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**Wednesday**  
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**PARLIAMENTARY DEBATES**  
**(HANSARD)**

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

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[I] indicates that the member concerned has a relevant registered interest. The full register of interests can be found at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

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<b>Lord Ahmad of Wimbledon</b>	Minister of State, Foreign and Commonwealth Office
<b>Lord Ashton of Hyde</b>	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
<b>Lord Bates</b>	Minister of State, Department for International Development
<b>Lord Bourne of Aberystwyth</b>	Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office
<b>Baroness Buscombe</b>	Parliamentary Under-Secretary of State, Department for Work and Pensions
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<b>Lord Keen of Elie</b>	Advocate-General for Scotland and Ministry of Justice Spokesperson
<b>Baroness Manzoor</b>	Whip
<b>Lord O'Shaughnessy</b>	Parliamentary Under-Secretary of State, Department of Health and Social Care
<b>Baroness Stedman-Scott</b>	Whip
<b>Baroness Sugg</b>	Parliamentary Under-Secretary of State, Department for Transport
<b>Lord Taylor of Holbeach</b>	Chief Whip
<b>Baroness Vere of Norbiton</b>	Whip
<b>Baroness Williams of Trafford</b>	Minister of State, Home Office and Parliamentary Under-Secretary of State for International Development
<b>Lord Young of Cookham</b>	Cabinet Office Spokesperson and Whip
<b>Viscount Younger of Leckie</b>	Whip

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# Written Statements

*Wednesday, 17 October 2018*

## Civil Liability Bill

[HLWS986]

**Lord Keen of Elie:** My honourable friend the Minister of State for Justice (Rory Stewart OBE) has made the following Written Statement.

"I have today published a written submission outlining the Government's analysis of how the English Votes for English Laws principle in accordance with the application of Standing Order 83L, relates to the Government amendment tabled for Commons Report Stage of the Civil Liability Bill.

The department's assessment is that the amendment does not change the territorial application of the Bill. The analysis holds if the Government amendment be accepted.

I have deposited a copy of the submission in the libraries of the House."

## Employment and Support Allowance

[HLWS985]

**Baroness Buscombe:** My honourable Friend the Minister of State for Disabled People, Health and Work (Sarah Newton MP) has made the following Written Statement.

This Written Statement is a further update to the House on progress in correcting historic ESA underpayments and paying arrears.

The Department began work to assess cases in December 2017. For that stage of the exercise we expect to review around 320,000 cases, of which around 105,000 are likely to be due arrears. We now have a team of over 400 staff working through these cases and have paid around £120m in arrears. We expect to complete the vast majority of this part of the exercise by April 2019, and have to date completed all cases where an individual is terminally ill and responded to the review, thereby ensuring they receive due priority.

The announcement in July, to pay cases back to the point of conversion requires us to review an additional 250,000 cases, of which we estimate around 75,000 could be due arrears. We will undertake this work through the course of 2019. We now have a team of over 400 staff working through these cases, with a further 400 due to join the team through October and November, and will be assigning more staff to review the additional 250,000 cases. This will enable us to complete this important activity at pace.

The Department is publishing an ad hoc statistical publication today setting out further detail on the progress it has made in processing cases and revised estimates of the impacts of this exercise, including details of the number of claimants due arrears and the amounts likely to be paid. This will be published on Gov.uk.

There are currently around 2.3million working-age people on Employment and Support Allowance. In 2018/19 £54 billion will be spent on benefits to support disabled people and people with health conditions this year which is over 6% of all Government spending and a record high.

A Frequently Asked Question guide will also be deposited in the House library for further information.

# Written Answers

Wednesday, 17 October 2018

## Asylum: Families

Asked by **The Marquess of Lothian**

To ask Her Majesty's Government how many applications they have received for UK visas for family settlement to reunite with a partner or parent who is in the UK as a refugee or with humanitarian protection in each year since 2010; and of those, how many have been granted. [HL10556]

**Baroness Williams of Trafford:** The available information is given below.

Family reunion applications from dependants of those with refugee status or humanitarian protection in the UK (made under Part 11 of the Immigration Rules) are included in the 'Family: Other' category within the published Home Office 'Immigration Statistics' visa tables, latest edition at, <https://www.gov.uk/government/publications/immigration-statistics-year-ending-june-2018/list-of-tables#visas>.

The vast majority of the 'Family: Other' category relate to family reunion and hence the published figures provide a good indication of trends for family reunion cases.

The table below provides the latest data:

'Family: Other' entry clearance visa applications and outcomes: 2010 to 2017

Year	Applications	Resolved	Granted	%	Refused	Withdrawn/ Lapsed
2010	6,111	6,654	4,887	73%	1,664	103
2011	5,143	5,536	4,306	78%	1,093	137
2012	5,135	5,318	3,710	70%	1,479	129
2013	6,064	6,108	4,211	69%	1,797	100
2014	5,639	6,658	4,596	69%	1,931	131
2015	8,477	8,283	4,887	59%	3,267	129
2016	8,610	9,620	6,098	63%	3,472	50
2017	7,439	7,543	5,237	69%	2,253	53

Notes: Applications made in a given year may be resolved (granted, refused, withdrawn or lapsed) in a later year.

Source: Home Office 'Immigration Statistics, year ending June 2018', Visas data tables volume 1, table vi\_01\_q.

## Asylum: Pupils

Asked by **Lord Greaves**

To ask Her Majesty's Government what help they provide to asylum seeker families whose children are allocated places at schools too close to their homes to

qualify for free transport but where the additional cost of travel fares is unaffordable; and what assistance they provide for obtaining school uniforms. [HL10482]

**Baroness Williams of Trafford:** Asylum seekers and their dependants who would otherwise be destitute are provided with accommodation and a weekly cash allowance to cover their other essential living needs. The level of the allowance is reviewed each year using a methodology that takes account of the costs of reasonable travel and of purchasing clothes, including school uniforms.

The level of the allowance does not take account of the costs of children travelling to school because these are generally covered by the local authority if the family does not live within reasonable walking distance of the school. However, where an asylum seeker or their dependant have a need for additional funds for travel purposes they can apply for it exceptionally. The applications are considered on a case by case basis.

Further information about how the level of the cash allowance provided to asylum seekers is assessed and about how they can apply for additional funds can be found in the reports published at: <https://www.gov.uk/government/publications/report-on-review-of-cash-allowance-paid-to-asylum-seekers> and <https://www.gov.uk/government/publications/applications-for-additional-support>

The Answer includes the following attached material:

Applications for Additional Support [Applications-for-additional-support-v1\_0.pdf]

Report on Review - cash allowance paid asylum  
[Report\_on\_review\_of\_cash\_allowance\_paid\_to\_asylum\_seekers\_-\_2017\_-\_final.\_copy\_.pdf]

The material can be viewed online at:  
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-09/HL10482>

## Buprenorphine

Asked by **Lord Carlile of Berriew**

To ask Her Majesty's Government what action they are taking (1) to remedy any buprenorphine shortage, and (2) to ensure that in the long term there is consistent and adequate supply of this medication, that it is available across the country and is not subject to unpredictable price fluctuations. [HL10468]

**Lord O'Shaughnessy:** We are aware that there was a short-term supply issue which may have affected the availability in May 2018. This was because one of the main suppliers experienced delays in delivery, resulting in a short term out of stock period. Although supplies continued to remain available from other suppliers, we are aware that some may have struggled to support the increase in demand at short notice. The delivery issues were resolved quickly and the overall supply of buprenorphine tablets improved shortly afterwards.

Since this period, the Department has remained in regular contact with all United Kingdom licensed suppliers of buprenorphine and has been working closely with them to monitor their supply position. Based on these conversations, we have been assured that the available supplies are sufficient to meet the usual UK requirements for this drug. The Department continues to monitor this very closely to ensure that there is consistent and adequate supply of this medication across the country.

The Department is aware that since this short-term supply issue, the market price has increased. This increased purchase price is reflected in the reimbursement price paid to pharmacies, to ensure that supplies remain available to patients. The market for buprenorphine has generally been competitive and we expect the supply situation to improve over the coming weeks which is likely to result in an increasingly competitive market.

### Developing Countries: Health Services

*Asked by Baroness Tonge*

To ask Her Majesty's Government what percentage of UK Official Development Assistance expenditure on sexual and reproductive health and rights comes from (1) the cross-government funds, (2) the Conflict Stability and Security Fund, and (3) the Prosperity Fund. [HL10438]

**Lord Young of Cookham:** The Conflict, Stability and Security Fund (CSSF) and the Prosperity Fund are both cross-Government funds. Neither has programmes specifically supporting sexual and reproductive health and rights. The CSSF's portfolio includes programmes which seek to prevent sexual violence in conflict situations and which empower women to seek justice. The Prosperity Fund portfolio will include programmes in the health sector.

More broadly, all ODA funded CSSF and Prosperity Fund programmes must comply with the 2014 International Development (Gender Equality) Act. This means integrating activities which are likely to contribute to reducing gender inequality.

More information on the CSSF, including details on spend broken down by theme, can be found in the [CSSF annual report](#). Information on the Prosperity Fund can be found in its [2016/17 annual report](#), with updated information available in the next annual report, due later this year.

*Asked by Baroness Tonge*

To ask Her Majesty's Government, further to the Written Answer by Lord Bates on 10 September (HL10037), whether the spend on sexual and reproductive health and rights includes funding from the Conflict Stability and Security Fund, and the Prosperity Fund. [HL10439]

**Lord Young of Cookham:** The Conflict, Stability and Security Fund (CSSF) and the Prosperity Fund are both

cross-Government funds. Neither has programmes specifically supporting sexual and reproductive health and rights. The CSSF's portfolio includes programmes which seek to prevent sexual violence in conflict situations and which empower women to seek justice. The Prosperity Fund portfolio will include programmes in the health sector.

More broadly, all ODA funded CSSF and Prosperity Fund programmes must comply with the 2014 International Development (Gender Equality) Act. This means integrating activities which are likely to contribute to reducing gender inequality.

More information on the CSSF, including details on spend broken down by theme, can be found in the [CSSF annual report](#). Information on the Prosperity Fund can be found in its [2016/17 annual report](#), with updated information available in the next annual report, due later this year.

### Driver and Vehicle Licensing Agency: Disclosure of Information

*Asked by Lord Kirkhope of Harrogate*

To ask Her Majesty's Government whether they intend to extend the DVLA's Data Sharing Strategy to ParkTrade Europe AB and others who legitimately seek information to allow authorities in Europe to recover monies due to them from UK registered vehicle owners. [HL10618]

**Baroness Sugg:** The Driver and Vehicle Licensing Agency (DVLA) takes the protection of the data it holds very seriously and has robust measures in place to protect it. The request from ParkTrade Europe is receiving careful attention and an outcome will be provided as soon as the consideration of these matters is complete.

### Driver and Vehicle Licensing Agency: Fees and Charges

*Asked by Baroness Scott of Needham Market*

To ask Her Majesty's Government what is the total annual income derived by the DVLA from providing details of motorists' data to private parking companies. [HL10513]

**Baroness Sugg:** The total fee income received by the Driver and Vehicle Licensing Agency (DVLA) for vehicle keeper information requests in 2017-18 was £16,300,139. The fees received by the DVLA are not recorded separately and so the total includes fees for requests from both private parking companies and other requesters, including insurers, motor finance companies and solicitors. The fee is set to recover the cost of processing these requests, so that the burden is met by the applicant and not passed on to the general taxpayer.

The DVLA provides the details of the registered keepers of vehicles as a first point of contact to establish where liability for an incident or event may lie. This is

provided for in law and the arrangements are subject to robust safeguards to ensure that this information is only provided to those with a legitimate need to request it.

### Government Departments: Databases

*Asked by Lord Freyberg*

To ask Her Majesty's Government whether any Government controlled data sets are cited as capital assets on the National Balance Sheet; and if so, which ones. [HL10475]

**Lord Young of Cookham:** The information requested falls within the responsibility of the UK Statistics Authority. I have asked the Authority to reply.

*Letter from John Pullinger CB, National Statistician, to The Lord Freyberg, dated 15 October 2018.*

Dear Lord Freyberg,

As National Statistician and Chief Executive of the UK Statistics Authority, I am responding to your Parliamentary Question asking if any Government controlled datasets are cited as capital assets on the National Balance Sheet; and if so, which ones (HL10475).

No datasets are individually cited within the National balance sheet. Using data sourced from the capital stocks perpetual inventory model (PIM), a depreciated estimate for the total value of computer software and databases for Central Government is produced and published within the National balance sheet<sup>[1]</sup>. This estimate would include all purchased software, such as spreadsheet or e-mail systems, as well as databases.

Yours sincerely,

John Pullinger

[1]

<https://www.ons.gov.uk/economy/nationalaccounts/uksectoraccounts/bulletins/nationalbalancesheet/2018>

### Homosexuality: Psychiatry

*Asked by Lord Black of Brentwood*

To ask Her Majesty's Government whether they plan to undertake any consultation before bringing forward proposals to ban gay conversion therapy; if so, which stakeholders they plan to consult; and what is the timetable. [HL10457]

**Baroness Williams of Trafford:** Conversion therapy is wrong and we are not willing to let it continue.

As part of the LGBT Action Plan, we have committed to bring forward proposals to end the practice of conversion therapy in the UK. We have committed to consider all legislative and non-legislative options to prohibit promoting, offering or conducting these practices whether they are occurring in a medical, commercial or faith-based context.

This is a complex issue that we will be approaching sensitively. We intend to engage widely before bringing

forward proposals, and we will consult on the final package to ensure that the actions we take are effective and have broad support.

### Mental Health Services: Children

*Asked by Lord Porter of Spalding*

To ask Her Majesty's Government what steps they are taking to ensure that Clinical Commissioning Groups work with local authorities to develop and implement plans for the improvement of children's mental health services as set out in the Future in Mind report published in 2015 by the Department of Health and NHS England. [HL10509]

**Lord O'Shaughnessy:** Following the publication of Future in Mind, every clinical commissioning group worked on the development of a local transformation plan for children and young people's mental health services.

123 such plans were published in 2015, covering the whole of England. Local authorities were involved in the development of the plans as were children and young people and their families. NHS England ensures that local transformation plans are refreshed annually. Since 2016 this has been as part of local sustainability and transformation plans.

### Radioisotopes: Imports

*Asked by Baroness Golding*

To ask Her Majesty's Government what progress has been made to secure trade agreements to ensure the security of supply of medical radioisotopes following Brexit. [HL10480]

**Lord O'Shaughnessy:** The United Kingdom already has robust, domestic regimes in place for the safety, security, transport, use and disposal of nuclear and radioactive materials – including medical radioisotopes – throughout their lifecycle. These regimes will remain in place when Euratom arrangements no longer apply in the UK, ensuring we exit with certainty, clarity and control.

The Government is continuing to prepare for all European Union exit scenarios and is confident that we will be able to continue to provide a seamless supply of medicines, including medical radioisotopes, to National Health Service patients from the moment we leave the EU.

### Social Services: Fees and Charges

*Asked by Lord Lipsey*

To ask Her Majesty's Government what they estimate would be the cost of introducing a cap on social care costs along the lines proposed by the Dilnot report of (1) £35,000, (2) £75,000, or (3) £100,000. [HL10494]

**Lord O'Shaughnessy:** The Government will work to address the challenges of social care for our ageing society to reach a longer-term sustainable settlement for



social care. This is why the Government has committed to publishing a Green Paper later this year setting out its proposals for reform.

The Green Paper will bring forward ideas for including an element of risk pooling in the system, which will help to protect people from the unpredictability of care costs. An updated impact assessment and any relevant costings will be provided as part of the Green Paper publication.

Estimates of the cost of introducing a cap on social care costs, along the lines proposed by the 2011 Commission on Funding Care and Support, can be found in an Impact Assessment (IA) previously published by the Department in February 2015. A copy of the *Social Care Funding Reform Impact Assessment IA No: 9531* is attached.

It is important to note that the IA does not represent current Government plans, which will be set out following the social care Green Paper consultation, but is the last available published data on the cap.

The IA shows that the cost of a £72,000 cap, together with the means test reforms planned at the time, would be £1.79 billion in 2025/26 (in 2016/17 prices and assuming implementation in April 2016).

The Answer includes the following attached material:

Social Care Funding Reform Impact Assessment [2015 Dilnot cap IA.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-09/HL10494>

### **Social Services: Staff**

*Asked by The Marquess of Lothian*

To ask Her Majesty's Government what estimate they have made of the number of adult social care workers required in England in the next ten years; what is the current shortfall in the number of adult social care workers in England; and what action they are taking to address that shortfall. [HL10555]

**Lord O'Shaughnessy:** Skills for Care publishes data on the adult social care workforce. They estimate that 8% of roles in the adult social care sector remained vacant in 2017/18, this gives an average of approximately 110,000 vacancies at any one time. Projections show the number of adult social care jobs required will increase by 40% (650,000 jobs) to around 2.55 million jobs by 2035.

The Government is aware that our challenge, working alongside our partners in the adult social care sector, is to ensure the workforce has the right number of people to meet increasing demands, with the right skills, knowledge and values to deliver quality, compassionate care. We are looking to address the broader challenges around staff recruitment and retention in the social care market, and consulted on this issue earlier on the year. The evidence provided in the consultation responses will inform our Green Paper on the future of adult social care, with a strategy for its workforce, later this year.

In addition, the Department has announced the launch of a new adult social care recruitment campaign this autumn. This will raise the profile of the sector and help build awareness of the rich variety of roles careers on offer and attract the right people, with the right values, to deliver the very best care.

### **Special Educational Needs: Speech and Language Disorders**

*Asked by Lord Ramsbotham*

To ask Her Majesty's Government what discussions they have had with Public Health England about providing practitioners with evidence-based red flags that indicate communication and language concerns at each of the statutory review points that are part of the next review of the Healthy Child Programme. [HL10574]

**Lord O'Shaughnessy:** The Department for Education has an ongoing dialogue with Public Health England on the issue of children's speech and language development. They have formed a partnership to address the 'word gap' and support the speech, language and communication elements of the Healthy Child Programme. This programme of work will include training and resources for health visitors on speech, language and communication needs, incorporating evidence-based red flags on delayed early use of gesture and pointing by young children.

### **Spinal Muscular Atrophy: Nusinersen**

*Asked by Viscount Waverley*

To ask Her Majesty's Government what guidance is provided to NHS Trusts about the use of medication not approved by NICE to treat spinal muscular atrophy (SMA). [HL10600]

*Asked by Viscount Waverley*

To ask Her Majesty's Government what assessment they have made of making financial resources available to patients with spinal muscular atrophy (SMA) to obtain medication not approved by NICE. [HL10601]

*Asked by Viscount Waverley*

To ask Her Majesty's Government what guidance is provided by NHS Trusts about making the drug Spinraza available through the NHS to patients with spinal muscular atrophy (SMA). [HL10602]

**Lord O'Shaughnessy:** The National Institute for Health and Care Excellence (NICE) is currently developing technology appraisal guidance for the National Health Service on the use of nusinersen (Spinraza) for the treatment of spinal muscular atrophy (SMA).

NHS England has published an Interim Policy Statement *Urgent Clinical Commissioning Policy Statement: Nusinersen for genetically confirmed Spinal*

*Muscular Atrophy (SMA) type 1 for eligible patients under the Expanded Access Programme (EAP)* determining the circumstances in which patients will be supported to access nusinersen through the EAP scheme sponsored by Biogen, the manufacturer of nusinersen. A copy is attached. The policy statement enables patients with type 1 SMA to access nusinersen in advance of NICE's guidance.

In the absence of final guidance from NICE, clinicians can apply to NHS England for funding in exceptional cases through the individual funding request process.

The Answer includes the following attached material:

Commissioning policy statement nusinersen [nusinersen-for-genetically-confirmed-spinal-muscular-atrophy.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2018-10-10/HL10600>



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