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**PARLIAMENTARY DEBATES
(HANSARD)**

HOUSE OF LORDS

WRITTEN ANSWERS

Written Answers.....1

[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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Ministers and others who make Statements or answer Questions are referred to only by name, not their ministerial or other title. The current list of ministerial and other responsibilities is as follows.

<i>Minister</i>	<i>Responsibilities</i>
Baroness Evans of Bowes Park	Leader of the House of Lords and Lord Privy Seal
Earl Howe	Minister of State, Ministry of Defence and Deputy Leader of the House of Lords
Lord Agnew of Oulton	Parliamentary Under-Secretary of State, Department for Education
Lord Ahmad of Wimbledon	Minister of State, Foreign and Commonwealth Office
Lord Ashton of Hyde	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
Baroness Barran	Whip
Baroness Blackwood of North Oxford	Parliamentary Under-Secretary of State, Department of Health and Social Care
Lord Bourne of Aberystwyth	Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government and Wales Office
Baroness Buscombe	Parliamentary Under-Secretary of State, Department for Work and Pensions
Lord Callanan	Minister of State, Department for Exiting the European Union
Earl of Courtown	Deputy Chief Whip
Lord Duncan of Springbank	Parliamentary Under-Secretary of State, Northern Ireland Office and Scotland Office
Lord Gardiner of Kimble	Parliamentary Under-Secretary of State, Department for Environment, Food and Rural Affairs
Baroness Goldie	Whip
Lord Henley	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
Lord Keen of Elie	Advocate-General for Scotland and Ministry of Justice Spokesperson
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Baroness Sugg	Parliamentary Under-Secretary of State, Department for International Development
Lord Taylor of Holbeach	Chief Whip
Baroness Vere of Norbiton	Parliamentary Under-Secretary of State, Department for Transport, Whip
Baroness Williams of Trafford	Minister of State, Home Office
Lord Young of Cookham	Cabinet Office Spokesperson and Whip
Viscount Younger of Leckie	Whip

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Written Answers

Thursday, 25 July 2019

Accident and Emergency Departments

Asked by *Lord Browne of Belmont*

To ask Her Majesty's Government what assessment they have made of the effect of late licensing on the workload of accident and emergency departments in hospitals. [HL17132]

Baroness Blackwood of North Oxford: No such assessment has been made.

Air Force: Gender Recognition

Asked by *Lord Blencathra*

To ask Her Majesty's Government, following their report, Wigston Review into inappropriate behaviours, published on 15 July, what plans they have to increase the number of transgender officers in the Royal Air Force from the rank Air Commodore and above. [HL17280]

Earl Howe: In taking forward the recommendations made in the Report on Inappropriate Behaviours, the RAF is determined to address the challenge of inappropriate behaviour. In doing so, we will be underpinning our existing efforts to attract, recruit and retain the most talented people from all backgrounds to create a truly inclusive workforce.

The RAF prides itself on the support it provides to personnel who choose to transition.

Armed Forces: Housing

Asked by *Lord Kennedy of Southwark*

To ask Her Majesty's Government how many units of accommodation for British Armed Forces personnel in the UK do not have en suite facilities. [HL17308]

Earl Howe: There are approximately 134,000 Single Living Accommodation (SLA) bedspaces for the Armed Forces in the UK. From the data collated by the Defence Infrastructure Organisation approximately 51,000 bedspaces have en-suite facilities.

The figures provided are based on current data held. However, the dataset is known to be incomplete and we are addressing this by developing a bespoke Information Management System for SLA.

Council of Europe Convention against Trafficking in Human Organs

Asked by *Lord Hylton*

To ask Her Majesty's Government whether the UK has ratified the Council of Europe Convention against

Trafficking in Human Organs; and if not, when they expect this will happen. [HL17255]

Baroness Blackwood of North Oxford: The United Kingdom formally signed the Council of Europe Convention on Organ Trafficking on 25 March 2015 and has legislation in place to ensure consent is always provided to prevent organ trafficking. The Government also supports the 2008 Declaration of Istanbul on Organ Trafficking and Transplant Tourism, which encourages all countries to draw up legal and professional frameworks to govern organ donation and transplantation activities.

When the UK signed the convention, it did so on the basis that it reserved the right not to apply the jurisdiction rules laid down in paragraph 1.d and e of Article 10 of the convention. There are no current plans to ratify the convention.

Drugs

Asked by *Lord Willis of Knaresborough*

To ask Her Majesty's Government what are the drugs approved by NICE to treat HER2+ breast cancer; and what assessment they have made of the efficacy of such drugs. [HL17501]

Asked by *Lord Willis of Knaresborough*

To ask Her Majesty's Government what advice they provide to clinicians for the use of Pertuzumab rather than Herceptin for the treatment of HER2+ breast cancer. [HL17502]

Baroness Blackwood of North Oxford: The National Institute for Health and Care Excellence (NICE) is the independent body responsible for making recommendations for the National Health Service on whether drugs and other treatments represent a clinically and cost effective use of NHS resources.

NICE has recommended the following drugs for the treatment of HER2-positive breast cancer: trastuzumab emtansine (Kadcyla) for treating HER2-positive advanced breast cancer after trastuzumab (Herceptin) and a taxane; pertuzumab (Perjeta) with trastuzumab (Herceptin) and docetaxel for treating HER2-positive breast cancer; pertuzumab (Perjeta) for the neoadjuvant treatment of HER2-positive breast cancer; and pertuzumab (Perjeta) for adjuvant treatment of HER2-positive early stage breast cancer.

NHS commissioners are legally required to fund drugs recommended in NICE technology appraisal guidance. It is for clinicians to decide on the most appropriate treatment for an individual patient based on their clinical judgement and in discussion with the patient.

Eating Disorders: Hospital Beds

Asked by *Baroness Parminter*

To ask Her Majesty's Government how many inpatient beds are available to the NHS for eating disorder patients in (1) England, (2) the North of

England, (3) the Midlands and East of England, (4) London, and (5) the South of England; and, for each of those categories, how many are available for (a) children and young people, and (b) adults. [[HL17359](#)]

Baroness Blackwood of North Oxford: The following table provides data on the number of inpatient beds for eating disorders for children and young people and adults.

Type of inpatient bed	North of England	South of England and East of England	Midlands England	London	England
Children and adolescent mental health service eating disorder ¹	40	45	108	56	249
Adult eating disorder	110	67	103	120	400

Source: NHS England

Note:

¹ Some children and young people with eating disorders are treated in general child and adolescent mental health services.

Medical Equipment: Artificial Intelligence

Asked by *Lord Taylor of Warwick*

To ask Her Majesty's Government what steps have been taken to regulate AI technology which can be implanted within the human body. [[HL17273](#)]

Baroness Blackwood of North Oxford: Implanted technology, that meets the definition of a medical device, is regulated by the Medicines and Healthcare products Regulatory Agency (MHRA), which ensures that such devices meet applicable standards for safety, quality and efficacy.

The Department, the MHRA and other national health and care bodies are engaging with partners across Government to ensure that our system of regulation keeps pace with new developments in technology.

Medicine: Research

Asked by *Lord Freyberg*

To ask Her Majesty's Government what assessment they have made of the amount of research and development funding required by organisations involved in (1) health research, and (2) data-driven health research, in the UK. [[HL17208](#)]

Baroness Blackwood of North Oxford: The Department's National Institute for Health Research (NIHR) budget for 2019/20 is just over £1 billion and welcomes funding applications for research into any aspect of human health. The NIHR funds research

projects, training and research infrastructure. Applications are subject to peer review and judged in open competition, with awards being made on the basis of the importance of the topic to patients and health and care services, value for money and scientific quality.

The NIHR also is a co-funder of Health Data Research UK who are committed to uniting the United Kingdom's health data to enable discoveries and ensure that every health and care interaction and research endeavour will be enhanced by access to large scale data and advanced analytics. The NIHR also supports a number of initiatives to help researchers to access health data, samples and to identify participants for research.

The future of budgets outside of the NHS England resource settlement, including capital budgets for research and development, will be confirmed later this year at the Spending Review 2019.

Mental Health Act 1983 Independent Review

Asked by *Lord Moynihan*

To ask Her Majesty's Government when they expect to publish a White Paper setting out their response to the Independent Review of the Mental Health Act 1983, chaired by Sir Simon Wessely. [[HL17323](#)]

Baroness Blackwood of North Oxford: We recently announced that the Government will publish a White Paper by the end of the year.

The White Paper will set out the Government's response, in full, to the Independent Review of the Mental Health Act 1983 and will pave the way for new legislation.

We remain committed to reforming mental health law and will develop and bring forward legislation when Parliamentary time allows.

NHS: Negligence

Asked by *Lord Alton of Liverpool*

To ask Her Majesty's Government what assessment they have made of the proposals made by the Society of Clinical Injury Lawyers to the Civil Justice Council in relation to the clinical negligence fixed costs; and what consideration they have given to the recommendations on fixed recovery costs in clinical negligence cases from Action Against Medical Accidents and the Society of Clinical Injury Lawyers. [[HL17125](#)]

Baroness Blackwood of North Oxford: In 2017 the Department consulted on proposals for fixed recoverable costs (FRC) in claims of up to £25,000 damages, for which claimant legal costs are most likely to be disproportionately high relative to damages awarded. The Department published a summary of responses to the consultation in February 2018.

Following the consultation by the Department in 2017 and Sir Rupert Jackson's recommendation in July 2017 to control the legal costs of these cases, the Department and

the Ministry of Justice commissioned the independent Civil Justice Council (CJC) to draw up a new process for clinical negligence claims of up to £25,000 damages, with proposals for FRC for these cases.

The CJC has set up a working party to develop proposals, with input from claimant and defendant solicitors and others, including the Society of Clinical Injury Lawyers and Action Against Medical Accidents. The Department will consider the CJC's recommendations when its report is published and will consult on any resulting proposals for FRC for these cases before implementation.

In view of the CJC's role to lead work on proposals taking account of stakeholder views, the Department has not made its own assessment of the proposals or recommendations from the Society of Clinical Injury Lawyers or Action Against Medical Accidents.

NHS: Occupational Health

Asked by Lord Luce

To ask Her Majesty's Government what progress they have made in deciding what number of occupational health staff are needed by the NHS in England to implement their proposals to facilitate the retention or return to work of those employees with long-term health conditions. [HL17267]

Baroness Blackwood of North Oxford: The Government launched a consultation on 15 July 2019, *Health is everyone's business: proposals to reduce ill health-related job loss*, which includes proposals for actions to improve occupational health access for workers. One aspect of this proposal is for Government action to contribute to the development of a sustainable occupational health workforce.

A copy of the consultation is attached.

The Answer includes the following attached material:

health-is-everyones-business [health-is-everyones-business-proposals-to-reduce-ill-health-related-job-loss.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2019-07-17/HL17267>

Nuclear Submarines: Anniversaries

Asked by Lord Robertson of Port Ellen

To ask Her Majesty's Government how many ministers attended the commemoration of 50 years of Continuous At Sea Deterrence held at HM Naval Base Clyde (Faslane) on Friday 5 July. [HL17225]

Earl Howe: No Ministers attended the commemoration of the 50th anniversary of the Continuous at Sea Deterrent held at HM Naval Base Clyde on 5 July. This event, held at the home of the deterrent, was designed to focus on the families and personnel of the deterrent enterprise. The principal national commemorative event took place on 3

May in Westminster Abbey and was attended by the Rt Hon Penny Mordaunt MP, the then Secretary of State for Defence, and the Rt Hon Liam Fox MP, the then Secretary of State for International Trade. I also had the pleasure of attending.

Nurses

Asked by Baroness McDonagh

To ask Her Majesty's Government how many nurses were employed by the NHS in England in each year since 2004. [HL17314]

Asked by Baroness McDonagh

To ask Her Majesty's Government how many student nurses there have been in England in each year since 2004. [HL17315]

Asked by Baroness McDonagh

To ask Her Majesty's Government how many midwives were employed in England in each year since 2004. [HL17316]

Baroness Blackwood of North Oxford: NHS Digital publishes Hospital and Community Health Services (HCHS) workforce statistics for England. These include staff working in hospital trusts and clinical commissioning groups (CCGs), but not staff working in primary care, local authorities or other providers.

The following table shows the number of nurses and health visitors and midwives who work in National Health Service trusts and CCGs in England, as at September each year since 2004 and March 2019 (latest available data), full time equivalent. Nurses and health visitors are recorded together so we are unable to provide data solely for nurses.

	<i>Nurses and health visitors in NHS Trusts and CCGs</i>	<i>Midwives in NHS Trusts and CCGs</i>
September 2004	268,704	18,137
September 2005	276,086	18,326
September 2006	277,387	18,380
September 2007	275,211	18,751
September 2008	281,021	18,896
September 2009	278,470	18,959
September 2010	279,883	19,487
September 2011	277,047	19,878
September 2012	271,407	20,214
September 2013	274,627	20,537
September 2014	278,981	20,838
September 2015	281,474	20,934
September 2016	284,288	21,038
September 2017	283,853	21,206

	<i>Nurses and health visitors in NHS Trusts and CCGs</i>	<i>Midwives in NHS Trusts and CCGs</i>
September 2018	285,674	21,323
March 2019	290,010	21,870

Sources: Non-Medical Workforce Census, NHS Digital workforce statistics

The following table shows the number of nursing students commissioned by the Department/Health Education England (HEE) in each year since 2004 and the number of acceptances to nursing degree courses via the Universities and Colleges Admissions Service (UCAS). Following student finance reform, students starting courses after August 2017 were no longer directly commissioned by HEE.

	<i>Nursing students commissioned by the Department/HEE</i>	<i>Number of acceptances to nursing degree courses via UCAS</i>
2004/05	22,933	N/A
2005/06	20,183	N/A
2006/07	20,917	N/A
2007/08	19,147	N/A
2008/09	20,323	N/A
2009/10	20,366	N/A
2010/11	19,908	N/A
2011/12	17,633	N/A
2012/13	17,115	N/A
2013/14	17,568	N/A
2014/15	19,147	N/A
2015/16	19,951	N/A
2016/17	20,888	N/A
2017/18	N/A	19,515
2018/19	N/A	19,035

Sources: HEE-Education Commissioning Dataset, UCAS end of cycle data 2018

Obesity: Children

Asked by Lord Brooke of Alverthorpe

To ask Her Majesty's Government what assessment they have made of the prevalence of obesity amongst children with special needs. [[HL17105](#)]

Asked by Lord Brooke of Alverthorpe

To ask Her Majesty's Government what action, if any, they are taking to reduce rates of obesity amongst 12–16 year olds with special needs. [[HL17106](#)]

Baroness Blackwood of North Oxford: There has been no central assessment of the prevalence of obesity amongst children with special needs.

We published the second chapter of our world-leading childhood obesity plan in June 2018. This builds on the real progress we have made since the publication of chapter one in 2016, particularly in reformulation of the products our children eat and drink most. Measures in both chapters of our plan will help reduce obesity in people of all ages and abilities including those with special needs.

Organs: Donors

Asked by Lord Hylton

To ask Her Majesty's Government what plans they have, if any, to introduce legislation to require evidence of the consent of an organ donor before any transplant can take place. [[HL17298](#)]

Baroness Blackwood of North Oxford: The Human Tissue Act 2004, as amended, sets out the requirements for consent to organ donation.

The Human Tissue Authority is currently consulting on a revised Code of Practice F: Donation of solid organs and tissue for transplantation, to reflect amendments to the Human Tissue Act 2004 from the Organ Donation (Deemed Consent) Act 2019.

The revised code will provide clinical advice and guidance for organ and tissue transplant professionals in England on how the new law will affect their practice from spring 2020. It also provides guidance in situations where someone's consent to donate their organs is not clear or when clinical decisions are complex. This consultation asks professionals working in the field of organ donation and transplantation for their views on the draft version, and will run for 12 weeks, closing on 26 September 2019.

Parliamentary Security Department: Uniforms

Asked by Lord Palmer

To ask the Senior Deputy Speaker what was the total cost of providing new uniforms for parliamentary security staff; and what proportion of that cost was paid by the House of Lords. [[HL17424](#)]

Lord McFall of Alcluith: The total cost of providing over 350 new uniforms for parliamentary security staff was £150,000. The proportion of that cost paid by the House of Lords was £45,000.

Psychiatric Hospitals: Children and Young People

Asked by Baroness Jolly

To ask Her Majesty's Government whether the Care Quality Commission has published a specific inspection

framework for Child and Adolescent Mental Health (CAMHS) Tier 4 inpatient services; what is the maximum time allowed between inspections of CAMHS inpatient services; and in what ways the views and experiences of child patients and their parents are elicited. [HL17299]

Baroness Blackwood of North Oxford: Tier 4 inspections are covered as part of the child and adolescent mental health wards core service. The definition for this core service is as follows:

Child and adolescent mental health services may assess and treat children and young people as an inpatient in hospital. This may be when community-based services cannot meet their needs safely and effectively because of their level of risk and/or complexity and where they need 24-hour nursing and medical care.

If providers are registering with the CQC as a new provider, the CQC will normally aim to inspect within 12 months of registration. For services that are rated, providers will receive their initial rating at this inspection. The CQC use this initial rating to determine when next to inspect the service.

For both National Health Service trusts and independent providers, the following principles apply regarding re-inspection (for NHS trusts since June 2017 and for independent providers since April 2018):

- Inadequate – Normally within 12 months of publishing the last comprehensive inspection report;
- Requires improvement - Normally within two years of publishing the last comprehensive inspection report;
- Good - Normally within three and a half years of publishing the last comprehensive inspection report; and
- Outstanding - Normally within five years of publishing the last comprehensive inspection report.

These are maximum inspection intervals, therefore the CQC may inspect more frequently, particularly if there is a risk.

The CQC encourages people to share their experience to ensure it is acted upon, including through the national Tell Us About Your Care partner charities.

The CQC aim to speak to children and young people and their families/carers during the inspection (depending on their availability) and have specific inspection tools to enable this.

This information is published as part of the inspection framework for NHS acute hospitals.

Asked by Baroness Jolly

To ask Her Majesty's Government on what dates each of the registered Child and Adolescent Mental Health Tier 4 inpatient services were last inspected; and what is the schedule for future inspections for each service. [HL17300]

Baroness Blackwood of North Oxford: The Care Quality Commission (CQC) has provided the following response.

The dates each of the registered Child and Adolescent Mental Health Tier 4 inpatient services were last inspected are attached, due to the size of the data.

The CQC carry out either comprehensive or focused inspections. For National Health Service trusts, these inspections will usually be unannounced.

In a few instances, where there are very good reasons, the CQC may let a service know it is coming. For example, the CQC may contact a trust to make sure senior management are present to answer its questions.

To enable the CQC to observe normal practice in a service, it has introduced more unannounced inspections as part of its comprehensive inspection methodology.

Because the CQC requests information from providers beforehand, it will carry out the inspection within three months of the provider submitting its provider information request. However, the CQC will not announce the day on which it intends to inspect.

The Answer includes the following attached material:

CAMHS Tier 4 inpatient inspections [HL17300 table formatted.docx]

The material can be viewed online at:
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2019-07-18/HL17300>

Surgery: Training

Asked by Lord Taylor of Warwick

To ask Her Majesty's Government what assessment they have made of the benefits of introducing virtual reality learning to (1) aid surgical training, and (2) practice pioneering operations. [HL17231]

Baroness Blackwood of North Oxford: Health Education England (HEE)'s technology enhanced learning (TEL) Programme has developed a national framework for the delivery of simulation-based education. This framework is now in place and being applied across the country.

Part of this work has involved extensive stakeholder engagement and through this engagement, a number of examples of where virtual reality has successfully been used to support learning have emerged. In particular, HEE East of England is piloting facilitated virtual reality learning for 1,200 Foundation Programme trainee doctors in 20 critical emergency scenarios in the East of England. This enables real time practice in a safe simulated environment with both facilitated supervised training and also personal unlimited access. A careful evaluation will be carried out, looking at both the trainee experience of learning through virtual reality and their subsequent improvement in confidence in urgent care management.

In addition, the TEL Programme has supported the development of a virtual reality lab in Torbay, which is now in its second year. Successful examples of virtual reality in distraction therapy have emerged, particularly in paediatrics and podiatry, with clear benefits to patients

undergoing the clinical intervention and costs savings because of the reduction in general anaesthetics.

The TEL Programme has now set up an academic partnership with Leeds Institute and through this partnership, will be developing a set of principles for the use of virtual reality in education and training. Through this work, the TEL Programme will be developing a cohesive approach for evaluation of outcomes, which will then enable consistency in evidence gathering.

Turkey: Joint Strike Fighter Aircraft

Asked by Lord West of Spithead

To ask Her Majesty's Government what discussions they have had with the United States authorities about the re-allocation of F35 aircraft work should that work currently planned for Turkey be done elsewhere. [HL17236]

Earl Howe: Ministry of Defence officials are in regular and ongoing discussions with their US counterparts on the impact of Turkey's unwinding from the F-35 programme. We are disappointed that Turkey has chosen to acquire the Russian S-400 air defence system but they are still a valued NATO Ally and we remain committed to our strategic partnership.

Asked by The Marquess of Lothian

To ask Her Majesty's Government what assessment they have made of the impact on the overall cohesion

and effectiveness of NATO of the decision by the government of the United States, announced by the Under Secretary of Defense for Acquisition and Sustainment on 17 July, to remove Turkey from the F-35 fighter jet programme. [HL17331]

Earl Howe: We are disappointed that Turkey has chosen to acquire the Russian S-400 air defence system. We will continue to discuss our concerns with Turkey as a valued NATO Ally and we remain committed to our strategic partnership. Our officials are in on going discussions with the F-35 Joint Programme Office and F-35 partners on the impact of Turkey's suspension from the F-35 programme.

Visas

Asked by Baroness Doocey

To ask Her Majesty's Government what plans they have to increase the number of countries which are exempt from needing to obtain a Direct Airside Transit Visa. [HL17291]

Baroness Williams of Trafford: The UK's visa system is a border and national security tool. The UK keeps its visa regimes, including those countries whose citizens are required to obtain a direct airside transit visa, under regular review.

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