

# Welfare Reform and Work Bill

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AMENDMENTS  
TO BE MOVED  
IN COMMITTEE

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**After Clause 1**

BARONESS MANZOOR

Insert the following new Clause –

**“Disability employment gap: reporting obligation**

- (1) The Secretary of State must lay a report before Parliament annually on the progress which has been made towards halving the disability employment gap, and the report must set out how the Secretary of State has interpreted “disability employment gap” for these purposes.
- (2) The report under subsection (1) must include –
  - (a) an assessment of the sectors in which disabled people have primarily secured jobs,
  - (b) an assessment of the type and level of jobs primarily secured by disabled people, and
  - (c) an assessment of the progression of disabled people within the job market.”

BARONESS DONAGHY

Insert the following new Clause –

**“Self-employment: reporting obligation**

- (1) The Secretary of State must lay a report before Parliament annually on self-employment.
- (2) The report under subsection (1) must contain information on –
  - (a) how many persons are self-employed;
  - (b) how many self-employed persons claim social security benefits or universal credit;
  - (c) the impact of the minimum income floor on self-employed persons who are claiming social security benefits or universal credit.”

**Clause 3**

BARONESS MANZOOR

Page 3, line 12, at end insert—

- “( ) A report prepared under this section must include an assessment of—
- (a) the types of interventions provided by local authorities in the previous financial year, and
  - (b) the success or failure of the types of interventions provided by local authorities in the previous financial year.”

**Clause 4**

BARONESS MANZOOR

Page 4, line 34, at end insert—

- “( ) the educational attainment of children in England at the end of Key Stage 1;
- ( ) the educational attainment of disadvantaged children in England at the end of Key Stage 1;”

Page 5, line 12, at end insert—

““Key Stage 1” means the first key stage, within the meaning of Part 6 of the Education Act 2002;”

THE EARL OF LISTOWEL

Page 5, line 16, at end insert—

**“A1AA Children in care and care leavers**

- (1) The Secretary of State must publish and lay before Parliament a report containing data on children in care and care leavers.
- (2) The first report must be published before the end of the financial year ending with 31 March 2017.
- (3) Later reports must be published before the end of each subsequent financial year.”

Page 5, line 16, at end insert—

**“A1AB Children and homelessness**

- (1) The Secretary of State must publish and lay before Parliament a report containing data on children who are—
  - (a) homeless; and
  - (b) at risk of homelessness.
- (2) The first report must be published before the end of the financial year ending with 31 March 2017.
- (3) Later reports must be published before the end of each subsequent year.”

**Clause 4 – continued**

Page 5, line 16, at end insert –

**“A1AC Children in families living in problem debt**

- (1) The Secretary of State must publish and lay before Parliament a report containing data on children in families living in problem debt.
- (2) The first report must be published before the end of the financial year ending with 31 March 2017.
- (3) Later reports must be published before the end of each subsequent financial year.”

Page 5, line 16, at end insert –

**“A1AD Children in low income households**

- (1) The Secretary of State must publish and lay before Parliament a report containing data on the percentage of children living in households –
  - (a) where equivalised net income for the financial year is less than 60 per cent of median equivalised net household income for the financial year;
  - (b) where equivalised net income for the financial year is less than 70 per cent of median equivalised net household income for the financial year and who experience material deprivation;
  - (c) where equivalised net income for the financial year is less than 60 per cent of median equivalised net household income for the financial year beginning 1 April 2010, adjusted in a prescribed manner to take account of changes in the value of money since that year; and
  - (d) where equivalised net income has been less than 60 per cent of median equivalised net household income in at least 3 of the survey years.
- (2) The survey years are the calendar year that ends in the relevant financial year, and the 3 previous calendar years.
- (3) The first report must be published before the end of the financial year ending with 31 March 2017.
- (4) Later reports must be published before the end of each subsequent year.”

BARONESS LISTER OF BURTERSETT

Page 5, line 16, at end insert –

**“A1AE Improving children’s life chances**

The Secretary of State must publish and lay before Parliament a report setting out the measures that the Secretary of State proposes to take to improve children’s life chances, as understood with reference to section A1A(1).”

**Clause 5**

BARONESS SHERLOCK  
LORD MCKENZIE OF LUTON

Page 5, line 31, leave out “on request”

**After Clause 5**

LORD LOW OF DALSTON

Insert the following new Clause –

**“Safeguarding of vulnerable claimants: guidance**

- (1) The Secretary of State shall issue statutory guidance for the safeguarding of vulnerable claimants in relation to any sanction, reduction of benefit, or disallowance of benefit (“the guidance”).
- (2) The guidance shall incorporate all relevant provisions and operational protocols contained in the following Departmental operating guidance –
  - (a) procedural guidance within the Labour Market Conditions Guide;
  - (b) universal credit guidance for agents;
  - (c) Employment and Support Allowance (ESA) Guidance for Jobcentres;
  - (d) ESA operational guidance for benefit delivery centres;
  - (e) ESA Incapacity Reference Guide;
  - (f) Core Visits Guide;
  - (g) Work Programme guidance;
  - (h) guidance for health professionals.
- (3) The guidance shall specify –
  - (a) indicators of vulnerability and procedures for identification of vulnerable claimants;
  - (b) situations which may demonstrate good cause for inability to participate in a work-focused interview, undertake work-related activity, or attend mandatory Work Programmes or back-to-work schemes;
  - (c) where claimants must be referred for a Core Visit conducted by a DWP Visiting Officer;
  - (d) how to support claimants with additional or complex needs;
  - (e) liaison arrangements with mental health services where claimants are mental health service users;
  - (f) collaborative approaches through which DWP can work with independent advice and support bodies in assisting such claimants;
  - (g) who is responsible for ensuring that the guidance is complied with.
- (4) “Vulnerability” and “vulnerable claimants” shall be taken to refer to individuals who are identified as having complex needs or requiring additional support to enable them to access DWP benefits and use DWP services.
- (5) Complex needs may refer to difficult personal circumstances, life events, or health, disability or incapacity conditions that affect the ability of individuals to access DWP benefits and services.

**After Clause 5 – continued**

- (6) In issuing the guidance the Secretary of State shall ensure consistency of definitions, terminology and language in the guidance.
- (7) The Secretary of State shall ensure that consistent principles, good practice and fairness in safeguarding procedures is applied across all types of benefit claims, including Jobseeker’s Allowance claims, and by all agents involved in the assessment and administration of benefits.
- (8) The Secretary of State shall report to Parliament annually on the application of the guidance.”

**Clause 6**

BARONESS LISTER OF BURTERSETT

Page 6, line 15, leave out “1 to 11” and insert “1 to 8, 11”

Page 6, line 16, at end insert –

- “( ) In section 9 (UK Strategies) –
  - (a) in subsection (2), omit paragraph (a) (and the “and” immediately after it);
  - (b) in subsection (2)(b) for “that children in the United Kingdom do not experience socio-economic disadvantage” substitute “that socio-economic disadvantage does not affect the life chances of children in the United Kingdom”;
  - (c) in subsection (4) omit “but this subsection does not apply after the beginning of the target year”;
  - (d) in subsection (7)(a)(i) omit “if the targets in section 3 to 6 are to be met in relation to the United Kingdom in relation to the target year” (and the “and” immediately after it);
  - (e) in subsection (8), omit paragraph (b) (and the “and” immediately after it);
  - (f) in subsection (9)(a), for “except in the case of a UK strategy laid before parliament less than 3 years before the beginning of the target year, ending 3 years later, and” for “ending three years later”; and
  - (g) in subsection (9), omit paragraph (b).
- ( ) In section 10(2) (provision of advice by Commission and consultation with others), omit paragraph (b).”

**After Clause 6**

THE EARL OF LISTOWEL

Insert the following new Clause –

**“Child poverty and life chances strategies**

- ( ) Each responsible local authority must prepare a joint child poverty and life chances strategy in relation to the local authority area.

**After Clause 6 – continued**

- ( ) The strategy must set out the measures that the responsible local authority and each partner authority propose to take for the purpose of –
  - (a) reducing, and mitigating the effects of, child poverty, and
  - (b) improving children’s life chances,
 in the responsible local authority’s area.
- ( ) For the purposes of this section, each of the following is a responsible local authority –
  - (a) a county council in England;
  - (b) a district council in England, other than a council for a district in a county for which there is a county council;
  - (c) a London borough council;
  - (d) the Council of the Isles of Scilly;
  - (e) the Common Council of the City of London in its capacity as a local authority.”

**Clause 7**

BARONESS SHERLOCK  
LORD McKENZIE OF LUTON

Page 9, line 35, at end insert –

“( ) After subsection (11) insert –

“( ) Persons in receipt of employment and support allowance as defined in section 1 of the Welfare Reform Act 2007 (employment and support allowance).”

Page 9, line 35, at end insert –

“( ) After subsection (11) insert –

“( ) Persons in receipt of income support as defined in section 124 of the Social Security Contributions and Benefits Act 1992 (income support).”

**Clause 9**

BARONESS SHERLOCK  
LORD McKENZIE OF LUTON

Page 11, line 30, leave out from “to” to end of line 31 and insert “be reviewed annually by the Secretary of State having given regard to –

- “(a) the rate of inflation, and
- (b) the national economic situation.”

BARONESS LISTER OF BURTERSETT

Page 11, line 32, leave out subsections (2) to (4)

**Clause 9 – continued**

BARONESS SHERLOCK  
LORD McKENZIE OF LUTON

Page 11, line 33, leave out from “to” to end of line 34 and insert “be reviewed annually by the Secretary of State having given regard to –

- (a) the rate of inflation, and
- (b) the national economic situation.”

**Clause 10**

BARONESS SHERLOCK  
LORD McKENZIE OF LUTON

Page 12, line 21, leave out from “to” to end of line 22 and insert “be reviewed annually by the Secretary of State having given regard to –

- (a) the rate of inflation, and
- (b) the national economic situation.”

**Clause 11**

BARONESS MANZOOR

Page 13, line 12, at end insert “or  
“(c) subsection 3C applies.”

Page 13, line 12, at end insert –

- “(3C) Subsection (3B)(a) does not apply where the person or persons claiming an individual element of child tax credit –
  - (a) has been a victim of domestic violence,
  - (b) is a kinship carer,
  - (c) has previously claimed tax credit as a single parent but is now part of a step family, or a co-habiting multiple family,
  - (d) has fled domestic violence, or
  - (e) has suffered a bereavement of their husband, wife, civil partner or cohabitating partner who is the parent of the child or children for which an individual element of child tax credit is being claimed.
- (3D) The Secretary of State may, by regulations, make further provisions relating to the operation of subsection (3C).”

**Clause 12**

BARONESS MEACHER

Page 13, line 22, after “two” insert “non-disabled”

**Clause 12—continued**

BARONESS MANZOOR

Page 13, line 23, at end insert—

- “(1B) Subsection (1A) does not apply where the person or persons claiming the amount mentioned in subsection (1)—
- (a) has been a victim of domestic violence,
  - (b) is a kinship carer,
  - (c) has previously claimed tax credit as a single parent but is now part of a step family, or a co-habiting multiple family,
  - (d) has fled domestic violence,
  - (e) has suffered a bereavement of their husband, wife, civil partner or cohabiting partner who is the parent of the child or children for which the amount is being claimed.
- (1C) The Secretary of State may, by regulations, make further provisions relating to the operation of subsection (1B).”

**After Clause 12**BARONESS SHERLOCK  
LORD MCKENZIE OF LUTON

Insert the following new Clause—

**“Exemption to changes in child tax credit and child element of universal credit**

- (1) Sections 11 and 12 do not apply where the number of children exceeds two because the third (or subsequent) child was part of a multiple birth at the same time as the second qualifying child.
- (2) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether the exemption set out in this section applies in their individual situation.”

Insert the following new Clause—

**“Exemption to changes in child tax credit and child element of universal credit**

- (1) Sections 11 and 12 do not apply where a third (or subsequent) child becomes a member of a household as a result of being adopted into that household.
- (2) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether the exemption set out in this section applies in their individual situation.”

Insert the following new Clause—

**“Exemption to changes in child tax credit and child element of universal credit**

- (1) Sections 11 and 12 do not apply where a third (or subsequent) child becomes a member of a household as a result of a kinship care arrangement.



**After Clause 12—continued**

- (2) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether the exemption set out in this section applies in their individual situation.”

Insert the following new Clause—

**“Exemption to changes in child tax credit and child element of universal credit**

- (1) Sections 11 and 12 do not apply in exceptional circumstances as defined by the Social Security Advisory Committee.
- (2) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether an exemption provided for by this section applies in their individual situation.”

Insert the following new Clause—

**“Exemption to changes in child tax credit and child element of universal credit**

- (1) Sections 11 and 12 do not apply to a household where any child or qualifying young person is disabled.
- (2) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether the exemption set out in this section applies in their individual situation.”

Insert the following new Clause—

**“Exemption to changes in child tax credit and child element of universal credit**

- (1) Sections 11 and 12 do not apply to couples with dependent children who if living in separate households would not be affected by the limit.
- (2) The Secretary of State shall, by regulation, establish an appeals process by which an individual can appeal a decision as to whether the exemption set out in this section applies in their individual situation.”

**After Clause 13**

## BARONESS HOWE OF IDLICOTE

Insert the following new Clause—

**“Persons subject to no work-related requirements: persons with a mental and behavioural disorder as a primary medical condition**

- (1) Section 11D of the Welfare Reform Act 2007 (persons subject to no work-related requirements) is amended as follows.
- (2) After subsection (2)(d) insert—
  - “(e) the person has a mental and behavioural disorder or a primary medical condition and is in receipt of either the work-related activity component of Employment and Support Allowance or the limited capability for work element of universal credit.””

**Clause 15**

BARONESS GREY-THOMPSON

Page 14, line 43, at end insert –

- “( ) In section 14 of the Welfare Reform Act 2012 (claimant commitment) after subsection (4) insert –
- “(4A) If the claimant has a long term health condition or impairment, the claimant commitment must specifically address any reasonable adjustment which need to be made.””

**After Clause 15**

BARONESS MANZOOR

Insert the following new Clause –

**“Universal Credit (Work Allowance)**

The Universal Credit (Work Allowance) Amendment Regulations 2015 are repealed.”

Insert the following new Clause –

**“Housing benefit: age of entitlement**

- “( ) In section 130 of the Social Security Contributions and Benefits Act 1992 after subsection (1)(a) insert –
- “(b) he is aged 16 or over”.”

**Clause 16**

BARONESS MANZOOR

Page 15, line 28, at end insert –

- “( ) The regulations must provide that where –
- (a) repayment of the loan is to be made based on the proceeds of sale of the person’s home; and
  - (b) the person has an outstanding deferred payment agreement under section 34 of the Care Act 2014 (deferred payment agreements and loans),
- the repayment of the loan may not be settled until any amounts payable to the local authority under the deferred payment agreement has been settled.”



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