation on DLA reform ended nearly a year ago.

We have also had ongoing meetings with disabled people and representative organisations and have just commenced a further, formal consultation of 15 weeks on revised assessment criteria as a result of the earlier informal consultation. These discussions have led to significant changes to our plans. For example, we will not be removing the mobility component from care home residents and we have decided that the qualifying period will be three months instead of six.

We have also listened and made significant changes to the assessment criteria as a result of our engagement with disabled people and their organisations.

These developments reflect our determination that the design and development of personal independence payment should be through active engagement with disabled people and their representative organisations. The case for reform is clear—DLA is confusing for individuals to

understand, based on unclear criteria and often results in inconsistent awards.

Expenditure is also far in excess of the initial estimated costs and it currently costs £12.6 billion. We need to ensure that the benefit is sustainable, and that it reflects the needs of disabled people today, rather than in the 1990s.

Our reforms will ensure that support is targeted on those who face the greatest challenges to take part in everyday life.

[PQ on cuts to legal aid](#)

Stephen Timms: To ask the Secretary of State for Justice whether he has consulted disabled people on the effect on them of removing welfare benefits from the scope of legal aid.[89327]

Mr Djanogly: A full public consultation was held on legal aid reform.

Mindful of our obligations under the public sector equality duty, and in particular the need to encourage persons who share a protected characteristic to participate in public life, we engaged the Legal Services Commission's client diversity group, which includes users with protected characteristics (including disabilities) to obtain their views on the consultation proposals.

This engagement led to the production of a summary of consultation proposals in the Easyread format for those with learning difficulties, as well as a British Sign Language version being made available.

[PQ on cuts to legal aid](#)

Mr Slaughter: To ask the Secretary of State for Justice what estimate he has made of the extent of any additional costs to (a) the NHS and (b) other Government Departments as a result of welfare benefits being removed from the scope of legal aid.[89322]

Mr Djanogly: The impact assessments published alongside the Government's response to consultation represent the best estimates of the potential costs and benefits attached to the reforms.

Ultimately, costs and benefits arising, including those to other Government Departments, will be determined by behavioural responses to the changes, which cannot be predicted with any degree of certainty.

It should be noted that the Department of Health has confirmed that in the context of the reforms as a whole, which include both the Lord Justice Jackson reforms and legal aid, costs to the NHS are expected to reduce and not increase.

We will be conducting a post-implementation review of the reforms three to five years after Royal Assent, and this will consider the question of systemic impacts of the reforms.

[PQ on research into those found fit for work](#)

Tom Greatrex: To ask the Secretary of State for Work and Pensions with reference to page 18 of the Government's response to Professor Malcolm Harrington's Second Independent Review of the Work Capability Assessment, on what date he plans to publish part one of his Department's research into what happens to people found fit for work, and those placed in work related activity and support groups.[90325]

Chris Grayling: We plan to publish the research on 27 January. It will be available on the DWP website.

[PQ on support for ESA claimants](#)

Tom Greatrex: To ask the Secretary of State for Work and Pensions with reference to page 16 of the Government's response to Professor Malcolm Harrington's Second Independent Review of the Work Capability Assessment, what progress he has made in implementing recommendation one of Professor Harrington's year one recommendation.[90320]

Chris Grayling: Enhanced support for employment and support allowance (ESA) claimants was introduced via a phased national approach, which commenced in June and was completed on 31 October 2011.

Claimants will benefit from a new letter explaining the WCA process; and a telephone call by the DWP Decision Maker to explain the decision made on their claim.

DWP endorses Professor Harrington's year two recommendation to monitor the impact of the year one changes and evaluation is currently under way.

[PQ on monitoring appeal outcomes](#)

Tom Greatrex: To ask the Secretary of State for Work and Pensions with reference to page 24 of Professor Malcolm Harrington's report An Independent Review of the Work Capability Assessment—year two, what discussions he has had with the Tribunal Service on the provision of statistical information to the Harrington Review in relation to the monitoring of appeal outcomes within and between tribunals.[90307]

Chris Grayling: Professor Harrington has not, to date, asked the Department to request this statistical information on his behalf. As his second independent review makes clear Professor Harrington intends to continue to pursue his recommendations relating to the Tribunal Service over the coming year, including the monitoring of appeals outcomes within and between Tribunals. The Department supports this work and believe it could have a positive impact on the WCA process as a whole.

PQs on the Work Programme

[Prime providers](#)

Stephen Timms: To ask the Secretary of State for Work and Pensions what mechanism he has put in place to alert his Department to potential prime provider failure on the Work programme.[90933]

Chris Grayling: The Department has set minimum performance standards for Work programme providers and we will use internal job outcome information to provide early warning of any potential failure to deliver these standards. Minimum standards have been set for each of the main participant groups, requiring providers to deliver job outcome results that are at least 10% higher than would have been expected if those same groups had not joined the programme. We will intervene and take action, with the aim of improving performance, against providers who fail to meet the minimum standards.

If those performance improvements are not achieved within a short timescale, action up to and including contract termination will be taken. In addition the Department will encourage ongoing

competition by shifting market share from those who perform least well to the best performing provider in the contract package area.

Outcome data

Stephen Timms: To ask the Secretary of State for Work and Pensions whether the outcome data for the Work programme to be published in autumn 2012 will include the number of referrals to and outcome payments received by individual tier 1 and tier 2 providers in each contract package area.[90937]

Chris Grayling: Official statistics on Work programme referrals and attachments up to October 2011 will be published in February 2012. Statistics on job outcomes will be released from autumn 2012. DWP collects data at prime provider level and therefore the published statistics will report only to prime provider level for each contract.

Value of contracts

Stephen Timms: To ask the Secretary of State for Work and Pensions what the total value is of Work programme contracts awarded to each individual prime provider.[90938]

Chris Grayling: Work programme funding for providers is based primarily on results.

Total spend depends on performance.

Our forecasts are for expenditure to be in the region of £3-5 billion over the life of contracts.

Evaluation of Work Programme

Stephen Timms: To ask the Secretary of State for Work and Pensions pursuant to the answer of 16 January 2012, Official Report, column 600W, on work programme, which organisation he has commissioned to provide the independent evaluation of the Work programme.[90948]

Chris Grayling: The Department for Work and Pensions has commissioned a consortium led by the Institute for Employment Studies (IES) to undertake an independent evaluation of the Work programme.

Evaluation work started in autumn 2011 and will conclude in 2014.

Data collection

Stephen Timms: To ask the Secretary of State for Work and Pensions what data Work programme providers are required to collect to facilitate subsequent reporting in line with the requirements of the UK Statistics Authority.[89328]

Chris Grayling: DWP is developing official statistics on the information recorded by providers on the payment administrative system.

The information collected is subject to regular validation checks to ensure providers are paid correctly for job outcomes and sustainment payments claimed, which in turn will help guarantee the accuracy of information which is released.

Prior to the release of any figures DWP will perform extra validation checks to ensure that official statistics meet the appropriate standards for publication. Providers have not been given specific instructions regarding the collation of data for the purpose of publishing official statistics, only that they should adhere to the code of practice which can be viewed via the following

link:<http://www.statisticsauthority.gov.uk/assessment/code-of-practice/code-of-practice-for-official-statistics.pdf>

In addition, the DWP ensures that the National Statistician's guidance on the use of administrative or management information is followed.

This can be viewed via the following link:<http://www.statisticsauthority.gov.uk/national-statistician/ns-reports--reviews-and-guidance/national-statistician-s-guidance/use-of-administrative-or-management-information.pdf>

PQ on reform of DLA

Mr Sanders: To ask the Secretary of State for Work and Pensions with reference to his Department's consultation on disability living allowance, for what reasons the increase in the number of claimants of disability living allowance requires the allowance to be reformed.[89716]

Maria Miller: Reform of DLA is long overdue. The new personal independence payment will be designed to support disabled people and enable support to be targeted on those who face the greatest barriers to leading live full, active and independent lives. We want to create a benefit that is affordable and sustainable in the long term.

The total number of people claiming disability living allowance has risen almost 30% in the last eight years, from 2.5 million to 3.2 million in 2010-11, almost three quarters of which is not attributable to demographics, and total DLA expenditure has increased over the same period by almost £3.4 billion (nearly 40% in 2011-12 prices.) If unreformed the number claiming DLA would rise to 3.5 million. The cost of this would be unsustainable.

However this is only one of a number of factors underpinning reform. There is also no systematic process of reviewing whether awards remain correct and an over-reliance on self-assessment—only around 50% of applications for DLA are corroborated by medical evidence.

In 2004-05 the National Benefit Review estimated that £630 million of incorrect payments were being made to individuals whose condition had changed. Equally concerning is that £190 million was not claimed despite individuals experiencing deteriorating conditions.

It cannot be right that individuals receive incorrect awards, and our reforms will ensure awards are regularly reviewed in a proportionate way.

PQ on Work Capability Assessments

Stephen Timms: To ask the Secretary of State for Work and Pensions how many recommendations following a work capability assessment made by Atos (a) to place a claimant in (i) the support group and (ii) the work-related activity group and (b) finding a claimant fit for work were overturned by his Department when making an initial decision since the introduction of the assessment.[89981]

Chris Grayling: Decisions on entitlement to employment and support allowance (ESA) rest solely with the Department's Decision Makers taking into account the medical assessment reports from Atos and any other relevant information. The following table shows the recommendations made by Atos together with the final decision made by the DWP Decision Makers. For example, there were 597,100 claimants where the recommendation from Atos at initial assessment was 'fit for work', of these, 564,800 received a final fit for work decision, but 27,700 were assessed to be in the work-related activity group and 4,700 were assessed to be in the support group. There were also around 24,000 clerical assessments where the Atos recommendation cannot

be determined but the claimants subsequently received a decision from DWP. The table presents data for all completed initial work capability assessments for ESA claims from October 2008 up to May 2011 (the latest data available).

		DWP decision			
		FFW	WRAG	SG	Total
Atos Recommendation	FFW	564,800	27,700	4,700	597,100
	WRAG	600	212,600	4,200	217,500
	SG	100	600	90,200	90,900
	Unknown	10,000	12,000	2,000	24,000
	Total	575,400	253,000	101,000	929,500

Note: All figures have been rounded to the nearest 100 and as a result may not sum to totals.

Health Select Committee – inquiry into social care

Local authorities are accountable for the decisions they make, Care Services Minister Paul Burstow said today. There is no funding gap in social care in the current Comprehensive Spending review period, he said, despite disagreement from MPs.

It is “a mistake to generalise” and say the system is in crisis and it is difficult to define or identify unmet need, he also argued, as members of the Committee cited a differences in evidence given by Mr Burstow and previous witnesses.

Nudges to force the system to “behave differently”, rather than a “silver bullet” will bring about health and social care integration, Mr Burstow argued, though he dismissed rumours of a “structural merger”, as reported in the press.

The Committee is yet to be convinced that the Government’s approach to integration is as it needs to be, MPs told Mr Burstow.

A progress report on funding reform can be expected in the spring, alongside the social care White Paper, the Minister also confirmed.

The committee heard from:

- Paul Burstow MP, Minister of State for Care Services
- David Behan CBE, Director General of Social Care, Local Government and Care Partnerships, Department of Health

The plan for reform

The protection of social care was a key priority for the Government during the Comprehensive Spending Review (CSR) period, Mr Burstow began, citing additional funding.

In response to Conservative MP and Committee Chair Stephen Dorrell's questions about the White Paper, Mr Burstow said it will cover law reform and reform associated with the outcomes of Caring for Our Future. A progress report on funding reform will also be published. The documents are expected in the spring, though no firm date has been set.

Cross-party talks about funding options have started, Mr Burstow confirmed. The Government and opposition are not prepared to offer a “running commentary” on the progress of talks.

If implemented, the Dilnot Commission recommendations will require primary legislation for some aspects of the 13 recommendations, Mr Burstow told the Chair.

The Government’s response to the Law Commission’s proposals will be in the White Paper in the spring, he told the Committee.

Conservative MP Dr Daniel Poulter asked if a firm decision will be made on funding. A progress report is to be expected alongside the White Paper, he heard.

The Government wants legislation during the course of this Parliament, Mr Burstow told Labour MP Grahame M Morris.

What is the Government doing to avert the current funding crisis, asked Labour MP Barbara Keeley. Local Government funding and the transfer of resources from the NHS to support social care were key CSR measures, Mr Burstow said.

The Government is also working with the LGA to see how productivity can be improved, he said, citing “disparities” across the system. Investment in re-ablement can also save costs, he continued.

Social care funding

Andrew Dilnot has said that allocated Government funding for local authorities has not reached social care, Ms Keeley argued. The Alzheimer’s Society has said that many PCTs are unsure where Dementia Strategy funds have been spent.

Local authorities are accountable for the decisions they make, Mr Burstow said when Ms Keeley asked how he can be sure that the money is spent correctly in the absence of ring-fencing.

Of the £648m transferred from PCTs, 18 per cent will go on maintaining eligibility criteria, 18 per cent on additional investment in re-ablement, 10 per cent on intermediate care, 8 per cent on early supported hospital discharges, 8 per cent on integrated crisis response and 38 per cent on other services.

Ms Keeley asked about the current gap in funding and heard from Mr Burstow that the Government is providing additional funding and introducing efficiencies.

There is no gap in the current spending review period and it is “a mistake to generalise” and say the system is in crisis, he argued.

There is no clear definition of unmet need, he said, though Ms Keeley asked how the Dilnot Commission’s recommendations could be implemented without addressing unmet need or accepting there is a funding gap.

The LGA has estimated that it faces a funding gap of £6.5bn in 2011-12, Mr Morris said and local authorities are struggling to maintain social care services.

Acknowledging a “difference of opinion”, Mr Burstow said the decisions that local authorities are making about services and how demand is managed is important.

Local authorities are desperately trying to find the funding to deliver basic services, Labour MP Rosie Cooper said. The money lacks direction and does not reach the services it needs to, she argued.

There need not be a funding gap if local authorities take the efficiency measures that the LGA has accepted are necessary, Mr Burstow said.

Some local authorities only treat those in critical need and have increased their service costs, Ms Cooper said. Some are “looking again” at their charging policies, Mr Burstow said, arguing that authorities should engage with the public and service users about re-designing services.

Defining and measuring unmet need is difficult, Mr Burstow said. There is academic disagreement about any one figure, he said when the Chair asked him for clarity about the Government’s position on whether there is unmet need.

Age UK and carers should be consulted about unmet need, suggested Ms Keeley. Many authorities are improving services, Mr Burstow said, suggesting that Age UK themselves would probably “candidly acknowledge” that they do not have “an absolute handle” on unmet need.

£7.2bn in new resources plus the efficiencies programme is enough for local authorities to maintain services, Mr Burstow said. Some have chosen to invest while others have not, resulting in a 1.5 per cent reduction in social care spending.

ADASS figures suggest that £1bn less is being spent on social care Ms Keeley argued. Social care is “in crisis”, she said, though Mr Burstow said that there should not be a funding gap.

Care assessments and portability

Asking about fair access to care services, Liberal Democrat MP Andrew George asked if national consistency can be achieved on assessing care needs.

A system with twenty-first century values is needed and the Law Commission recommend a clear set of principles. The current assessment process looks at what people cannot do, rather than what they can do, he added.

Will local authorities be able to achieve consistency, Mr George asked. If the Law Commission and Dilnot Commission recommendations on eligibility are accepted, designing new criteria will be critical, Mr Burstow said.

Personalisation of services is a goal so there will “inevitably” continue to be a tension between local and national determination, Mr George heard.

Mr Burstow agreed that those with existing care assessments and packages should be portable and transferrable to other local authority areas. The system is out of date, he said, insisting that portability is an important part of the reforms but work still needs to be done.

Carers and the care workforce

The majority of care workers do a “fantastic job”, but those that are guilty of abuse or inadequate care cannot hide behind the majority, Mr Burstow said. A clearer set of nationally agreed training standards for care workers is needed.

The quality of management and training can have an effect on the quality of care, he continued, disagreeing that low pay is the main reason for substandard care.

The Department of Health may have overlooked the issue, Mr George said reacting to the figures. Mr Burstow described this as a “huge mis-characterisation of the Department’s position” and insisted that the Department has been focusing on workforce quality.

The Government will acknowledge the role of carers in the White Paper, Mr George heard. The 2012 NHS Operating Framework will be more explicit about how the NHS should meet its commitments to carers.

Only 4 per cent of carers receive assessments, Mr George said. Mr Burstow agreed that the Government needs to improve its engagement with carers and hoped that more carers can have access to flexible working in the future.

“Hidden carers” need to be better identified, Ms Keeley said, accusing the Government of avoiding the issue.

Private initiatives, including one from Sainsbury’s will have a positive effect and the Government is taking action, Mr Burstow said, arguing against the accusations. Ms Cooper continued to argue that not enough is being done, stating that she is “astounded” by some of Mr Burstow’s responses in the session.

Under some circumstances it could be possible for flexibility on personalised budgets to allow family carers to be “employed”, Mr Burstow said.

The Carers Strategy proposes a “family approach” to care assessment, Mr Burstow said, when Dr Wollaston asked if he is in favour of “carer blind” assessments. Policy development is ongoing, he added.

The Chair raised concerns that defining need in monetary terms could make it difficult for the system to recognise individual circumstances and “re-invent social security”. He wondered if there is a “conflict of cultures” and the emergence of a “rights based system”.

Citing the Law Commission’s recommendations, Mr Burstow said there is a set of clear principles on individuals and outcomes, marking an “important shift”.

Acknowledging that it may appear as if social security is being re-invented, Mr Burstow argued that the statutory framework means that the reality is to the contrary, with outcomes and quality becoming the focus.

Key services will continue to help meet people’s needs, Mr Behan said, arguing that people want a mix of services that they will seek themselves and those that the state will provide. Personal budgets are more popular than direct payments, he explained.

Mr Burstow acknowledged the risk that personal budgets have on the reduction in services, raised by Dr Poulter. The criteria for eligibility and resource allocation need to be transparent and the views of users are the best safeguards, Mr Burstow said.

Integration

Greater integration is needed between health, social care and other services, including housing, Mr Burstow told Ms Cooper, though he dismissed the idea of a “structural merger”.

Health and Wellbeing Boards, the NHS Commissioning Board and Clinical Commissioning Groups will support integration, Mr Burstow said, also noting NICE’s quality standards role and tariff design.

Work done by the King’s Fund, the Nuffield Trust and the NHS Future Forum shows that achieving integration is also about “cultures of working”, he said, arguing that integration is more than Ms Cooper’s suggestion of “voluntary collaboration”.

Services will work around individuals and assessments should be joined up, Mr Burstow said, when Ms Cooper asked if local government and GPs will be involved.

The Government is working closely with local groups and the NHS 2012 Operating Framework makes clear that existing integrated arrangements are to be safeguarded, Mr Morris heard when he asked what practical actions are being taken to protect existing innovative integrated care models.

Conservative MP Dr Sarah Wollaston expressed concern that the Government does not acknowledge a funding gap in social care.

There is a risk that Monitor will interpret its role differently and come to focus more on competition than integration, she also suggested, asking what the Government is doing to guard against this.

Monitor will promote the interests of patients and it can use integration and competition to do this, Mr Burstow said. The Government will not have powers to “step in directly” if Monitor does not do this, he said, expecting the issue to be explored further as the Health and Social Care Bill progresses.

Integration and competition can co-exist and competition does not necessarily lead to less integration, Mr Burstow argued in disagreement.

The Government has accepted the NHS Future Forum’s recommendations about aligning outcomes frameworks for social care, public health and the NHS, Dr Wollaston heard when she asked if there are plans for a single outcomes framework for older people.

There will not be a single outcomes framework, he told Dr Wollaston. There are aspects of social care that are different from health and three “overlapping” frameworks are more suitable.

It will not be mandatory for housing specialists to sit on Health and Wellbeing Boards, Mr Burstow told Labour MP Valerie Vaz

Housing is part of the issue and housing needs assessments are important, Mr Burstow said. He cited the upcoming White Paper when Ms Vaz asked if there is a national strategy for housing, welfare, health and social care.

Conservative MP Chris Skidmore asked if the Government will rule out the idea of pooled budgets across local authority areas and commissioning groups.

The Government is interested to hear about the Committee’s recommendations and more detail can be expected in the White Paper, Mr Burstow said. He warned about the “danger of mandating” and making pooled budgets a requirement, though he insisted he was not ruling out the idea.

Health and Wellbeing Boards are a “pooling” of agencies with different accountabilities. Joint strategic needs assessments and Health and Wellbeing Strategies are part of planning services but the Government did not want to hand local authorities an “absolute veto” over commissioning decisions, which would amount to a transfer of accountability, Conservative MP David Tredinnick heard.

The Government has accepted there will be an ongoing review process of commissioning plans by Clinical Commissioning Groups who will collaborate and have to demonstrate that other views have been taken into account.

Health and Wellbeing Boards have no power and can only make suggestions, Ms Cooper argued. The Government does not want to “dictate” a fixed model of integration. Health and Wellbeing Boards are what the system needs and will be obliged to look at improving commissioning, he argued.

Moving on, the Chair asked Mr Burstow if the Guardian “got it wrong” when it reported that the Prime Minister had told the Health Secretary to formally merge health and social care.

The headline and the contents of the article differed. The Guardian story was about King’s Fund and Nuffield Trust recommendations rather than the Prime Minister’s instructions, Mr Burstow said.

There is “no silver bullet”, the Chair heard when he asked what the “game changer” for integration is. “Nudges, pressures and obligations” in the system to “force it to behave differently” will encourage integration, Mr Burstow said.

Personal budgets are the closest thing to a “game changer in integration”, he told the Committee.

The Chair expressed concern that decisions about service integration are being avoided in the current CSR period. The White Paper will address integration further, Mr Burstow replied, insisting that the Government is doing a lot.

The Committee is yet to be persuaded that the approach to integration is as different from the status quo that it needs to be, the Chair said.

Dilnot Commission and Law Commission recommendations

A single price structure fails to recognise the cost differences in different areas which would be unfair, Mr Burstow said, responding Ms Keeley’s question about the need for national standards on the cap proposed by the Dilnot Commission.

The recommendations are to ensure that the system is fairer, has more private wealth in it and allows people to plan for their care needs, the Chair heard when he asked why the Dilnot Commissions recommends that social care spending is raised if there is no gap. Extra funding will improve quality, Mr Burstow continued.

The Government will legislate in safeguarding and on duties of cooperation between agencies, Ms Vaz heard when she asked which of the Law Commission’s recommendations the Government will accept. It is also “sympathetic” to moving the status of carers onto the same basis as care-users and intends to have universal offer on information.

Eligibility and assessment recommendations will be examined by the Government if funding reform is implemented. The current legal framework is out of date and an obstacle to reform, the Committee heard.

The Law Commission has said that the Government did not want them to look at the legal framework around integration, Ms Vaz said. Cooperation between health services and local authorities is among their recommendations, Mr Behan said.

The Law Commission was told not to examine the definition of 'ordinarily resident', Ms Vaz continued. The decision was made in 2008, Mr Burstow said.

'Ordinarily resident' was an issue of administration rather than law, Mr Behan said, explaining that the Law Commission were asked to examine law rather than policy. Ms Vaz disagreed, arguing that it is defined in law.

[PQ on social care provision](#)

Kwasi Kwarteng: To ask the Secretary of State for Health what steps he is taking to reduce the cost of social care provision.[88830]

Paul Burstow: Local authorities are accountable for delivering efficiency savings in adult social care, but the Department has worked with the sector to consider the opportunities to reduce costs. To this end, the Department has part-funded a programme of Adult Social Care Efficiency launched by the Local Government Association in November 2011. Furthermore, in November 2010 the Department published "A Vision for Adult Social Care" outlining a number of suggestions for areas where local authorities could make efficiency savings.

Among others, these included: maximising the potential of reablement services; developing an integrated crisis or rapid response services; rolling out telecare support; and minimising back office administration. As a result of wishing to keep local authorities free of additional burdens, the Department does not collect its own data on efficiency savings.

However, other sources including the Association of Directors of Adult Social Services budget survey suggest that efficiencies are being delivered successfully, without unduly affecting frontline services.

[PQ on reform of adult social care](#)

Jonathan Reynolds: To ask the Secretary of State for Health with reference to the recommendation contained in the report of the Dilnot Commission, if he will consider introducing national eligibility criteria and portable assessments for the provision of adult social care.[90029]

Paul Burstow: The coalition programme set out the Government's clear commitment to reforming the system of social care to provide much more control to individuals and their carers, and to ease the cost burden that they and their families face.

This commitment to reform is why we acted quickly to set up the Commission on funding of care and support. In its Terms of Reference, the Commission was asked "to examine and provide deliverable recommendations on: how best to meet the costs of care and support as a partnership between individuals and the state; how people could choose to protect their assets, especially their homes, against the cost of care; how, both now and in the future, public funding for the care and support system can be best used to meet care and support needs; and how its preferred option can be

delivered, including an indication of the timescale for implementation, and its impact on local government (and the local government finance system), the national health service, and—if appropriate—financial regulation. ”In response to this challenge, the Commission made recommendations on a number of aspects of the social care system, including eligibility. Local authorities are currently required to use the same assessment scale, but are free to set their eligibility threshold at any point on this scale.

The Commission recommended that we set a national threshold at “substantial” need. Care users who move from one local authority to another currently lose their eligibility to care until they are reassessed.

The Commission recommended that the rules be changed so that they retain eligibility until they are reassessed. The Commission's report has formed the basis of Government's recent engagement with stakeholders.

This engagement exercise brought together these recommendations with other priorities for reform from across the social care system, and examined the trade-offs between them. The results of the engagement are now published, and Government are using them to inform a White Paper on social care, and a progress report on funding reform, which will be published in the spring.

[PQ on accessible bus services](#)

Mr Jim Cunningham: To ask the Secretary of State for Transport what steps she plans to take to increase access to bus services for disabled people (a) nationally and (b) in Coventry.[88899]

Norman Baker[holding answer 12 January 2012]: The Department for Transport continues to work to improve physical accessibility to public transport.

The Public Service Vehicles Accessibility Regulations 2000 (PSVAR) require all new buses and coaches used to provide local or scheduled services and designed to carry more than 22 passengers to be accessible to disabled passengers. All existing buses and coaches used to provide local or scheduled services will have to comply with PSVAR by end dates between 2015 and 2020, depending on vehicle type.

At March 2011, 60% of all buses in Great Britain met the PSVAR requirements. The Government are also committed to protecting the concessionary bus travel scheme, allowing free off-peak travel anywhere in England for older and eligible disabled passengers.

[PQ on access to travel advice](#)

Mr Jim Cunningham: To ask the Secretary of State for Transport what steps she plans to take to increase access to travel advice and information for disabled people.[88897]

Norman Baker[holding answer 12 January 2012]: As part of the Spectator Journey Planning service for the London 2012 Games, new functionality has been provided by the Department for Transport and the Department for Culture, Media and Sport (via Transport Direct and the Olympic Delivery Authority) to enable spectators to request and discover route options that have level access and/or staff assistance available.

This is based on a Games Network of Accessible Travel that covers almost 1,000 transport locations including National Rail stations, London Underground, light rail in London, Croydon and Nottingham, coach stations and Thames river piers. As part of the preparations for London 2012 and as part of the

Access for All programme of improvements on the National Rail network, audits have been undertaken of accessible stations and users can access these to see details and photographs of the accessible facilities available.

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