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

# **HOUSE OF LORDS**

## **WRITTEN STATEMENTS AND WRITTEN ANSWERS**

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

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<b>Baroness Evans of Bowes Park</b>	Leader of the House of Lords and Lord Privy Seal
<b>Earl Howe</b>	Minister of State, Ministry of Defence and Deputy Leader of the House of Lords
<b>Lord Ahmad of Wimbledon</b>	Parliamentary Under-Secretary of State, Department for Transport
<b>Baroness Anelay of St Johns</b>	Minister of State, Foreign and Commonwealth Office
<b>Lord Ashton of Hyde</b>	Parliamentary Under-Secretary of State, Department for Culture, Media and Sport, Whip
<b>Lord Bates</b>	Minister of State, Department for International Development
<b>Lord Bourne of Aberystwyth</b>	Parliamentary Under-Secretary of State, Department for Communities and Local Government, Wales Office
<b>Lord Bridges of Headley</b>	Parliamentary Under-Secretary of State, Department for Exiting the European Union
<b>Baroness Chisholm of Owlpen</b>	Whip
<b>Earl of Courtown</b>	Deputy Chief Whip
<b>Lord Dunlop</b>	Parliamentary Under-Secretary of State, Scotland Office and Northern Ireland Office
<b>Lord Freud</b>	Minister of State, Department for Work and Pensions
<b>Lord Gardiner of Kimble</b>	Parliamentary Under-Secretary of State for Department for Environment, Food and Rural Affairs
<b>Baroness Goldie</b>	Whip
<b>Lord Henley</b>	Whip
<b>Lord Keen of Elie</b>	Advocate-General for Scotland and Ministry of Justice Spokesperson
<b>Lord Nash</b>	Parliamentary Under-Secretary of State, Department for Education
<b>Baroness Mobarik</b>	Whip
<b>Baroness Neville-Rolfe</b>	Minister of State, Department for Business, Energy and Industrial Strategy
<b>Lord Price</b>	Minister of State, Department for International Trade
<b>Lord Prior of Brampton</b>	Parliamentary Under-Secretary of State, Department of Health
<b>Baroness Shields</b>	Parliamentary Under-Secretary of State, Home Office and Department for Culture Media and Sport
<b>Lord Taylor of Holbeach</b>	Chief Whip
<b>Baroness Williams of Trafford</b>	Minister of State, Home Office
<b>Lord Young of Cookham</b>	Whip
<b>Viscount Younger of Leckie</b>	Whip

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# Written Statements

*Wednesday, 30 November 2016*

## Homes and Communities Agency

[HLWS293]

**Lord Bourne of Aberystwyth:** Today, My Hon Friend the Minister of State for Housing & Planning & Minister for London made the following Written Ministerial Statement.

Since 2010 Government has delivered almost 900,000 new homes, including 293,000 affordable homes. However, we need to build many more homes if we are going to create a housing market that works for everyone, and the Homes and Communities Agency (HCA) will play a vital role in this.

On 10 February 2016, my predecessor as Minister for Housing and Planning announced to Parliament the commencement of a Tailored Review of the HCA. I am pleased today to announce the publication of the Tailored Review.

The Agency is the national housing, land and regeneration agency and the regulator of registered social housing providers in England.

The Review concluded that functions exercised by the HCA are required, and, with the exception of social housing regulation, should continue to be performed by the HCA in its current form as a Non-Departmental Public Body (NDPB). The Review recommends that the Agency's regulatory function should be established as a standalone NDPB, reaffirming the Government's commitment to a strong, independent regulator for social housing. This is a purely administrative change that will not affect the regulator's powers or operations. This change will result in no increase on existing Government budgeted spending. The regulator will also be part of plans for increased sharing of back office functions across the DCLG Group. DCLG will today launch a consultation on using a Legislative Reform Order to establish the regulator as an independent body. This comes shortly after a consultation issued by the regulator on introducing fees for social housing regulation. Taken together these changes will ensure the regulator remains independent, and retains the powers and resources needed to maintain the confidence of the sector and lenders.

The Review has also made a number of recommendations for improving the efficiency, effectiveness and governance of HCA. This includes changes such as improving stakeholder engagement, reducing bureaucracy and ensuring that the Agency has the right set of skills. The Chairs of the HCA and the Regulation Committee have welcomed the recommendations. My Department and the Agency are working closely together and have developed a timetable for implementation of the recommendations.

The Tailored Review has been carried out independently within Government and with the full and active participation of the HCA. I would like to thank the HCA and all stakeholders that have contributed to the Review. The Review is being deposited in the Libraries of both Houses and is available at: <https://www.gov.uk/government/publications/tailored-review-of-the-homes-and-communities-agency>

## Scotland Act 2016: Commencement Regulations

[HLWS292]

**Lord Dunlop:** My Right honourable friend the Secretary of State for Scotland (David Mundell) has today made the following Written Ministerial Statement:

In March this year, Her Majesty the Queen gave Royal Assent to the Scotland Act 2016, marking an important milestone in fulfilling the UK Government's commitment to deliver on the Smith Commission Agreement, making the Scottish Parliament one of the most powerful devolved parliaments in the world.

Since Royal Assent, a number of important provisions in the Act have come into force, including new powers in relation to consumer advocacy and advice, gaming machines, equalities, transport, and welfare.

I can today inform the House that the UK Government has made the commencement regulations for the following sections of the Scotland Act 2016:

13: Power of Scottish Parliament to set rates of income tax

14: Amendments of Income Tax Act 2007

15: Consequential amendments: income tax

The regulations ensure that the transfer of income tax powers will occur, as agreed by the UK and Scottish Governments, from 6th April 2017; bringing into force substantial new financial levers enabling the Scottish Government to set income tax rates and thresholds for the earned income of Scottish taxpayers.

In addition, commencement regulations will be made on 5 December for the following sections of the Scotland Act 2016, to be commenced in April 2017:

20: Borrowing

21: Provision of information to the Office for Budget Responsibility

67: Destination of fines, forfeitures and fixed penalties

These commencement regulations represent another milestone in delivering the recommendations of the Smith Commission Agreement, and it is a testament to the constructive work between the UK and Scottish Governments.

The two governments continue to work closely together to ensure a safe and secure transition of the remaining powers in the Scotland Act 2016.

## Written Answers

Wednesday, 30 November 2016

### Affordable Housing: Capital Investment

*Asked by Lord Horam*

To ask Her Majesty's Government what assessment they have made of the impact of increasing the ways in which public funding may be obtained under the Shared Ownership and Affordable Homes Programme, particularly with regard to (1) the number of additional new homes that could be built, (2) the speed of delivery of new homes, and (3) the ability of housing associations to innovate and deliver new products. [HL3369]

**Lord Bourne of Aberystwyth:** In the Autumn Statement the Chancellor announced a £1.4 billion expansion of the Shared Ownership and Affordable Homes Programme (SOAHP) 2016-21 and a relaxation of restrictions on tenure. This will help us deliver a further 40,000 housing starts by 2021 and as part of the largest housing programme by any government since the 1970's. The expanded and more flexible programme will allow providers to have the agility to more quickly and effectively respond with the right products to local needs and markets.

### Armed Forces: Suicide

*Asked by Lord Browne of Belmont*

To ask Her Majesty's Government what is the rate of suicide among UK armed forces personnel who have seen active service in Afghanistan or Iraq. [HL3467]

**Earl Howe:** The Ministry of Defence takes the mental health and well-being of its personnel very seriously. Our policy aims to reduce suicide risk through education, tackling stigma, and providing rapid, easily accessible, and flexible access to mental health support and health care services.

For the period 1 August 2002 to 31 December 2015, the rate of coroner confirmed suicides and open verdict deaths amongst those who had previously deployed to either Iraq or Afghanistan and were still in Service at the time of their death was 0.9 per 1,000. This compared to a rate of 1.6 per 1,000 for those UK service personnel who have not been identified as having deployed to either Iraq or Afghanistan prior to their death.

The 'Suicide and Open Verdict Deaths in the UK Regular Armed Forces 1984-2015' National Statistics Notice published in March 2016 shows that over the past 30 years, male suicide rates among the UK regular Armed Forces have been lower than the UK general population. In 2014, the male suicide rate in the UK general population was 16.8 per 100,000 compared to a UK Armed Forces rate of 4 per 100,000.

### Brexit

*Asked by Lord Brooke of Alverthorpe*

To ask Her Majesty's Government, further to the Written Answer by Lord Bridges of Headley on 3 November (HL2764), whether they will exceptionally publish on a weekly basis details of ministerial meetings relating to Brexit until Article 50 has been invoked. [HL3295]

**Lord Bridges of Headley:** There are no plans to change the current approach of reporting details of Ministers' meetings on a quarterly basis.

### Children in Care: Missing Persons

*Asked by Baroness Smith of Basildon*

To ask Her Majesty's Government, further to the answer by Lord Nash on 7 November (HL Deb, cols 894-6), how many children have gone missing from care in each year since 2009. [HL3445]

*Asked by Baroness Smith of Basildon*

To ask Her Majesty's Government, further to the answer by Lord Nash on 7 November (HL Deb, cols 894-6), what are the longest, shortest and average times that children were missing when they ran away from local authority care in each year since 2009. [HL3446]

**Lord Nash:** Local authorities are responsible for collecting information about children in care who go missing. Due to inconsistencies in local data collection and reporting, the Department for Education strengthened its data collection in 2015 to use a new definition of missing and away from placement without authorisation. The Department also asked for data on all children who were missing from care, including those missing for less than a day. Figures for earlier years are not available on a consistent basis and are not considered reliable. Improved information on children missing from care in 2015 and 2016 is published in table G1 of the statistical first release: 'Children looked after in England, year ending 31 March 2016'. A copy of the statistical first release is attached.

This tells us that there were 8,670 children who were missing from care at some point during the year ending 31 March 2016, and 4,430 who were away from their placement without authorisation. As this is a new collection, the published statistics are currently classed as 'experimental statistics' to reflect that the quality of the statistics is still being assessed. Local authorities reported significant improvements to the quality and completeness of the data reported in 2016 so figures for 2015 and 2016 are not comparable.

The Department only collects the date on which a child has gone missing or has returned, not the time period and duration of the incident. Local authorities will hold this detailed information. However, table G1 does show the duration of missing incidents.

The Answer includes the following attached material:

Statistical First Release tables [Copy of  
SFR\_41\_2016\_Tables.xlsx]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-11-22/HL3445>

## **Criminal Proceedings: Interpreters**

*Asked by Baroness Coussins*

To ask Her Majesty's Government whether, following the withdrawal of the UK from the EU, there will be a continued commitment to the right of interpretation services in the criminal justice system, on the same terms as currently guaranteed under the EU Directive on the right to interpretation and translation in criminal proceedings. [HL3282]

**Lord Keen of Elie:** As the Prime Minister has said we will not be providing a running commentary on the negotiations with regards to the UK's decision to leave the EU.

## **Erasmus+ Programme**

*Asked by Baroness Coussins*

To ask Her Majesty's Government whether the UK will continue to participate in the Erasmus Plus programme following the withdrawal of the UK from the EU, and if not, what assessment they have made of the impact on (1) graduate employment, and (2) the provision of modern foreign language degree courses at UK universities. [HL3365]

**Baroness Neville-Rolfe:** Until our departure from the EU, we remain a fully paid up Member State, with all the rights and obligations that entails. Post-exit access to Erasmus+ will be a matter for the negotiations, which follow the triggering of Article 50. We will work through the implications for future years as part of the wider negotiations.

The Treasury guarantee to underwrite competitively bid for funding commitments up to the point at which the UK departs the EU includes those parts of Erasmus+ that are bid for competitively.

## **Flood Control: Finance**

*Asked by Baroness Smith of Basildon*

To ask Her Majesty's Government, further to the answer by Lord Gardiner of Kimble on 8 November (HL Deb, cols 1025–7), how much of the £2.5 billion reserved for flood protection over the next six years has been used or allocated, and on which projects. [HL3444]

**Lord Gardiner of Kimble:** The GOV.UK website contains an indicative programme of the £2.5 billion capital funding to be invested on improving flood defences in the six years between 2015 and 2021. In the

first year of the programme up to March 2016 £391 million was spent.

The programme is live and periodically updated to reflect the changing nature of scheme costs. As examples, two reasons to update the programme could include changes to local flood modelling revealing there would be no benefit to a flood scheme and early partnership funding being secured allowing schemes to be accelerated.

## **Foreign and Commonwealth Office: Languages**

*Asked by Baroness Coussins*

To ask Her Majesty's Government what action is being taken by the Foreign and Commonwealth Office to improve target level attainment for languages for diplomatic and other staff based in key regions such as the Middle East and North Africa. [HL3283]

**Baroness Anelay of St Johns:** Language skills are vital to diplomacy and the Foreign and Commonwealth Office has increased the language training budget annually over the last three years to improve target level attainment. Officers posted to speaker slots overseas undergo full time language training to enable them to reach C1 operational level (equivalent to degree level) before taking up their posting. Those in speaker slots are encouraged, including through our performance management system, to take action if they have not reached their target level.

## **Foreign Exchange**

*Asked by Lord Birt*

To ask Her Majesty's Government whether they are planning to review the regulation of foreign exchange providers to ensure the protection of consumers buying foreign currency during periods of wide currency fluctuations. [HL3272]

**Lord Young of Cookham:** The Government is reviewing the Payment Services Regulations as part of its implementation of the revised Payment Services Directive (PSD2). The Regulations apply to foreign exchange firms conducting a payment transaction as part of a currency exchange. There are currently no plans to review the regulation of foreign exchange providers more widely. However, Government will continue to monitor the sector to ensure that consumers and businesses using foreign exchange services are treated fairly.

## **Housing Associations: Finance**

*Asked by Lord Kennedy of Southwark*

To ask Her Majesty's Government where the £1.8 billion of extra spending by Housing Associations from sources other than central government is coming from. [1] [HL3538]



**Lord Bourne of Aberystwyth:** The £1.8 billion is the amount of additional investment that housing associations will need to take, from lenders and through cross subsidy across schemes, in order to deliver the much needed affordable homes. As housing associations are currently classified as public corporations this investment also counts towards the fiscal aggregates.

We are taking action to enable the Office for National Statistics to reclassify housing associations to the private sector.

## National Flood Resilience Review

*Asked by Baroness Jones of Whitchurch*

To ask Her Majesty's Government what proportion of the recommendations published in the National Flood Resilience Review have been implemented; and whether they have developed plans with the relevant utilities and regulators for temporary improvements to resilience, in line with those already available in the electricity supply industry, in order to meet their target date of Christmas 2016. [HL3430]

*Asked by Baroness Jones of Whitchurch*

To ask Her Majesty's Government what progress has been made to identify a suitable governance structure to oversee the implementation of the National Flood Resilience Review; and when they plan the new governance arrangements to come into effect. [HL3431]

**Lord Gardiner of Kimble:** Good progress is being made on the implementation of the National Flood Resilience Review (NFRR) recommendations. All infrastructure companies have completed their initial assessments of their vulnerable sites for suitability for temporary flood defences and as a result companies are investing heavily in resilience measures to ensure continuity of supply this winter. This includes putting in place or having deployment plans for temporary defences, and other contingency measures such as rezoning of water supplies and the use of mobile telecommunications cells to reduce the risk of disruptions of services. Further to this, the Government is working with utility companies to improve permanent defences in the longer term.

Coordination of flooding policy is a high priority across Government with a number of Departments responsible for delivering actions arising from the NFRR. As such an inter-Ministerial group has been established to oversee flooding policy, including the implementation of the NFRR.

## Prisoners' Release

*Asked by Lord Bradley*

To ask Her Majesty's Government how many people in prison in England and Wales have been granted compassionate release on grounds of ill-health in each of the last five years for which figures are available. [I] [HL3274]

**Lord Keen of Elie:** The numbers granted early release on compassionate grounds for reasons of ill health in each of the last five years are;

2011	5
2012	10
2013	9
2014	8
2015	10
TOTAL	42

## Prisoners: Older People

*Asked by Lord Bradley*

To ask Her Majesty's Government how many (1) males, and (2) females, over the age of 80 are currently serving sentences in prisons in England and Wales; and how many of those were over the age of 70 when sentenced. [I] [HL3273]

**Lord Keen of Elie:** Prison population serving sentences aged 80 or over as at 30 September 2016.

Males	223
Females	3

Breakdown of prison population serving sentences aged 80 or over on 30 September by their age at sentence date.

	All	Males	Females
Total	214	206	3
Number over 70	212	206	3
Not Known (1)	2	0	0

### Notes

(1) These prisoners have been recently sentenced and their sentence date has not yet been updated on the system. The figures in these table have been drawn from administrative IT systems which, as with any large scale recording system are subject to possible errors with data entry and processing.

## Prisons: Food

*Asked by Lord Bradley*

To ask Her Majesty's Government what was the average food budget per prisoner per day in prisons in England and Wales for each of the last five years for which figures are available. [I] [HL3277]

**Lord Keen of Elie:** The National Offender Management Service (NOMS), on behalf of the MoJ Department, is responsible for allocating food budgets to all adult public sector prisons across England and Wales. There are separate budget arrangements in place for prisons within the Young Peoples Estate and the private sector. The table below shows the allocated food budget for financial years 2012-13 to 2015-16:

<i>Fiscal Year</i>	<i>Allocated Budget</i>
2012/13	£2.10
2013/14	£1.96
2014/15	£2.02
2015/16	£2.02

For 2016-17, non-pay budgets, including an element for prisoner food, were based on a standard unit cost by prison type, in place of the previous set of standardised budgets. This gave Governors more freedom in allocating non-pay budgets, with the £2.02 figure for prisoner food retained as a guide.

### Schools: Standards

*Asked by Lord Porter of Spalding*

To ask Her Majesty's Government what proportion of children in schools currently graded by OFSTED as good or outstanding, which were graded as requiring improvement or inadequate in 2010, are in (1) academies, and (2) other state-maintained schools. [I] [HL2881]

**Lord Nash:** The table attached shows the number of pupils in primary and secondary schools that were judged to be good or outstanding in their most recent inspection broken down by the previous inspection result and whether they are (1) academies or (2) other state-funded schools.

Providing the complete information requested would exceed the word limit for responses to written parliamentary questions. The table has therefore been attached.

The Answer includes the following attached material:

attachment - table  
[HL2881\_number\_and\_percentage\_of\_pupils\_currently\_in\_good\_or\_outstanding\_schools\_in\_academies\_and\_maintained\_schools.xls]

The material can be viewed online at:  
<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-11-01/HL2881>

### Tax Avoidance

*Asked by Lord Beecham*

To ask Her Majesty's Government what action they have taken to prevent the use of aggressive tax avoidance schemes under which employers reduce their national insurance payments and exploit VAT rules designed to benefit very small businesses; and with what results. [HL3294]

**Lord Young of Cookham:** These schemes are under investigation by HM Revenue and Customs (HMRC). Penalties are in place for those caught attempting to avoid tax by using an avoidance scheme. This includes promoters of such schemes who can face fines of up to £1

million for failing to notify an avoidance scheme under the Disclosure of Tax Avoidance Schemes regime.

In the last two years, HMRC has secured an additional £5.5 billion through targeting tax avoidance schemes. The Chancellor of the Exchequer announced in the Autumn Statement 2016 that the Government will counter abuse of the VAT Flat Rate Scheme while keeping VAT accounting simple for the small businesses that use the scheme as intended.

### Teachers: Training

*Asked by Baroness Donaghy*

To ask Her Majesty's Government what are the funding allocations to initial teacher training courses for 2017-18 apportioned by (1) primary phase, and (2) each secondary subject, broken down by (a) higher education, (b) school-centred initial teacher training (SCITT), (c) School Direct fee paying with higher education institutions (HEI) partners, (d) School Direct fee paying with SCITT partners, (e) School Direct salaried with HEI partners, and (f) School Direct salaried with SCITT partners. [HL3305]

*Asked by Baroness Donaghy*

To ask Her Majesty's Government which higher education institutions and school-centred initial teacher training providers received three year allocations for 2017-18 onwards; and what criteria were used to identify such providers. [HL3306]

**Lord Nash:** The criteria used for three-year allocations for 2017/18 were published in "The allocation of Initial Teacher Training Places 2017-18" on 29 September. The four criteria used were: average degree class of trainees, quality of training measured by OFSTED, quality of outcomes measured by employment into the maintained sector, and recruitment performance against allocations.

We will be publishing the full list of providers eligible for three-year allocations, and the allocations by subject in due course.

### Visas

*Asked by Lord Green of Deddington*

To ask Her Majesty's Government how many restricted certificates of sponsorship were (1) returned to the Home Office during the previous month, and (2) reclaimed because they were not used within three months, in each month since April 2014. [HL3311]

**Baroness Williams of Trafford:** The data requested is set out in the table below

<i>Restricted certificates of sponsorship (RCoS) returned and reclaimed</i>		
<i>Allocation Month</i>	<i>Restricted Certificate of Sponsorship Returned</i>	<i>Restricted Certificate of Sponsorship reclaimed as not used</i>
Apr-14	7	

<i>Allocation Month</i>	<i>Restricted Certificate of Sponsorship Returned</i>	<i>Restricted Certificate of Sponsorship reclaimed as not used</i>	<i>Allocation Month</i>	<i>Restricted Certificate of Sponsorship Returned</i>	<i>Restricted Certificate of Sponsorship reclaimed as not used</i>
May-14	8		Feb-16	8	
Jun-14	33		Mar-16	5	
Jul-14	7		Apr-16	18	252
Aug-14	9		May-16	10	246
Sep-14	14		Jun-16	7	288
Oct-14	66		Jul-16	12	353
Nov-14	15		Aug-16	5	
Dec-14	17		Sep-16	4	
Jan-15	45		Oct-16	5	
Feb-15	10		The Answer includes the following attached material:		
Mar-15	4		PQ HL3311 - Table [HL3311 Table.xlsx]		
Apr-15	311		The material can be viewed online at:		
May-15	390		<a href="http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-11-17/HL3311">http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-11-17/HL3311</a>		
Jun-15	20	456	<i>Asked by Lord Green of Deddington</i>		
Jul-15	15	244	To ask Her Majesty's Government whether the annual cap of 20,700 on restricted certificates of sponsorship has been breached in any of the five years since its permanent introduction in April 2011.		
Aug-15	24	368	[HL3312]		
Sep-15	11	176	<b>Baroness Williams of Trafford:</b> The annual cap has not been breached in any year since the permanent introduction in April 2011.		
Oct-15	46	285	Although the annual cap has not been breached, the monthly limit of applications between June and September 2015 was breached.		
Nov-15	27	350			
Dec-15	19				
Jan-16	11				



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