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PARLIAMENTARY DEBATES
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WRITTEN STATEMENTS AND WRITTEN ANSWERS

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

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Written Statements

Wednesday, 19 October 2016

Primary Education

[HLWS205]

Lord Nash: My right honourable friend the Secretary of State for Education (Justine Greening) has made the following Written Ministerial Statement.

This Government is committed to building a country that works for everyone and that means having the highest aspirations for all children. But we know that when it comes to their education, if a child starts behind other children, all too often they stay behind. When children leave primary school they should have acquired a firm grasp of the basics of literacy and numeracy. I know that all parents and teachers want this for our children too.

Summer 2016 saw the first pupils taking the new assessments in English and mathematics at the end of primary school. They were set against the new national curriculum which has been benchmarked against what the highest-performing countries around the world are teaching their children. As a result, the new assessments rightly raised the bar on what we expect pupils to have been taught by the age of eleven, better preparing them for secondary school and beyond. In the past, although we saw high proportions of children meeting the previous lower standard at the end of primary school, too often it did not translate into good qualifications at the end of secondary school.

Although the new assessments this summer were rightly more challenging, teachers and pupils rose to that challenge. 66% of pupils met or exceeded the new 'expected standard' in reading, 70% did so in mathematics and 74% did so in writing.

The pace and scale of these changes has been stretching. Our objective is to make sure that children are ready for the next stage of their education. We know, and Ofsted inspectors understand, that the 2016 assessments and results mark a break with the past and are not comparable with the preceding years. In recognition of this, I am reaffirming the commitment that no more than 6% of primary schools will be below the floor standard in 2016.

It is right that we do more to identify schools where pupils are not fulfilling their potential and 2016 saw a greater emphasis on pupil progress in the accountability system. To take the next step, we are laying regulations around 'coasting', so that schools not making enough progress get the focus and support that they need to improve. We expect a small proportion of primary schools to be defined as coasting this year.

Because of the changes to primary assessment, I want to be clear that no decisions on intervention will be made on the basis of the 2016 data alone. Regional Schools Commissioners and local authorities will work together

with the current leaders of the small minority of primary schools below the floor or coasting to help and support the schools to move forward in a positive direction.

It is important that we now set out a clear path to a settled system where our collective focus can be on achieving strong educational outcomes for all children. There has been significant change in recent years, but the timeline from this point will bring greater stability, with no new national tests or assessments introduced before the 2018/19 academic year.

As part of this I am setting out steps to improve and simplify assessment arrangements. First, we have worked closely with the profession to improve the guidance for the moderation of teacher assessment. It is important that we have a consistent and reliable approach across England. This new guidance will be accompanied by mandatory training for local authority moderators. Second, the key stage 1 grammar, punctuation and spelling test will remain non-statutory for schools this year, with tests available for teachers to use if they choose. Third, we will not introduce statutory mathematics and reading resits on children's arrival in year 7. Rather, we will focus on the steps needed to ensure a child catches up lost ground. High-quality resit papers will be made available for teachers to use if they wish, as part of their ongoing assessments. In addition, we will introduce a targeted package of support to make sure that struggling pupils are supported by teachers to catch up in year 7.

Whilst the steps set out above will make improvements in the current academic year, we also need to now set out a longer term, sustainable approach. Early in the New Year we will launch a consultation on primary assessment and the implications for accountability. This will cover key issues, including the best starting point to measure the progress that children make in primary school, and the role and operation of teacher assessment. Whilst we take time to consult on assessment arrangements, the Early Years Foundation Stage Profile will remain in place for the 2017/18 academic year.

Last year, the Government commissioned Diane Rochford to lead an expert review into the assessment of pupils working below the standard of the national curriculum tests and to make recommendations that ensure they have the opportunity to demonstrate attainment and progress at primary school. I am grateful for the work of Diane Rochford and her team and we are publishing their report today. Its recommendations will also form part of the consultation.

I look forward to engaging with parents, teachers and unions on these issues in the coming months.

Rotherham Metropolitan Borough Council

[HLWS206]

Lord Bourne of Aberystwyth: My hon Friend the Minister for Local Government (Marcus Jones) has today made the following ministerial statement.

On 26 February 2015, the then Secretary of State for Communities and Local Government and the then Secretary of State for Education, having considered the report of the inspection by Dame Louise Casey CB and the advice note from Sir Michael Wilshaw (HM Chief Inspector of Education, Children's Services and Skills), concluded that it was both necessary and expedient for them to exercise their intervention powers, as Rotherham Metropolitan Borough Council was failing to comply with its best value duty. Due to the extent and the gravity of the failings in the Council, my Rt. Hon Friend, Sir Eric Pickles MP, rightly decided that the intervention should be broad and wide ranging. It was directed that Commissioners should exercise many of the authority's functions until the council could exercise them in compliance with its best value duty. A team of Commissioners was appointed to exercise all executive functions of the authority, as well as some non-executive ones, including licensing.

On 11 February 2016, my Rt. Hon Friend Greg Clark MP, returned certain functions to the Council, including education, housing and planning. He was satisfied with the progress made and that the Council was able to exercise the identified functions in compliance with the best value duty. Returning these functions was the start of building effective and accountable political leadership and represented a clear milestone on the road to recovery. I

am pleased now to be able to report on further progress made.

In his 10 May and 11 August 2016 progress reports, Lead Commissioner Sir Derek Myers recommended that the licensing functions should be returned to the Council and laid out strong and compelling evidence for this. The collective evidence demonstrates that the key objectives of the intervention, in relation to licensing, have been delivered. It is my assessment that the weaknesses in licensing identified in the Casey report have been addressed and the service is now functioning effectively. Officers and members have recognised the need for and implemented fundamental cultural change, and Advisory Board members, in particular the Chair, are more capable and confident in their role. This marks significant progress, as licensing was one of the Council's services implicated by the Casey report as contributing to child sexual exploitation in Rotherham.

On the basis of this progress, I am now satisfied that the Council could exercise the licensing function in compliance with its best value duty and I am consulting on revising Directions accordingly. The Commissioners will continue to have oversight of the service to ensure continued compliance with this duty.

I am placing a copy of the documents associated with these announcements in the Library of the House and on my department's website.

Written Answers

Wednesday, 19 October 2016

China: Catholicism

Asked by **Lord Hylton**

To ask Her Majesty's Government what information they have, and what representations they have made to the government of China, concerning the well-being and whereabouts of Bishop Shao Zhumin, newly appointed to Wenzhou diocese in China; and what steps they are taking to support negotiations for reconciliation between the recognised and the underground Catholic churches in China. [[HL2114](#)]

Baroness Anelay of St Johns: We are concerned by reports about the well being and whereabouts of Bishop Shao Zhumin and will raise his case at the next round of the UK-China human rights dialogue, scheduled to take place this month.

We are robust in promoting religious freedoms with the Chinese authorities. While we have not yet raised the case of Bishop Shao Zhumin, I raised the destruction of churches and religious symbols with the Director of the National People's Congress Foreign Affairs Committee on 7 July 2016. The Parliamentary Undersecretary of State for Foreign and Commonwealth Affairs, my Hon. Friend the Member for Reading West (Mr Sharma) raised the case of Ding Cuimei, who reportedly died while protesting the demolition of her church in Zhejiang province, with the Chinese Ambassador, in writing, on 1 August 2016.

We are aware of ongoing negotiations between the Holy See and the Chinese authorities, however these are a matter for the parties involved.

Commonwealth: Diplomatic Relations

Asked by **Lord Luce**

To ask Her Majesty's Government how many High Commissioners and Ambassadors initiate or participate in regular meetings with other Commonwealth representatives to discuss Commonwealth issues of common interest. [[HL2204](#)]

Baroness Anelay of St Johns: Many of our High Commissioners and some Ambassadors regularly meet with their counterparts from Commonwealth countries to discuss matters of shared interest and where they can work together to support Commonwealth values. Commonwealth Week in March is a particular focus for these meetings and Commonwealth activities. During the FCO's Annual Leadership Week, the Minister for the Commonwealth convenes meetings for all our Commonwealth Heads of Mission to discuss Commonwealth affairs and how we can work together with other Member States to advance common priorities and tackle shared challenges.

Conditions of Employment

Asked by **Lord Pendry**

To ask Her Majesty's Government what steps they are taking to end non-compliance with the national minimum wage and other breaches of employers' duty of care. [[HL2229](#)]

Baroness Neville-Rolfe: The Government is committed to increasing compliance with National Minimum Wage (NMW) legislation and the effective enforcement of it. HM Revenue and Customs (HMRC) respond to every complaint they receive and conducts risk-based enforcement in sectors or areas where there is perceived to be a higher risk of workers not being paid the legal minimum wage.

In 2015/16 HMRC identified £10.3m or arrears owed to over 58,000 workers, and this year we have increased the NMW enforcement budget to £20m, up from £13m in 2015/16. We have also made penalties tougher, so that non-compliant employers now face a penalty equivalent to 200% of the arrears they owe, up to a maximum penalty of £20,000 per worker.

Employers are named publically under the Government's NMW naming scheme for non-payment. To date, 687 employers have been named and shamed, owing combined arrears of more than £3.5 million.

Cybercrime

Asked by **Lord Taylor of Warwick**

To ask Her Majesty's Government what steps they are taking to tighten cyber security, in the light of the breach at Yahoo. [[HL2065](#)]

Baroness Chisholm of Owlpen: Cyber security is recognised by the Government as a Tier One national security threat alongside deterring state-based threats and terrorism. In response to that threat and recognising the United Kingdom's position as one of the most digitally advanced economies in the world, the Government is publishing its new five year National Cyber Security Strategy (NCSS) later this year.

The National Cyber Security Strategy defines the government's vision and ambition for the future: a UK that is secure and resilient to cyber threats and sets out a comprehensive plan to better protect the UK from those threats. The new strategy includes delivering a new National Cyber Security Centre (NCSC), to take the lead in our ambitious plans to improve UK cyber security and involves creating a programme of active cyber defence which will have the ability to counter-attack in cyber space.

To fund the strategy, the Government announced that it has set aside £1.9bn of investment in cyber including a new National Cyber Security Programme (NCSP).

The Government has also put in place a wide range of cyber security guidance and support for businesses. This includes:

- free advice and online training on the gov.uk website;
 - the ‘Cyber Essentials’ scheme, which shows all businesses how to protect against common Internet threats;
 - the ‘10 Steps to Cyber Security guidance’, which shows large organisations how to manage cyber risk strategically;
 - a cross-government National Cyber Security Programme funded campaign aimed at significantly improving the online safety, behaviour and confidence of consumers and small businesses;
 - specialist advice and support for critical national infrastructure.
- Industry must also act by ensuring staff have the right training, skills and tools to operate safely online.

Developing Countries: Health Services

*Asked by **Baroness Tonge***

To ask Her Majesty’s Government what percentages of the Department for International Development’s total Official Development Assistance were spent on sexual, reproductive, maternal and child health in (1) 2013, (2) 2014, and (3) 2015. [[HL2143](#)]

Lord Bates: The Department of International Development spent 12.4% of its official development assistance on sexual, reproductive health and rights (SRHR) in both 2013 and 2014. Data for 2015 has not yet been published.

Energy: Conservation

*Asked by **Lord Moonie***

To ask Her Majesty’s Government what progress has been made in implementing Article 8(4–6) of the EU Energy Efficiency Directive (2012/27/EU) and the Energy Savings Opportunity Scheme Regulations 2014 which give effect to the scheme. [[HL2282](#)]

Baroness Neville-Rolfe: Article 8(4–6) of the EU Energy Efficiency Directive (2012/27/EU) came in to force in November 2012.

The Energy Saving Opportunity Scheme (ESOS) was developed and implemented as a result of this directive after consultation. The Regulations came into force in July 2014 and the Scheme was launched in July 2014. The Environment Agency acts as the Scheme Administrator on behalf of the Department for Business, Energy and Industrial Strategy.

The first Compliance deadline was in December 2015 and as of 10th October 6885 organisations have notified compliance. The Environment Agency and other regulators are now focussed on bringing remaining organisations into compliance with ESOS and preparing for the next compliance deadline in 2019.

*Asked by **Lord Moonie***

To ask Her Majesty’s Government what steps they are taking to fill senior management vacancies on the Energy Savings Opportunity Scheme. [[HL2283](#)]

Baroness Neville-Rolfe: The Environment Agency (EA) has recently restructured its senior management team following a voluntary exit scheme and has filled all vacancies within the Energy Saving Opportunity Scheme (ESOS) senior team.

European Rail Traffic Management System

*Asked by **Lord Bradshaw***

To ask Her Majesty’s Government what progress has been made in the development of portable on-board equipment associated with the European Train Control System so that every locomotive and train does not need to have such equipment permanently fitted. [[HL2260](#)]

Lord Ahmad of Wimbledon: The Department for Transport is not aware of any initiatives to produce a portable version of the on-board equipment associated with the European Train Control System.

International Planned Parenthood Federation

*Asked by **Baroness Tonge***

To ask Her Majesty’s Government how they will ensure that the International Planned Parenthood Federation’s activities in achieving legislative or policy changes in respect of family planning, abortion and other reproductive health issues in other countries continue in 2017 and beyond. [[HL2144](#)]

*Asked by **Baroness Tonge***

To ask Her Majesty’s Government what steps they will take in 2017 and beyond to support the International Planned Parenthood Federation in providing service points to women and girls worldwide. [[HL2145](#)]

*Asked by **Baroness Tonge***

To ask Her Majesty’s Government whether the Department for International Development will provide funding to the International Planned Parenthood Federation in 2017. [[HL2146](#)]

Lord Bates: The International Planned Parenthood Federation, together with other civil society organisations, has long played an important role in promoting the sexual and reproductive health and rights (SRHR) of the world’s poorest girls and women. The Government is committed to this agenda, for example through the delivery of our commitment to work for access to family planning for everyone who wants it.

The Government intends to publish the reviews of our development assistance, including the Civil Society Partnership Review (CSPR), shortly. The ways we will deliver our commitments globally and at country level, including with civil society partners, will be set out and further developed following publication of the reviews.

Israel: Politics and Government

Asked by Lord Hylton

To ask Her Majesty's Government what representations they are making to the government of Israel concerning reports about recent arrests by Israeli police of members of the Balad Party and failures to disclose the nature of the charges made against several of those arrested. [HL2117]

Baroness Anelay of St Johns: While we have not made any representations to the Israeli authorities on this issue, we understand that the members of the Balad Party were detained as part of an investigation into fraud in connection with illegally obtained funds used to finance party activities.

Minimum Wage

Asked by Lord Pendry

To ask Her Majesty's Government whether they have made regulations under section 12 of the National Minimum Wage Act 1998; and if so, what those regulations provide. [HL2230]

Baroness Neville-Rolfe: No regulations have been made under section 12 of the National Minimum Wage Act 1998. We will continue to review how employers are complying with National Minimum Wage legislation to ensure workers are paid what they are legally owed.

North Korea: Overseas Aid

Asked by Lord Alton of Liverpool

To ask Her Majesty's Government how they ensure that funds spent by the British Embassy in Pyongyang or funds dispersed by the Foreign and Commonwealth Office for North Korea activities are not diverted by the government of North Korea for use in its nuclear programme or human rights abuses. [HL2089]

Baroness Anelay of St Johns: The Foreign and Commonwealth Office (FCO) projects in the Democratic People's Republic of Korea (DPRK) are usually delivered through international Non-Governmental Organisations who operate in-country and are aimed at assisting some of the most vulnerable groups in North Korean society. Before selecting an implementing partner relevant due diligence checks are carried out which include, but are not limited to, obtaining assurances about: training provided to staff in relation to reporting bribery and corruption; how those concerns are shared with donors; and what

policies, principles and procedures the organisation has in place to regulate its own conduct.

In line with standard FCO project requirements detailed budgets are required for all projects and these are carefully checked to ensure both in-country and other costs are reasonable. Project implementers are required to provide financial reports and originals or copies of all invoices and receipts, as well as a Project Completion Report containing a detailed breakdown of all expenditure during the project period. The final payment on any project is only released after submission of a satisfactory Project Completion Report.

North Korea: Refugees

Asked by Lord Alton of Liverpool

To ask Her Majesty's Government what assessment they have made of reports that the government of China has recently breached the United Nations Refugee Convention by refouling 30 North Koreans without giving them an opportunity to claim asylum nor to meet representatives of the United Nations High Commissioner for Refugees. [HL2085]

Asked by Lord Alton of Liverpool

To ask Her Majesty's Government whether they intend to raise the issue of stateless North Koreans with the government of China; and what steps they plan to take to aid stateless North Koreans in need if the government of China is unwilling to assist them. [HL2195]

Baroness Anelay of St Johns: We are aware of reports of thirty North Koreans being sent back to the Democratic People's Republic of Korea (DPRK) after a period of detention in China.

Despite claims by the DPRK authorities that forcibly repatriated refugees are well treated and reintegrated into DPRK society, reports suggest that they are often mistreated by the authorities.

We will raise the issue of non-refoulement at the next UK-China Human rights Dialogue, scheduled to take place this month.

Northern Rail Franchise

Asked by Lord Bradshaw

To ask Her Majesty's Government how much has been spent on the Competition and Markets Authority inquiry into the overlap between Arriva Buses and Arriva Trains in the area covered by the Northern Rail Franchise, including staff time and legal and consultants fees. [HL2257]

Lord Ahmad of Wimbledon: The Department for Transport estimates its spend on consultants fees for this inquiry was between £20,000 and £25,000 and that it spent less than £5,000 in staff time.

Asked by Lord Bradshaw

To ask Her Majesty's Government what estimate they have made of the likely costs to Arriva of the management time, consultants fees and legal expenses involved in the Competition and Markets Authority inquiry into the overlap between Arriva Buses and Arriva Trains in the area covered by the Northern Rail Franchise. [HL2258]

Lord Ahmad of Wimbledon: This information is not held by the Department for Transport and would be a matter for Arriva to disclose. The costs do not form part of the franchise payments.

Social Services: Minimum Wage

Asked by Lord Pendry

To ask Her Majesty's Government how many homecare workers and residential care workers are paid less than the minimum wage. [HL2231]

Baroness Neville-Rolfe: Official estimates of jobs paid below the NMW derive from the Annual Survey of Hours and Earnings (ASHE). Table 1.7 (page 18) of the Low Pay Commission National Minimum Wage Spring 2016 Report (Cm 9207) shows the proportion of jobs held by those aged 21 and over paid below the minimum wage by sector using ASHE –

<https://www.gov.uk/government/publications/national-minimum-wage-low-pay-commission-report-2015>

ASHE estimates are not a direct measure of non-compliance with the NMW legislation as it includes some jobs paid below the NMW for legitimate reasons (e.g. where employees receive free accommodation) and it may not account for all travel and sleeping time.

Over the period from 1 April 2013 to 31st March 2016, HMRC opened 482 investigations into the social care sector. NMW underpayment has been found in 129 cases closed so far and resulted in the payment of over £702,000 to 3,868 workers. Employers have been charged penalties totalling over £150,500 for failing to comply with the law.

We have increased the budget for HMRC, who enforce the minimum wage on behalf of the Department, to £20 million for 2016/17, up from £13 million last year. This will bolster HMRC's resources and ensure that they continue to respond to every worker complaint.

Any worker who is concerned that they have not received what they are entitled to should call the Acas helpline on 0300 123 1100 for confidential advice. HMRC follow up every complaint.

We will also continue to undertake targeted enforcement in this sector to ensure workers are paid what they are legally owed.

The Answer includes the following attached material:

Low Pay Commission National Minimum Wage Spring 20
[Attachment to HL2231.pdf]

The material can be viewed online at:

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Lords/2016-10-12/HL2231>

Trade Marks: EU Law

Asked by Lord Stevenson of Balmacara

To ask Her Majesty's Government when they plan to implement the EU Trademarks Directive 015/2436. [HL2213]

Baroness Neville-Rolfe: Until exit negotiations are concluded, the UK remains a full member of the European Union and all the rights and obligations of EU membership remain in force.

During this period the Government will continue to negotiate, implement and apply EU legislation.

Trains: Crew

Asked by Lord Moonie

To ask Her Majesty's Government what discussions they have had with train operating companies about eliminating or reworking the role of conductors on trains. [HL2284]

Lord Ahmad of Wimbledon: The roles and duties of on-train staff are the responsibility of the train operating companies, though the Department for Transport does on occasion in the course of its various meetings with franchised operators discuss developments on current staffing issues.

UN Population Fund

Asked by Baroness Tonge

To ask Her Majesty's Government how they will ensure that the United Nations Population Fund's activities helping women and girls to achieve their potential continue in 2017 and beyond. [HL2147]

Lord Bates: The Department for International Development (DFID) strongly values the unique role the United Nations Population Fund (UNFPA) plays in protecting and promoting sexual and reproductive health and rights (SRHR).

Through our funding commitment of £20 million for 2016/2017, as well as our annual funding to the UNFPA Family Planning Supplies Programme, we will continue to closely monitor the impact and results of the UNFPA to ensure its work reaches and benefits the poorest and most vulnerable women and girls, particularly in fragile states and humanitarian settings. The UNFPA Supplies programme plays an essential role in this. DFID continues to work closely with UNFPA to ensure the programme is reforming and providing access to family planning commodities.

Asked by Baroness Tonge

To ask Her Majesty's Government whether the Department for International Development will provide

funding to the United Nations Population Fund in 2017.
[[HL2148](#)]

Lord Bates: The Department of International Development values the work of the UN Population Fund (UNPF), therefore we have guaranteed it £20 million of funding for the financial year 2016/2017. This funding is provided with the request that the UNPF works across the UN system on reform: to accelerate progress and to deliver improved results on the ground.

Unified Patent Court

Asked by Lord Stevenson of Balmacara

To ask Her Majesty's Government when they estimate that the UK Local Division and the London section of the Central Division of the Unified Patents Court premises in Aldgate Tower will be completed.
[[HL2212](#)]

Baroness Neville-Rolfe: The building work at the premises at Aldgate Tower is now largely complete.

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