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PARLIAMENTARY DEBATES  
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# HOUSE OF LORDS

## WRITTEN STATEMENTS AND WRITTEN ANSWERS

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<b>Baroness Barran</b>	Parliamentary Under-Secretary of State, Department for Education
<b>Lord Bellamy</b>	Parliamentary Under-Secretary of State, Ministry of Justice
<b>Lord Benyon</b>	Minister of State, Department for Environment, Food and Rural Affairs
<b>Baroness Bloomfield of Hinton Waldrist</b>	Spokesperson, Wales Office, Whip
<b>Lord Caine</b>	Parliamentary Under-Secretary of State, Northern Ireland Office
<b>Lord Callanan</b>	Parliamentary Under-Secretary of State, Department for Business, Energy and Industrial Strategy
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<b>Lord Murray of Blidworth</b>	Parliamentary Under-Secretary of State, Home Office
<b>Baroness Neville-Rolfe</b>	Minister of State, Cabinet Office
<b>Lord Offord of Garvel</b>	Parliamentary Under-Secretary of State, Scotland Office
<b>Lord Parkinson of Whitley Bay</b>	Parliamentary Under-Secretary of State, Department for Digital, Culture, Media and Sport
<b>Baroness Penn</b>	Parliamentary Secretary, HM Treasury
<b>Baroness Scott of Bybrook</b>	Parliamentary Under-Secretary of State, Department for Levelling Up, Housing and Communities
<b>Lord Sharpe of Epsom</b>	Parliamentary Under-Secretary of State, Home Office
<b>Baroness Stedman-Scott</b>	Parliamentary Under-Secretary, Department for Work and Pensions
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<b>Baroness Vere of Norbiton</b>	Parliamentary Under-Secretary of State, Department for Transport
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# Written Statements

Thursday, 24 November 2022

## Postmaster Suspension Pay

[HLWS374]

**Lord Callanan:** My Honourable friend the Parliamentary Under Secretary of State (Kevin Hollinrake) has today made the following statement:

The *Bates et al v Post Office Ltd* Common Issues Judgment in March 2019 found that clauses in postmaster contracts allowing Post Office to withhold remuneration during any period of suspension were unreasonable under the Unfair Contract Terms Act; Post Office was not entitled to rely on them.

Before March 2019, postmasters were not remunerated during the period of any contract suspension. Post Office has subsequently changed this policy, resulting in postmasters continuing to receive remuneration during a period of suspension.

As part of its efforts to address historical operational issues and implement improvements to its company culture, Post Office is setting up a compensation scheme to provide compensation to postmasters who did not receive remuneration during a suspension period. Post Office will write out to current and previous postmasters to offer them compensation based on the remuneration they were not paid and any associated consequential losses they may have suffered.

The Government will provide funding to Post Office to cover compensation to postmasters for unpaid suspension remuneration and any associated consequential loss. The Department for Business, Energy and Industrial Strategy will provide oversight to ensure that this compensation is delivered quickly and effectively to affected postmasters.

The Government continues to support Post Office in its efforts to review company practices and ensure that historical operational errors are not repeated.

## Northern Ireland Finances 2022-23

[HLWS375]

**Lord Caine:** My Rt Hon Friend the Secretary of State for Northern Ireland (Chris Heaton-Harris) has today made the following statement:

On Monday I introduced the Northern Ireland (Executive Formation etc) Bill that allows six weeks, and potentially a further six weeks, for a Northern Ireland Executive to form. In line with the intent of that Bill, I firmly believe that the best way forward for Northern Ireland is for the political parties to come together and form an Executive.

However, in the absence of a Northern Ireland Executive and Northern Ireland Assembly there has been no Executive Budget set for the financial year 2022/23. Departments therefore have not had clear totals against which to manage their finances.

Not only did the former Executive fail to agree a Budget, but the Ministers who remained in their posts during the 6 months from May to October 2022, left Northern Ireland's public finances with a black hole of some £660m.

I am extremely disappointed that this situation has come to pass. It remains my belief that for Northern Ireland to be a great place where people can live and work, there must be a locally elected, stable, and accountable devolved government, which continually prioritises the things that matter in everyday life for the majority of local people.

I believe that it is right to give the parties another opportunity to form an Executive, which the Bill I introduced on Monday will do.

In the meantime, I recognise that the people of Northern Ireland must be protected in future by bringing the public finances under control today. Difficult choices cannot be deferred any longer without continuing the lamentable trend of storing up ever deeper trouble. I am therefore setting a Northern Ireland Budget for 2022/23 today. I will bring forward legislation for this Budget in a Budget Bill in due course.

It should be noted that the Spending Review 2021 set the largest annual Block Grant in real terms since the Devolution Act in 1998. This provides around 21% more funding per head than equivalent UK Government spending in other parts of the UK. Yet, NI Ministers have failed to protect the public finances and secure the delivery of public services. This is a failure of their responsibility to the public, typically those most in need which worsens the impacts of the reductions that must now be delivered. If the necessary diligence over Northern Ireland's public finances had been applied by NI ministers during the last 6 months, these measures would not be needed now.

Action needs to be taken now to protect the current and future health of Northern Ireland's public services.

### *External factors impacting this Budget*

#### *Energy*

The Budget position I am setting out today recognises the challenges that face all of us in the UK over the cost of energy. Through the Energy Prices Act 2022, the UK Government is taking positive measures to ensure Northern Ireland citizens receive the support they need in the absence of an Executive. However, I do expect the Northern Ireland Departments, as some of the largest users of energy in the region, to be pragmatic in their approach to their energy bills by ensuring they are getting the best, most cost-effective deals possible. This will reduce pressures on the NI budget and in turn help protect funding to serve the public.

#### *Public Sector Pay and Public Service Transformation*

This budget recognises the cost of living challenges that our frontline workers are facing by increasing public sector pay and ensuring the Living Wage threshold is met. I appreciate that these pay awards will not go as far as many workers would wish. Until there is the right level of

income to NI Departments, this position on public sector pay is the most that can be afforded within the budget available and without cutting into important front line services. A future Executive needs to get to grips with a sustainable approach to public sector pay alongside the work needed to transform public services. The Executive needs to reform as this work should not be further delayed.

Northern Ireland Ministers have long failed to demonstrate prudent fiscal management. Almost 10 years on from the commitments made in the Stormont House and Fresh Start Agreements to put Northern Ireland's public finances onto a sustainable footing, long promised public service transformation and fiscal sustainability has not been delivered.

#### *2022/23 Budget allocations*

I set out below the resource and capital allocations which I consider to be an appropriate settlement for Northern Ireland departments.

In deciding on these allocations I have engaged intensively with the Northern Ireland Civil Service (NICS) to understand the needs of departments, the various views on budget priorities and the savings needed to balance the budget. I am grateful to them for their engagement. I have also met with Sir Robert Chote, the Chair of the NI Fiscal Council and received a range of representations from public groups and individuals.

#### *Non-ring fenced resource funding*

On the resource side, this Budget position delivers:

For Health, this Budget provides £7.28bn in funding; an increase of £228m above 2021/22 spending, which included significant COVID-19 funding, or £786m if we compare to last year's funding excluding the one-off COVID-19 funding. This will protect spending to address the critical health pressures in Northern Ireland. It also ring-fences funding for abortion services, as ensuring availability of services is a statutory duty on me as Secretary of State.

For Education, this Budget provides £2.6bn in funding, which is an additional £286m on top of last year's spending (after excluding accounting for one-off COVID support in 2021-22). This will protect spending for programmes such as Free School Meals, Home to School Transport, the Extended Schools and Sure Start programmes, all of which support those who need it most. However, even this level of increase will require significant reductions in current spending trajectory levels to live within budgetary control totals. This will affect funding for high spend areas such as the Education Authority's Block Grant and the Aggregated Schools Budget. As some costs are demand driven, this will have impacts. However, these are unavoidable given the scale of the overspend risk facing the department. The required action to curtail expenditure must be taken by all Education spending areas in order to live within budget.

This Budget protects funding for the most vulnerable by protecting spending levels in the Department for Communities at current levels and ensuring programmes

like the Discretionary Support Grant can continue. It also increases resources for Northern Ireland's critical infrastructure networks with a 4.4% increase in the Department for Infrastructure resource spending (after excluding one off COVID support in 2021-22). This increase will sustain vital infrastructure support that is so important to the NI Economy. We recognise steps will also need to be taken to improve Translink's sustainability through uprating Translink fares. This will help to reduce the budget pressure, whilst ensuring that the increase remains below the level of inflation.

Elsewhere, the level of protections and increased spending afforded to Health and Education, with lesser increases also afforded to Infrastructure and Justice, means some reductions in the Department for Economy, while departments including The Executive Office and Departments of Finance and Agriculture, Environment and Rural Affairs, remain broadly at similar levels as last year.

#### *Capital Departmental Expenditure Limits*

For capital, this Budget provides continuing investment and enables key flagship projects to progress including the York Street Interchange and A5 and A6 road schemes. It also ensures sufficient funding to meet departmental capital commitments that can progress in the absence of an Executive.

#### *Budget 2023/24*

As I set out in the opening to this Statement, the need for action to put Northern Ireland public finances on a sustainable footing can no longer be put off. Steps need to be taken now to address the systemic issues that are facing public services and address the long-term sustainability of NI's finances.

Importantly, I remain firmly of the view that the right people to be taking such decisions for future Budgets and public services are locally elected and accountable Ministers sitting in a fully functioning devolved government.

I will continue to work towards the restoration of an Executive but I recognise that consideration needs to be given to a sustainable and strategic budget outlook for 2023/24.

If the Executive has been restored in time for a budget for 2023/4, the UK Government will continue to work constructively with Executive Ministers, including on a sustainable budget that works for the people of Northern Ireland and supports economic growth.

However, in the absence of an Executive, the Government's priorities for next year's budget will be to deliver a fair outcome for all taxpayers and citizens in Northern Ireland. We will work to put Northern Ireland's finances on a sustainable long-term footing. That means we will need to consider wide-ranging options for revenue-raising and review all spending.

My department will continue to work closely with the Northern Ireland Department of Finance ahead of the next financial year to identify what steps could be taken. Amongst the options we will examine will be water

charges and/or increasing income from regional rates, to ensure citizens in Northern Ireland, and all taxpayers are treated fairly and the 2023/24 Budget is balanced from the outset of the year.

I must repeat I am only bringing forward this Budget legislation because the Northern Ireland parties have failed to display the necessary political leadership for which they were elected. I look forward to the Executive getting back to work and taking these decisions in the interests of the people of Northern Ireland.

The Statement includes the following attached material:

Annex A [Northern Ireland Finances 2022 2023 Annex A.docx]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Lords/2022-11-24/HLWS375/>

## Security Update on Surveillance Equipment

[HLWS376]

**Baroness Neville-Rolfe:** My Right Honourable Friend the Chancellor of the Duchy of Lancaster (Oliver Dowden MP) has today made the following statement:

The Government keeps the security of our personnel, information, assets, and estate under constant review. In this context, the Government Security Group has

undertaken a review of the current and future possible security risks associated with the installation of visual surveillance systems on the government estate. The review has concluded that, in light of the threat to the UK and the increasing capability and connectivity of these systems, additional controls are required.

Departments have therefore been instructed to cease deployment of such equipment onto sensitive sites, where it is produced by companies subject to the National Intelligence Law of the People's Republic of China. Since security considerations are always paramount around these sites, we are taking action now to prevent any security risks materialising.

Additionally, departments have been advised that no such equipment should be connected to departmental core networks and that they should consider whether they should remove and replace such equipment where it is deployed on sensitive sites rather than awaiting any scheduled upgrades. Departments have also been advised to consider whether there are sites outside the definition of sensitive sites to which they would wish to extend the same risk mitigation.

Government will continue to keep this risk under review and will take further steps if and when they become necessary.

## Written Answers

Thursday, 24 November 2022

### Asylum: Children

Asked by *Baroness Hamwee*

To ask His Majesty's Government how many unaccompanied children went missing from Home Office commissioned hotel accommodation in each month in the period from April to October. [HL3310]

Asked by *Baroness Hamwee*

To ask His Majesty's Government how many referrals to the National Referral Mechanism regarding unaccompanied children seeking asylum and placed in Home Office commissioned accommodation were made in each month from July to October. [HL3311]

Asked by *Baroness Hamwee*

To ask His Majesty's Government how many serious incident notifications regarding unaccompanied children seeking asylum and placed in Home Office commissioned accommodation were made to the Child Safeguarding Practice Review Panel in the period from April to October. [HL3312]

**Lord Murray of Blidworth:** We take the welfare of those in our care extremely seriously. We have safeguarding procedures in place to ensure all unaccompanied asylum-seeking children in emergency interim hotels are as safe and supported as possible whilst we seek urgent placements with a local authority. Young people are supported by team leaders and support workers who are on site 24 hours a day. Further care is provided in hotels by teams of social workers and nurses.

The Home Office has no power to hold asylum seekers, including children, in hotels or any temporary accommodation if they wish to leave.

All Home Office staff and contractors engaging with asylum seekers are trained to adopt a risk-based approach towards potential indications of vulnerability and to refer relevant cases onto the Safeguarding Hub, a dedicated resource assigned to identifying and safeguarding vulnerable asylum seekers.

Safeguarding Hub staff advocate for an individual's needs with the statutory agencies to promote appropriate safeguarding interventions. The statutory agencies retain responsibility for all decisions on intervention activity.

### Biometrics: Data Protection

Asked by *Lord Strathcarron*

To ask His Majesty's Government what assessment they have made of the data protection and privacy risks posed by private facial recognition companies such as PimEyes to UK citizens. [HL3388]

**Lord Parkinson of Whitley Bay:** All organisations in the UK which process personal data, including biometric data, have to comply with the requirements of the UK General Data Protection Regulation and the Data Protection Act 2018.

The Information Commissioner's Office (ICO) is the UK's independent regulator for data protection and is responsible for providing advice and guidance on compliance with the UK's data protection laws.

The ICO is currently considering whether PimEyes's practices may raise data protection concerns. It would not be appropriate for His Majesty's Government to comment on an ongoing ICO consideration.

### Dairy Farming: Exports

Asked by *Baroness Kennedy of Cradley*

To ask His Majesty's Government what plans they have to support the growth in sales of UK dairy products abroad. [HL3281]

**Lord Benyon:** The Government is committed to supporting the dairy sector capitalise on the strong demand for British products across the world, drawing on our reputation for quality and high standards of production, welfare and food safety.

We are focused on enabling British dairy exporters to access as many international markets as possible. In addition to removing trade barriers through negotiation of new Free Trade Agreements we are boosting our technical expertise in key markets through expansion of our network of dedicated agri-food attachés to 10 posts across the globe. These roles resolve market access barriers, support export growth and provide market insight to enable British companies to target markets with the highest potential. There is strong export potential for dairy products and a growing international reputation, especially for cheese. Our attaches will work with dairy companies to build our market share further and generate further awareness and demand.

As well as maximising market access, the Government is working with the sector to build capability and competitiveness in international markets. The new UK-wide Food and Drink Exports Council, which will be launched early next year, brings together industry and Governments in Scotland, Wales and Northern Ireland to boost exports from all parts of the UK and build export capability in the sector, especially in SMEs. The Department for International Trade provide a broad range of export support to help companies begin or progress their export journey, including advice on entering particular markets and opportunities to showcase products to international buyers.

### European University Institute: Brexit

Asked by *Lord Smith of Finsbury*

To ask His Majesty's Government, further to the letter from the Deputy Director of the Department of

Education's Disadvantage and International Directorate dated 24 October, what consideration they have given to replacing "does not include" with "includes" in section 7 of the European University Institute (EU Exit) Regulations 2022. [HL3386]

**Baroness Barran:** While the UK's membership of the European University Institute (EUI) convention ceased on exit of the EU, the department put in place an extension of its previous arrangements with the EUI beyond the end of the transition period, until 31 December 2022. This was to protect the status of UK-linked staff and students at the EUI, so that they could continue in their posts and with their studies while options for a future relationship with the EUI were considered.

Long standing government policy is to only grant privileges and immunities where there is a demonstrated and robust functional need for the running of the institution and never solely for personal benefit. In this case, in the absence of a negotiated international treaty compelling the government to do so, the department is unable to continue to grant privileges and immunities to EUI staff and students, including the UK linked ones.

The saving of the income tax privilege and the legal proceedings immunity for current staff is as considered appropriate and/or intended to give a reasonable period for those staff at the EUI to adjust, and they will be saved in relation to the current term of the staff member's employment contract without extension.

### Housing: Energy

*Asked by Baroness Jones of Whitchurch*

To ask His Majesty's Government whether they require all home insulation and energy efficiency products recommended for retrofitting domestic properties to have (1) the appropriate product accreditation, (2) building regulations approval, and (3) evidence of gas safety compliance. [HL3314]

**Lord Callanan:** The installation of insulation or energy efficiency products must comply with all relevant technical requirements in Building Regulations.

Ecodesign policy sets minimum energy performance standards (MEPS) which energy using products must meet when placed on the market. These must be sold with an energy label to help consumers identify the most efficient products. Compliance with MEPS and energy labelling are underpinned by robust test standards and the UKCA conformity marking.

All energy efficient products that burn gaseous fuels must be safe, demonstrating compliance with Regulation 2016/426 on appliances which burn gaseous fuels before being placed on the GB market.

### Oak National Academy: Publishing

*Asked by Lord Knight of Weymouth*

To ask His Majesty's Government whether the Department for Education sought evidence from the

education publishing sector about the market impact of Oak National Academy after the full scope and budget was known in September. [HL3422]

*Asked by Lord Knight of Weymouth*

To ask His Majesty's Government whether their assessment of the market impact of Oak National Academy in the educational publishing sector was made prior to that organisation becoming an executive non-departmental public body sponsored by the Department for Education. [HL3423]

**Baroness Barran:** The decision to establish Oak National Academy was taken with due regard to a robust assessment of market impact, which was informed by the commercial sector. Monitoring market impact is a priority and will continue throughout Oak National Academy's lifetime. Results will be factored into the body's ongoing evaluation and two-year review.

As an integral part of the process to set up Oak National Academy as an arm's length body, the department produced a business case which included an assessment of potential market impact, including in the educational publishing sector. This business case was published on GOV.UK on 1 November 2022: <https://www.gov.uk/government/publications/oak-national-academy-business-case>.

### Public Libraries: Finance

*Asked by Lord Roberts of Llandudno*

To ask His Majesty's Government what steps they will take to ensure local libraries are protected from any reductions in spending; and what encouragement they will give to local authorities to protect such libraries. [HL3381]

**Lord Parkinson of Whitley Bay:** The Local Government Finance Settlement for 2022/23 makes available £54.1 billion for local government in England, an increase of up to £3.7 billion on 2021/22. The majority of this funding is not ring-fenced, including funding of library services, in recognition of local authorities being best placed to understand local priorities and needs.

Local authorities in England have a statutory duty to provide a comprehensive and efficient library service which meets local needs. It is for each local authority to consider how best to deliver this statutory duty within available resources.

### Sportsgrounds: Safety Measures

*Asked by Lord Birt*

To ask His Majesty's Government, further to the Written Answer by Lord Parkinson of Whitley Bay on 24 October (HL2798), by what date they expect appropriate safety measures to be in place for major sports events staged at (1) Wembley, and (2) other major arenas in the UK. [HL3333]

**Lord Parkinson of Whitley Bay:** The safety and security of major sporting events across the UK is of paramount importance. Appropriate safety measures are put in place for major sports events, in line with the needs of the event and the venue, according to event-specific schedules. The adequacy of these plans are considered by locally-convened Safety Advisory Groups, and Safety Certificates are issued by the relevant local authority.

In the case of Wembley Stadium, which presents a number of unique challenges, significant work has been undertaken by the Football Association and its key partners since Baroness Casey of Blackstock's report, as successfully demonstrated during the UEFA Women's Euros and other high-profile events.

The Sports Grounds Safety Authority continues to offer world-leading expertise to sports venues in their regulatory and advisory capacities.

## **Water Companies: Environment Protection**

*Asked by Baroness Redfern*

To ask His Majesty's Government, further to the request by the former Secretary of State at the Department for Environment, Food and Rural Affairs in September for water companies to set out their plans for improving environmental performance and infrastructure, when they plan to publish (1) the responses from water companies to this request, and (2) their analysis of the responses. [[HL3292](#)]

**Lord Benyon:** As the Secretary of State requested, we have received letters from all water companies on how they plan to make improvements, and we are now working with them to establish where they can do more and opportunities to speed up delivery.

We will respond shortly regarding Potential infrastructure projects and opportunities.



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