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**PARLIAMENTARY DEBATES
(HANSARD)**

HOUSE OF LORDS

WRITTEN STATEMENTS AND WRITTEN ANSWERS

Written Statements1

Written Answers.....3

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| Baroness Vere of Norbiton | Parliamentary Under-Secretary of State, Department for Transport |
| Baroness Williams of Trafford | Minister of State, Home Office |
| Lord Wolfson of Tredegar | Parliamentary Under-Secretary of State, Ministry of Justice |
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Written Statements

Tuesday, 18 January 2022

Sandwell Metropolitan Borough Council

[HLWS527]

Lord Greenhalgh: My Hon. Friend, the Minister of State for Equalities and Levelling Up Communities (Kemi Badenoch) has today made the following statement:

All Members will recognise the crucial role that local councils play as the frontline of our democracy and the contribution they make to our levelling up agenda. That is why the situation at Sandwell Metropolitan Borough Council is of such concern.

Sandwell Metropolitan Borough Council has struggled for many years to resolve a variety of governance issues, including allegations of serious misconduct by both members and officers. The Council has had six different Leaders in six years and three Chief Executives over the past three years. This instability has led to a breakdown in trust, respect and confidence between those holding governance roles at the Council.

In August 2021, the Council's external auditors, Grant Thornton, initiated a Value for Money Governance Review into the Council's arrangements for securing economy, efficiency and effectiveness in its use of resources. In their view, until the Council is able to resolve various persistent challenges, it is at risk of not having adequate governance arrangements in place to ensure the effective discharge of its statutory responsibilities and maintain financial sustainability. This comprehensive Governance Review ("the Report"), based on evidence gathered from 75 interviews over a period of three months, was issued to the Council on 3 December 2021. It makes 45 wide-ranging recommendations, three of which are Statutory Recommendations, and in my view provides evidence of significant and systemic best value failure. I would like to thank the team at Grant Thornton for their work, and to recognise the critical importance of external audit in protecting and enhancing local accountability as we level up across the country. Copies of the Report will be deposited in the libraries of both Houses.

The Report paints a deeply troubling picture of mismanagement, a significant breakdown in trust across the Authority, and of ineffective scrutiny and accountability arrangements at the Authority. This includes, but is not limited to:

- On governance, a lack of a clear performance management framework and agreed key corporate indicators has impacted on the ability of the Leadership Team and Cabinet to take an effective grip of the key issues. The effectiveness of the Scrutiny Boards and the Audit and Risk Assurance Committee need improvement.
- On culture and leadership, poor behaviour and a lack of trust across the wider organisation continues to exist.

Insularity, along with poor engagement with local residents, businesses, external partners, the West Midlands Combined Authority and Black County Local Enterprise Partnership, has resulted in a lack of clarity on the Authority's key strategic priorities.

- On financial governance, there has been an ineffective approach to budget monitoring and budget setting, and there remains no visible consultation on the Council's budget setting priorities.
- On services, the time the Authority has spent responding to internal allegations and complaints has impacted on its ability to focus on service improvement. Inadequate procurement and contract management arrangements have led to poor decision-making and has impacted negatively on key services. While a recent Ofsted rating of fostering services demonstrates some positive progress with children's social care services, which were removed from council control and have been run by Sandwell Children's Trust since April 2018, some areas of significant improvement are still required.
- On capacity and capability to improve, while progress under the Interim Chief Executive Officer, Kim Bromley-Derry CBE DL is recognised, historically senior officers and members have been unable to make the changes required to move away from the past. Recruitment of a permanent Chief Executive Officer has not yet been achieved.

In light of the evidence in the Report, the Secretary of State is minded to implement the intervention package set out below. While the Secretary of State is encouraged by the "green shoots" of progress described in the Report, his view is that the risk of progress stalling or slowing is significant. He believes the proposed intervention is necessary and expedient to secure compliance with the best value duty.

I acknowledge this is not the conclusion of the Report, which states that the "green shoots" identified mitigate the risk that the Council is unable to manage and govern itself. However, I believe that on balance and in these particular circumstances the risk of government inaction in the face of evidence of best value failure is too great. Historically, the Council have been slow to improve. Furthermore, the Report is clear that it is the Interim Chief Executive Officer who is now driving change; and a recent recruitment round has failed to find a new permanent Chief Executive Officer. The Council's recovery is fragile and needs consistent leadership capacity. This should not be taken as a criticism of those who have been working hard to generate "green shoots" of recovery, in particular the interim Chief Executive Officer, and I acknowledge the good recent work of the Council to take steps in the right direction. I would also like to thank Mr Bromley-Derry's employers, McLaren Construction Group, for enabling his appointment.

I recognise that it is unprecedented to propose an intervention without a best value inspection or a government review. However, I have considered this report carefully and the evidence contained within it

satisfies me that there is no need for an additional Best Value Inspection. Instead, I believe what is needed now is support for a council at the beginning of a fragile journey of recovery.

Expressed in formal terms, the Secretary of State is satisfied that Sandwell Metropolitan Borough Council is failing to comply with its best value duty and he is considering exercising his powers of intervention to secure compliance with that duty. To that end, and in line with procedures laid down in the Local Government Act 1999, officials in my department have today written to the Council asking for representations on the Report and on the proposed intervention package. That letter emphasises the importance of ensuring that the proposed intervention does not distract the Council from the improvements that are starting to be made, and that the Council should engage with the Local Government Association's Corporate Peer Challenge at the end of the month.

The proposed package is centred on the appointment of Commissioners to exercise certain and limited functions as required, for two years – it is envisaged this will be a shorter and narrower intervention than has been seen previously. The proposal is for the Council, under the oversight of the Commissioners, to prepare and implement an Improvement Plan, and report on the delivery of that Plan to the Secretary of State every six months; and for the Commissioners to appoint a permanent Chief Executive Officer within 18 months and then step back from the Council.

I expect the Council to continue to take the lead on their recovery. Given the gravity of the Report's findings, the Secretary of State must consider what would happen if the Council failed to deliver the necessary changes, at the necessary speed.

The Secretary of State is, consequently, proposing to direct the transfer to Commissioners all functions associated with:

- The governance and scrutiny of strategic decision making by the Authority.
- The appointment and dismissal of persons to positions the holders of which are to be designated as statutory officers, and the designation of those persons as statutory officers.

The new Leadership Team are putting in place the necessary foundations and the Secretary of State envisages that the Commissioners will work closely with them to build on the work they have begun. I hope it will not be necessary for the Commissioners to use these powers, but they must be empowered to do so if they consider that required improvement and reforms are not being delivered.

The Commissioners will work closely with Emma Taylor, Chief Executive of Sandwell Children's Trust, and Mark Gurrey, the Department for Education's children's services adviser and Chair of the Council's improvement board for children's services. This will ensure that the improvements that he has overseen to date through the Department for Education's statutory intervention continue to be made, and that services for Sandwell's vulnerable children and families are delivered to an acceptable standard.

We are inviting representations from the Council on the Report and the Secretary of State's proposals by 11 February. We are also seeking their views on moving to a four yearly election cycle at the earliest opportunity and how best to achieve this.

We want to provide the opportunity for members and officers of the Council, and any other interested parties, especially the residents of Sandwell, to make their views on the Secretary of State's proposals known. Should the Secretary of State decide to intervene along the lines described here, he will make the necessary statutory directions under the 1999 Act and appoint Commissioners. I will update the House in due course.

The Government does not take these steps lightly and recognises and respects the role of local councils in our communities and our democracy. The Government also recognises the importance of councils having an effective relationship with their local auditor. I urge all councils to consider whether they could be doing more to ensure they are delivering the good governance that residents deserve, including considering the governance risk and resilience toolkit developed by the Centre for Governance and Scrutiny. Despite the rare cases like Sandwell, as a whole, local authorities in England have a good record of service delivery, transparency, probity, scrutiny, and accountability. It is a reputation worth protecting. Local people deserve better than this from their local councils.

Written Answers

Tuesday, 18 January 2022

Airfield Advisory Team

Asked by **Baroness Randerson**

To ask Her Majesty's Government what is the remit of the Airfield Advisory Team within the Department for Transport; how many staff work as part of that team; and what budget has been allocated to their work. [HL5185]

Baroness Vere of Norbiton: The Airfield Advisory Team (AAT) are a team within the Civil Aviation Authority (CAA) and were set up to provide independent non-regulatory advice and support to General Aviation airfields on a range of matters affecting their operations. The team is currently comprised of 2 personnel.

The annual budget for the AAT in Financial Year 21/22 is £375,000. This funding is made available by the DfT under sections 12 and 16 of the Civil Aviation Act 1982, which permits the department to provide the CAA funding for specific activities.

GA Airfields are the critical infrastructure which supports all aviation activity in the UK by developing a skilled workforce, the safety processes to support the entire industry, and can offer the potential as a test bed for new technology before its adoption by the commercial sector.

The GA sector including its airfields contributes around £4bn to the economy and supports around 40,000 jobs, most of which are STEM roles.

Airports: Navigational Aids

Asked by **Lord Berkeley**

To ask Her Majesty's Government which UK airports that operate scheduled flights have operational instrument landing systems, either using (1) Global Navigation Satellite System, or (2) land based Instrument Landing Systems; and which have neither system. [HL5291]

Asked by **Lord Berkeley**

To ask Her Majesty's Government which heliports operating scheduled flights have Point in Space approach navigation aids. [HL5292]

Asked by **Lord Berkeley**

To ask Her Majesty's Government which airports have the European Geostationary Navigation Overlay Service (EGNOS) system installed and operational; and which airports are preparing to use EGNOS. [HL5293]

Asked by **Lord Berkeley**

To ask Her Majesty's Government what assessment they have made of the costs incurred by UK airports

and operators of installing the European Geostationary Navigation Overlay Service system. [HL5294]

Asked by **Lord Berkeley**

To ask Her Majesty's Government what progress they have made in developing a cost-effective alternative to the European Geostationary Navigation Overlay Service to deliver similar or better poor visibility navigational operation. [HL5295]

Baroness Vere of Norbiton: The exact landing procedures in place at each licensed UK aerodrome can be found in the UK's Aeronautical Information Publication which is available on the "nats-uk.ead.it" website at no cost.

There are no UK heliports operating scheduled services which have Point in Space approach navigation procedures, but several helicopter operators are in discussions with the Civil Aviation Authority about establishing such procedures.

The UK's participation in the EGNOS programme ended on 25 June 2021. Since that date no UK airports, other than the three Channel Islands airports, have any arrival procedures in place linked to EGNOS Working Agreements or should be preparing to use them.

There has been no such assessment of the costs to the aviation industry of establishing the EGNOS procedures.

The Government is continuing to assess the impact on the aviation sector of the UK's withdrawal from the EGNOS programme but has yet to determine whether there needs to be any UK-led EGNOS replacement.

Brazil: Indigenous Peoples

Asked by **Lord Hylton**

To ask Her Majesty's Government what discussions they have had with the government of Brazil about effective protection of the indigenous tribes of the Amazon rainforest, in particular in relation to Land Protection Orders; and what plans they have to call for Emergency Orders to protect any (1) un-contacted tribes, and (2) un-demarcated tribal lands. [HL5317]

Lord Goldsmith of Richmond Park: The UK regularly engages with indigenous leaders and civil society organisations regarding the Amazon. Senior HMG officials discussed the indigenous lands' situation with Brazilian authorities most recently in December 2021. We have hosted indigenous leaders at our Embassy in Brasilia and we are in contact with the Brazilian National Foundation for Indigenous People (FUNAI), which is responsible for promoting indigenous people's rights and territorial protection in Brazil. The UK is committed to defending and promoting the human rights of all, and we will continue to monitor developments around indigenous land rights in Brazil.

Classroom Assistants and Teachers: Employment

Asked by *Lord Jones*

To ask Her Majesty's Government how many (1) teachers, and (2) classroom assistants, are currently employed in local education authority schools in England. [HL5326]

Baroness Barran: Information on the school workforce in England, including the number of teachers and classroom assistants, is published in the annual 'School Workforce in England' national statistics publication at <https://explore-education-statistics.service.gov.uk/find-statistics/school-workforce-in-england>. The latest information is as of November 2020. Figures for November 2021 will be published in May 2022.

In November 2020, there were 204,847 full-time equivalent (FTE) teachers and 151,865 FTE teaching assistants employed in local authority-maintained schools in England.

Table 1: Teacher and teaching assistants in England, by school type, FTE numbers

November 2020

| School type | Teachers | Teaching Assistants |
|--|----------|---------------------|
| LA maintained nursery and primary | 138,435 | 111,411 |
| LA maintained secondary | 47,294 | 11,532 |
| LA maintained special or Pupil Referral Unit | 15,398 | 26,765 |
| Centrally employed | 3,720 | 2,157 |
| Total | 204,847 | 151,865 |

Source: School Workforce Census 2020

Elections Bill 2021-22

Asked by *Lord Wallace of Saltaire*

To ask Her Majesty's Government whether they will publish the draft secondary legislation consequent to enactment of the Elections Bill, requested by the House of Commons Public Administration and Constitutional Affairs Committee, before the Bill receives its second reading in the House of Lords. [HL5156]

Lord Greenhalgh: Electoral law is complex and it is vital that we get the detail right. We are working at pace on the secondary legislation and will share further detail with Parliament as soon we are in a position to.

Electronic Warfare

Asked by *Baroness McIntosh of Pickering*

To ask Her Majesty's Government what estimate they have made of the number of cyber attacks there have

been in each of the last three years on UK companies by a hostile state; and what is their policy to prevent such attacks. [HL5253]

Lord True: Our new National Cyber Strategy, launched in December 2021, sets out how we will ensure that the UK continues to be a leading, responsible and democratic cyber power, able to protect and promote our interests in the rapidly evolving online world. This includes our approach to making the UK more resilient to cyber attacks and countering cyber threats. It is supported by £2.6 billion of investment over three years.

Over the past three years, the National Cyber Security Centre has dealt with a total of 2158 significant cyber incidents affecting people and organisations across the UK: 658 in 2019, 723 in 2020 and 777 in 2021. The 2021 Cyber Security Breaches Survey shows that 39% of businesses identified a cyber attack in the last 12 months, 46% in 2020 and 32% in 2019. We are not in a position to be able to identify all cyber attacks against UK companies or attribute responsibility for every attack.

The UK will do what is necessary to protect ourselves through our world leading capability in this area. We are vigilant to cyber threats, wherever they come from, and ready to defend against them. We are continuing to work to make the UK more resilient to cyber threats and raise the cost for those who would do us harm.

France: Travel Restrictions

Asked by *The Marquess of Lothian*

To ask Her Majesty's Government when they expect the government of France to relax the border restrictions on UK arrivals introduced on 18 December 2021; when they last discussed the issue with the government of France at any level; and when the Prime Minister last raised the closure of the UK–France border with the President of France. [HL5387]

Lord Goldsmith of Richmond Park: I welcome the decision by the French authorities on 13 January to relax the border restrictions which were introduced on 18 December. The UK and France are in regular contact about the requirements for travel between our countries. FCDO travel advice is kept up to date as restrictions change.

Government Departments: Bain and Company

Asked by *Lord Hain*

To ask Her Majesty's Government, further to the Written Answer by Lord True on 10 January (HL5119), what contracts were entered into since June 2010 with Bain & Company by (1) the Cabinet Office, and (2) other government departments. [HL5234]

Asked by *Lord Hain*

To ask Her Majesty's Government, further to the Written Answer by Lord True on 10 January (HL5119),

what assessment they have made of the report Judicial Commission of Inquiry into State Capture: Part 1, published 5 on January, in particular the finding that Bain & Company acted "unlawfully"; and what plans they have to ensure that no government departments will enter into fresh contracts with Bain & Company. [HL5235]

Asked by Lord Hain

To ask Her Majesty's Government, further to the Written Answer by Lord True on 10 January (HL5119), what assessment they have made of the report Judicial Commission of Inquiry into State Capture: Part 1, published on 5 January, in particular the finding that Bain & Company acted "unlawfully" and that legal proceedings should be taken against them. [HL5236]

Asked by Lord Hain

To ask Her Majesty's Government, further to the Written Answer by Lord True on 10 January (HL5119), whether they will now answer the question put, namely what plans they have to suspend the contracts of Bain & Company with government departments in light of the finding that Bain & Company acted "unlawfully". [HL5360]

Lord True: Details of Government contracts above £10,000 are published on Contracts Finder: <https://www.contractsfinder.service.gov.uk/Search>.

Individual contracts will contain clauses covering the conditions under which a contract may be terminated. It is for the contracting authority to determine what those conditions may be.

The grounds for the exclusion of bidders from public procurement procedures are set out in the Public Contracts Regulations 2015. These rules set out the circumstances in which bidders must, or may, be excluded from a public procurement process. Individual contracting authorities are responsible for their own decisions on these matters.

Heat Pumps

Asked by Baroness Ritchie of Downpatrick

To ask Her Majesty's Government what assessment they have made of the feasibility of the target to install 600,000 heat pumps a year by 2028. [HL5143]

Lord Callanan: The Heat and Buildings Strategy set out the range of policies that will combine to support the development of the heat pump market towards 600,000 per year by 2028.

This package includes: the Future Homes Standard, which will ensure that new homes are built zero carbon-ready without the need for costly retrofitting; targeted funding support, through the £450 million Boiler Upgrade Scheme, the Home Upgrade Grant and Social Housing Decarbonisation Fund; and proposals currently out to consultation for a new market-based incentive, to be introduced from 2024, and to phase out new fossil fuel

heating systems in off-gas grid buildings, starting with larger non-domestic buildings from 2024 and smaller buildings and homes from 2026.

Asked by Baroness Ritchie of Downpatrick

To ask Her Majesty's Government what estimate they have made of how many annual extra heat pump installations the introduction of the interim uplift to building energy efficiency requirements from June 2022 will incentivise. [HL5145]

Lord Callanan: There will be several routes to compliance with the 2021 uplift, and it is therefore not possible to produce a robust estimate of the number of annual heat pump installations that will result. Modelling from the Department for Levelling Up, Housing and Communities produced as part of their impact assessment in the case of domestic properties specifically, estimates that around 10% of new homes built in 2022 could include an air source heat pump.

Home Education

Asked by Baroness Deech

To ask Her Majesty's Government what assessment they have made of the Ofsted Chief Inspector's call for (1) a register of children being home educated, and (2) stronger legislation to enable the closing down of illegal schools. [HL5358]

Baroness Barran: The department agrees with the Ofsted Chief Inspector's call for a form of register for children not in school, and is committed to this. We will set out further details on this in the government response to the 'Children Not in School' consultation, which we will publish in the coming months.

The department has previously committed to taking forward measures to make it easier for Ofsted to investigate and gather evidence of breaches of section 96 of the Education and Skills Act 2008, and prosecute those responsible for running unregistered schools, including in the 2019 Integrated Communities Action Plan. Such measures are planned to be taken forward when a suitable legislative opportunity arises.

Asked by Lord Taylor of Warwick

To ask Her Majesty's Government what plans they have to introduce a register for children who are being home educated. [HL5373]

Baroness Barran: The department remains committed to a form of local authority register for children not in school. We will set out further details on this in the government response to the 'Children Not in School' consultation, which we will publish in the coming weeks.

Limited Liability: National Insurance

Asked by Lord Leigh of Hurley

To ask Her Majesty's Government what assessment they have made of the loss of national insurance

contributions in regards to exemptions enjoyed by Limited Liability Partnerships. [HL5129]

Lord Agnew of Oulton: No such assessment has been carried out as there are no specific National Insurance contributions (NICs) exemptions for members of a Limited Liability Partnership (LLP).

Individual members of LLPs are taxed in the same way as partners in a general partnership, paying Class 4 and Class 2 NICs like other partners and self-employed individuals. If members fall within the salaried member rules introduced by the Finance Act 2014 they are taxed as employees, paying Class 1 NICs.

Local Government: Coronavirus

Asked by Baroness Bennett of Manor Castle

To ask Her Majesty's Government, further to the Written Answer by Lord Greenhalgh on 31 December 2021 (HL4983), whether they considered reactivating section 78 of the Coronavirus Act 2020 for England in light of the Omicron variant; and if so, what were their reasons for not doing so. [HL5088]

Lord Greenhalgh: We launched a call for evidence on 25 March to gather views and inform a longer-term decision about whether to make express provision for councils to meet remotely on a permanent basis. The call for evidence closed on 17 June.

The Department has considered the responses to the consultation and the Government will respond in due course.

Ministerial Statements

Asked by Lord Roberts of Llandudno

To ask Her Majesty's Government what steps they take to ensure that ministerial statements are checked for accuracy. [HL5402]

Lord True: Civil servants support Ministers in providing information to Parliament. When providing advice and briefing, civil servants are subject to the professional standards set out in the Civil Service Code and internal clearance procedures.

Ministers are accountable to Parliament for the statements they make to the House. Parliament has long-established mechanisms for the record to be corrected should any errors be identified.

Mortgages: Misrepresentation

Asked by Lord McNicol of West Kilbride

To ask Her Majesty's Government what assessment they have made of the availability of independent information resources for consumers to check that representative annual percentage rates (APRs) are fairly

and accurately stated; and what action the Financial Conduct Authority advises customers to take where they are concerned they have been mis-sold under a representative APR that was not fairly stated. [HL5139]

Lord Agnew of Oulton: Firms are required by FCA rules to include a representative APR in certain circumstances. The FCA's handbook provides further rules and guidance on when a representative APR must be shown, how it should be denoted and the level of prominence it must be given.

If an advertisement includes an interest rate or any amount relating to the cost of credit, it must also include a representative example. This must contain certain standard information including a representative APR. The example must be clear and concise and must be no less prominent than the information that triggered the inclusion of the example.

If a customer is concerned that they have been mis-sold a credit agreement, the customer can make a formal complaint to the firm in question in the first instance. If they feel that their complaint has not been dealt with satisfactorily, they are able to refer the matter to the Financial Ombudsman Service (FOS) – an independent body set up to provide arbitration in such cases.

Asked by Lord McNicol of West Kilbride

To ask Her Majesty's Government, in each of the last six years, (1) how many times the Financial Conduct Authority (FCA) has asked a firm to outline how it calculates its annual percentage rates (APRs) except at the point of granting of authorisation; (2) where the FCA has discovered representative APR breaches, how many times it has required changes to a firm's (a) website, and (b) product literature; and (3) how many firms have been referred to the enforcement division for resolution. [HL5140]

Asked by Lord McNicol of West Kilbride

To ask Her Majesty's Government, in each of the last six years, how many Skilled Persons Reports the Financial Conduct Authority has commissioned where the issue of representative annual percentage rates (APRs), including the formulation or deployment of representative APR in the market, has been the "matter concerned". [HL5141]

Asked by Lord McNicol of West Kilbride

To ask Her Majesty's Government why the Financial Conduct Authority (FCA) has decided as part of its supervision strategy to make no independent periodic checks on the compliance of FCA regulations by authorised firms, in particular the accuracy of key consumer protection information such as representative annual percentage rates. [HL5142]

Lord Agnew of Oulton: This question has been passed on to the Financial Conduct Authority (FCA). The FCA will reply directly to the noble Lord by letter. A copy of the letter will be placed in the Library of the House.

Out-of-school Education: Islam

Asked by Lord Pearson of Rannoch

To ask Her Majesty's Government, further to the Answer by Baroness Barran on 15 December (HL Deb col 297), what estimate they have made of (1) the number of madrassas in England, and (2) the number of children that attend them; whether they have made an assessment of whether radical Islamist views are being taught in those madrassas; and if so, what were the conclusions of that assessment. [HL5056]

Asked by Lord Pearson of Rannoch

To ask Her Majesty's Government, further to the Answer by Baroness Barran on 15 December (HL Deb, col 297), what plans they have to encourage Ofsted to inspect all madrassas in England, regardless of whether they provide teaching for fewer than 18 hours per week. [HL5057]

Baroness Barran: The department does not hold a register of madrassas and has not made an estimate of the number of madrassas or the number of children attending them.

Madrassas are generally considered to be out-of-school settings, which are not captured by a single dedicated regulatory framework, and are not subject to inspections by Ofsted or the department.

Local authorities are, however, legally responsible for safeguarding and promoting the welfare of all children in their areas, including when attending out-of-school settings. To support local authorities with their existing safeguarding duties, the department has been taking forward a package of measures to enhance safeguarding in out-of-school settings, safeguarding children from all forms of harm, including extremism and terrorism.

This package of activity has included over £3 million of targeted funding to selected local authorities to examine ways to boost local capacity to identify and intervene in out-of-school settings of concern, and to test the utility of existing powers and engagement approaches for undertaking safeguarding activity in these settings. The final phase of this work concluded end of December last year, and we are currently considering the next steps for this work.

In addition, the department has also published a voluntary safeguarding code of practice to support providers, such as madrassas, to understand what they need to do to run a setting safely, and accompanying guidance for parents and carers to help them make more informed choices, including the red flags to look out for and what steps to take where they might have concerns. This is available here:

<https://www.gov.uk/government/collections/keeping-children-safe-in-out-of-school-settings>.

If the department became aware of a setting where extremist activity was taking place or where children were at risk of harm, we would work closely with relevant

agencies, such as the local authority, Ofsted and the police, to take action.

Paulin Makaya

Asked by Lord Boateng

To ask Her Majesty's Government what representations they have received regarding the circumstances of Mr Paulin Makaya, a dual British-Congolese national, who has been prevented by the authorities in Congo-Brazzaville from leaving that country to seek medical treatment; and what consular assistance, if any, they have provided to him. [HL5353]

Lord Goldsmith of Richmond Park: Mr Paulin Makaya has successfully departed the Republic of the Congo (RoC) and is now in the UK. The UK does not have a resident Embassy in the RoC, but engaged with the RoC authorities on his case through our Embassy in Kinshasa, Democratic Republic of the Congo. The UK's consular team in Kinshasa was engaged with Mr Makaya's case from his initial arrest through to his later release from prison, helping secure his ultimate departure to the UK.

Ports

Asked by Baroness Kennedy of Cradley

To ask Her Majesty's Government what assessment they have made of the future viability of England's regional ports. [HL5179]

Baroness Vere of Norbiton: The UK, and England's port industry, is a thriving and competitive private sector. It continues to make significant ongoing investment across the country in infrastructure necessary for a successful future, estimated at £1bn in 2021 and £600m in 2020 by the British Ports Association. It has shown itself to be adaptable and resilient over recent years and, as an island nation, all ports will very much continue to be a vital enabler of the national economy as 95% of freight by weight arrives by sea. As such we expect ports to be a key element of the UK's global trade ambitions now we have left the European Union, and we are taking steps to enhance their attractiveness through Freeports. A confidence in our ports far into the future is mapped out in the maritime 2050 Strategy.

Railways

Asked by Lord Bradshaw

To ask Her Majesty's Government how many full-time equivalent (1) civil servants, and (2) consultants, are employed to monitor train usage and estimate future train service patterns. [HL5225]

Baroness Vere of Norbiton: A range of teams from across DfT Rail Strategy and Services Group have a role in understanding current and future trends in both passenger and freight train usage, among other responsibilities. This includes policy teams, contract

holders, statisticians and analysts. The Department does not hold information on the full-time equivalent resource that this work represents compared to teams' wider duties.

Consultants are used by the Department on a project by project basis. This support is procured for services delivered and the Department does not hold information on the number of full-time equivalents engaged by consultancies to provide these services.

Refugees: Temporary Accommodation

Asked by Lord Roberts of Llandudno

To ask Her Majesty's Government what advice they provide to homeowners offering accommodation to refugees. [HL5147]

Baroness Williams of Trafford: Her Majesty's Government does not provide specific advice on this issue.

Remote Education: Coronavirus

Asked by Lord Taylor of Warwick

To ask Her Majesty's Government what plans they have, if any, to provide parents with catch-up vouchers for each day their child is absent from school due to COVID-19 in order to help pay for the costs of remote learning. [HL5204]

Baroness Barran: The department's priority is for schools to deliver face-to-face, high-quality education to all pupils. The evidence is clear that being out of education causes significant harm to educational attainment, life chances, mental and physical health.

School attendance is mandatory for all pupils of compulsory school age and it is the department's priority to ensure that as many children as possible regularly attend school. The department's current guidance for remote education states that schools affected by the remote education temporary continuity direction must provide remote education for state-funded, school-aged pupils whose attendance would be contrary to public health advice or government guidance or law relating to COVID-19 during the 2021/22 academic year. This means that schools should be offering remote education to pupils who test positive for COVID-19 or present with COVID-19 symptoms, where they are well enough to learn from home. Schools must also have regard to the expectations for remote education published here:

<https://get-help-with-remote-education.education.gov.uk/statutory-obligations>.

The government has committed to an ambitious and long-term education recovery plan, including an investment to date of nearly £5 billion to support the tutoring programme, deliver world class training for teachers, provide additional direct recovery funding to schools, and to extend time in colleges by 40 hours a year. This support will help children and young people make up for education lost and get back on track.

The department's overall direct investment in education recovery includes funding for up to 100 million tutoring hours for 5-19 year-olds, the multi-year recovery premium so schools can deliver evidence-based interventions based on pupil needs, summer schools, extra time in 16-19 education and 500,000 training opportunities for school teachers and early years practitioners.

Recovery programmes have been designed to allow early years, school, and college leaders the flexibility to support those pupils most in need, including the most disadvantaged.

Alongside overall investment in education recovery, the department has delivered over 1.7 million laptops and tablets to schools, trusts, local authorities and further education colleges for disadvantaged children and young people as part of a £520 million government investment to support access to remote education and online social care services.

The department has previously announced funding to support schools and colleges in providing internet access for disadvantaged pupils whose face-to-face education is disrupted due to the COVID-19 outbreak and has enabled ordering of 4G routers for schools and colleges.

Repossession Orders: Fraud

Asked by Lord Sikka

To ask Her Majesty's Government, further to the Written Answer by Baroness Williams of Trafford on 20 December 2021 (HL4745), whether they have monitored the progress made by the National Economic Crime Centre and the Financial Conduct Authority in their investigation of allegations of forgeries of customer signatures by banks. [HL5197]

Baroness Williams of Trafford: Treasury ministers and officials engage with a number of organisations and stakeholders on a variety of policy issues.

The Government expects all companies to obey the law and relevant regulations. Anyone with evidence of forgery taking place should report it to their bank in the first instance. If their concerns remain, or they do not have a direct relationship with the lender, they should report it to the relevant authorities.

The National Crime Agency (NCA), supported by the FCA, is continuing to assess the material submitted by the Bank Signature Forgery Campaign and information obtained following preliminary enquiries to clarify matters with certain members of the public who had raised the issue. They are also making a thorough assessment to determine whether there are grounds for a criminal or regulatory investigation.

Republic of Congo: Human Rights

Asked by Lord Boateng

To ask Her Majesty's Government what assessment they have made of access to human rights in Congo-

Brazzaville; and what representations they have made to the government of that country on human rights issues. [HL5354]

Lord Goldsmith of Richmond Park: In partnership with the international community, the UK Government engages with the Government of the Republic of the Congo on a range of issues, including human rights. The UK does not have a resident Embassy in the Republic of the Congo but we monitor the political, economic, and social situation in that country through the British Embassy in Kinshasa, in the Democratic Republic of the Congo. The UK is firmly committed to promoting and defending human rights globally.

Schools

Asked by Lord Taylor of Warwick

To ask Her Majesty's Government what plans they have to alter the definition of what constitutes a school in order to protect children who attend alternative education. [HL5346]

Baroness Barran: The existing definition of full-time education does not capture providers which offer only a narrow curriculum even if this teaching takes place throughout all, or most, of the school day.

In 2020, the department's consultation on regulating independent educational institutions contained a number of related proposals for legislation which would affect independent schools and also some education providers which are neither state-funded nor currently registered with the department as independent schools, although they are attended full-time by children of compulsory school age. This includes some religious education and several other providers.

The consultation included proposals to consider how to expand on the categories of full-time institutions that will be regulated in the same way that independent schools are currently regulated, and to change the definition of independent schools in primary legislation to incorporate such institutions. Taking forward the proposals would bring a range of currently unregistered institutions under the independent education regulatory regime and help ensure requirements are consistent for all providers that children of compulsory school age attend full-time during the school day, which prevents them securing an education elsewhere.

The government remains committed to changing the law on the registration of independent educational providers.

Publication of the response to the consultation on regulating independent educational institutions is expected in early 2022.

Schools: Coronavirus

Asked by Lord Bourne of Aberystwyth

To ask Her Majesty's Government what steps they are taking to ensure that schools in England can remain open throughout the COVID-19 pandemic. [HL5165]

Baroness Barran: The government is clear on the critical importance of avoiding disruption to children and young people's education. Therefore, the priority is to keep all schools open.

Testing remains important in reducing the risk of transmission of COVID-19 within schools and colleges. All secondary schools were asked to test their pupils once on-site, using lateral flow device (LFD) tests, on return in January.

Staff and secondary school pupils should continue to test twice weekly at home, with LFD test kits. Schools are encouraged to ask all visitors to take an LFD test before entering the school.

From Tuesday 14 December, young people aged 5 to 18 and fully vaccinated adults who are identified as a close contact of someone with COVID-19 can take an NHS rapid LFD test every day for 7 days and continue to attend their school or college as normal, unless they have a positive test result.

The self-isolation advice for people with COVID-19 has changed. From Monday 17 January, people with COVID-19 in England can end their self-isolation after 5 full days, as long as they test negative on day 5 and day 6.

Every child aged 12 and over is eligible to receive the vaccine. Healthy 12 to 15 year-olds can have a second dose 12 weeks after their first dose. My right hon. Friend, the Prime Minister, announced the acceleration of our COVID-19 booster programme to offer every adult in England a booster jab by the end of 2021 to protect people from the Omicron variant.

We have also supported schools, colleges, and nurseries to improve ventilation. We have provided carbon dioxide monitors backed by £25 million in government funding. Over 99% of eligible maintained schools, further education colleges, and the majority of early years education providers have now received a carbon dioxide monitor with over 350,000 now delivered. The government is now making available at least 7,000 funded air cleaning units for poorly ventilated teaching spaces where quick fixes to improve ventilation are not possible.

The department has put in place support to help schools facing workforce shortages. This includes calling on former teachers with the time and skills to return to the classroom and reintroducing the COVID-19 workforce fund to provide financial support to eligible schools and colleges for absence costs incurred from 22 November until the spring half term. Schools also have the discretion to consider and implement flexible working and delivery patterns.

The department has reintroduced face coverings for all adults in schools and for pupils and students in year 7 and above in communal areas, and from 4 January 2022 in classrooms. This is a temporary measure and will be reviewed on 26 January.

We have worked in partnership with the education sector and mental health experts to bring together and announce a range of commitments to protect and promote staff mental health and wellbeing as well as providing

resources. This is available at: <https://www.gov.uk/guidance/mental-health-and-wellbeing-support-in-schools-and-colleges>. We have also published a well-being charter available at: <https://www.gov.uk/guidance/education-staff-wellbeing-charter>.

Small Businesses: VAT

Asked by Lord Leigh of Hurley

To ask Her Majesty's Government what assessment they have made of the (1) cashflow difficulties, and (2) compliance costs, faced by (a) small, and (b) medium, sized UK businesses from recent changes to the VAT regime when trading with EU countries. [HL5128]

Lord Agnew of Oulton: Following the end of the transition period, sales from UK businesses to the EU are exports and are zero-rated for VAT purposes. This means that the UK business seller should not charge UK VAT on the sale and should retain evidence of export.

How goods sent to the EU are treated upon import into the EU is a matter for the EU. On 1 July 2021, the EU removed low value consignment relief for VAT on imported goods not exceeding €22 and introduced a new optional simplification scheme for the collection and payment of VAT on goods not exceeding €150, known as the Import One Stop Shop.

The UK does not provide an impact assessment of policy measures that are introduced outside of the UK by jurisdictions.

Nonetheless, the Government appreciates that small and medium sized businesses (SMEs) are more likely to find the changes to trading with the EU challenging. In response, following the end of the transition period, the Government introduced the SME Brexit Support Fund, which closed to new applications on 30 June 2021. The Recovery Loan Scheme has continued to provide support since then. This helps businesses of any size access loans and other kinds of finance so they can recover after the pandemic and the transition period. Loans are available through a network of accredited lenders which are listed on the British Business Bank's website.

South Sudan and Sudan: Violence

Asked by Baroness Cox

To ask Her Majesty's Government what assessment they have made of recent reports of armed attacks in (1) Yith Pabol Village in Aweil County, South Sudan, and (2) Miodol village, Rumameer County, Abyei; what assessment they have made of the likelihood of further violence; and what steps they intend to take in response. [HL5226]

Lord Goldsmith of Richmond Park: We are concerned by recent incidents of violence and the tragic loss of life, including in Aweil and Rumameer counties. We are in touch with partners, including the UN peacekeeping missions in South Sudan (UNMISS) and in

Abyei (UNISFA) to better understand these incidents and where the international community can help to reduce intercommunal tensions and conflict. In the meantime the British Embassy Juba has publicly commented expressing our concern at the incident in Aweil.

Instances of violence such as these are often driven by complex, deep rooted and overlapping causes. There is a longstanding pattern of intercommunal violence, closely linked to the unresolved status of Abyei, cattle-raiding and associated violence between the Misseriya and Dinka communities in these areas. As such we unfortunately anticipate there will be further incidents of violence until the underlying causes are addressed. We continue to press the Governments of Sudan and South Sudan to resolve the status of Abyei to help address the root causes of conflict in areas surrounding Aweil and Rumameer. This is in addition to engagement with the Government of South Sudan and other political actors to urge them to address the root causes of broader conflict in South Sudan through peacebuilding initiatives and to implement the 2018 Peace Agreement.

Sudan: Politics and Government

Asked by Baroness Cox

To ask Her Majesty's Government, further to their statement on Sudan on 4 January, what steps they will take to "hold those actors impeding the democratic process accountable." [HL5230]

Lord Goldsmith of Richmond Park: Our statement with Troika partners (UK/Norway/US) and the EU on 4 January reinforced our support for Sudan's democratic transition. We urged the Sudanese military and other actors to engage in dialogue to secure a lasting solution to the current political crisis. We therefore welcome the UN's announcement that they will facilitate talks to help resolve the situation. The Sudan Quad (UK, Saudi Arabia, United Arab Emirates and US) released a statement on 8 January welcoming this initiative, urging all Sudanese political actors to seize this opportunity to restore the country's transition to civilian democracy.

Since the military coup of 25 October 2021 we have been clear that, along with partners, we will consider all options to maintain pressure on the Sudanese military to recommit to country's democratic transition and deliver the Sudanese people's demands for freedom, peace and justice. This includes the possibility of measures to deliver accountability such as sanctions. It is however longstanding convention not to speculate on the specifics of such options given the risk of undermining their effectiveness and, in this particular case, while UN efforts to end political crisis are underway.

Visas: Refugees

Asked by Lord Hylton

To ask Her Majesty's Government how many of the 39,000 Refugee Family Reunion visas issued since

2015 have been used to enable holders to reach the UK.
[[HL5178](#)]

Baroness Williams of Trafford: Family reunion visas are issued on the understanding the recipient will travel to the UK.

We do not hold any data on whether and when that travel takes place.

Index to Statements and Answers

| | |
|---|----------|
| Written Statements..... | 1 |
| Sandwell Metropolitan Borough Council..... | 1 |
| Written Answers..... | 3 |
| Airfield Advisory Team | 3 |
| Airports: Navigational Aids | 3 |
| Brazil: Indigenous Peoples..... | 3 |
| Classroom Assistants and Teachers: Employment | 4 |
| Elections Bill 2021-22..... | 4 |
| Electronic Warfare..... | 4 |
| France: Travel Restrictions..... | 4 |
| Government Departments: Bain and Company | 4 |
| Heat Pumps..... | 5 |
| Home Education | 5 |
| Limited Liability: National Insurance | 5 |
| Local Government: Coronavirus | 6 |
| Ministerial Statements | 6 |
| Mortgages: Misrepresentation | 6 |
| Out-of-school Education: Islam..... | 7 |
| Paulin Makaya..... | 7 |
| Ports..... | 7 |
| Railways | 7 |
| Refugees: Temporary Accommodation..... | 8 |
| Remote Education: Coronavirus..... | 8 |
| Repossession Orders: Fraud | 8 |
| Republic of Congo: Human Rights | 8 |
| Schools | 9 |
| Schools: Coronavirus..... | 9 |
| Small Businesses: VAT | 10 |
| South Sudan and Sudan: Violence | 10 |
| Sudan: Politics and Government | 10 |
| Visas: Refugees | 10 |