

Welfare Reform and Work Bill

AMENDMENTS
TO BE MOVED
ON REPORT

After Clause 1

BARONESS CAMPBELL OF SURBITON
BARONESS DOOCEY
LORD LOW OF DALSTON

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 meeting the commitment to halve the disability employment gap.
- (2) The report under subsection (1) must set out—
 - (a) how the Secretary of State has interpreted “halving the disability employment gap”;
 - (b) the factors that the Secretary of State has used to determine whether progress has been sufficient, including the extent and speed at which progress has been made; and
 - (c) if progress under subsection (1) has been insufficient, what remedial steps will be taken.
- (3) The report under subsection (1) must contain data on—
 - (a) the overall rate of employment, and
 - (b) the progress of the rate of employment of people at working age with—
 - (i) a learning disability;
 - (ii) autism;
 - (iii) mental health problems;
 - (iv) visual impairments; and
 - (v) any other disability as the Secretary of State may by regulation specify on the grounds that the people with the disability are marginalised from the labour force and require a specific focus.”

Clause 24

LORD FREUD

Page 23, line 42, at end insert –

- “(b) regulations under section 26 of that Act, or
- (c) Part 1 of Schedule 2 to that Act.””

Page 24, line 3, at end insert –

- “(b) regulations under section 26 of that Act, or
- (c) Part 1 of Schedule 2 to that Act.””

Page 24, line 7, at end insert –

- “(b) regulations under section 26 of that Act, or
- (c) Part 1 of Schedule 2 to that Act.””

Page 24, line 11, at end insert –

- “(ii) regulations under section 26 of that Act, or
- (iii) Part 1 of Schedule 2 to that Act.””

Page 24, line 15, at end insert –

- “(ii) regulations under section 26 of that Act, or
- (iii) Part 1 of Schedule 2 to that Act.””

Transpose Clause 24 to after Clause 28

Clause 25

LORD FREUD

Page 24, line 21, leave out “, exemptions and enforcement” and insert “and exemptions”

Clause 26

LORD FREUD

Page 24, line 43, at end insert –

“(3A) Regulations made by virtue of subsection (3) may, in particular, provide for section 21 or Part 1 of Schedule 2 to have effect with modifications.

(3B) The modifications that may be made by virtue of subsection (3A) include (but are not limited to) modifications that –

- (a) provide for the maximum amount of rent to be increased from year to year by no more than a percentage specified in the regulations;
- (b) provide for the maximum amount of rent to be determined by disregarding the effect of a temporary reduction or waiver of rent;
- (c) provide for the maximum amount of rent to be determined by reference to a different period;
- (d) provide for section 21(1) or paragraph 1(4)(c) or (5)(c) or 3(4) of Schedule 2 to have effect as if it referred to a different percentage;
- (e) provide for paragraph 1, 2 or 3 of Schedule 2 to have effect as if the social rent rate were uplifted by a percentage specified in the regulations;

Clause 26 – *continued*

- (f) provide for paragraph 3(2) or (3) of Schedule 2 to have effect as if paragraph 3(2)(a)(ii) or (3A)(a)(ii) referred to a different percentage;
 - (g) provide for the maximum amount of rent to be determined by reference to what would have been the amount if an exception in regulations under section 22 or paragraph 5(5) of Schedule 2 (including an exception making such provision as is described in section 22(7) or paragraph 5(7)) had not applied.
- (3C) Regulations made by virtue of subsection (3B)(d) may not provide for a higher percentage to have effect.
- (3D) Regulations made by virtue of subsection (3B)(e) may, in particular, make provision in relation to cases where an exception in regulations under paragraph 5(5) of Schedule 2 making provision about social housing which satisfies conditions prescribed by the regulations as to design, facilities, use or the provision of support to tenants applies.
- (3E) Regulations under subsection (1) may not provide for a maximum amount of rent payable by a tenant of social housing in respect of a relevant year, or a part of a relevant year, which is less than the amount that would be payable by the tenant in respect of that period if the rent was payable at the social rent rate in that period, in a case where an exception in regulations under paragraph 5(5) of Schedule 2 applies.”

Page 25, line 15, leave out subsection (8)

Clause 31

LORD FREUD

Page 28, line 10, at end insert –

““social rent rate” has the meaning given by Schedule 2;”

Page 28, line 34, at end insert –

- “() In determining the maximum amount of rent payable by a person who is a tenant of social housing for part of a relevant year, a fraction of a day during which the person is a tenant of that social housing is to be treated as a whole day during which the person is a tenant of that social housing.”

Schedule 2

LORD FREUD

Page 32, line 40, leave out sub-paragraphs (i) to (iii) and insert –

- “(i) was payable at the beginning of 8 July 2015 by the person who was the tenant of that social housing, in a case where 8 July 2015 is the relevant day,
- (ii) was payable at the beginning of the relevant day by the person who was the tenant of that social housing, in a case where the relevant day falls after 8 July 2015 and the person who was the tenant at the beginning of 8 July 2015 continued as tenant until at least that later time,

Schedule 2 – *continued*

- (iii) is likely to have been payable at the beginning of the relevant day by the person who was the tenant at the beginning of 8 July 2015 if the person’s tenancy had continued until at least that later time, in a case where the relevant day falls after 8 July 2015 and the person who was the tenant at the beginning of 8 July 2015 ceased to be the tenant before that later time, or
- (iv) is likely to have been payable at the beginning of the relevant day by a tenant of that social housing, in a case where there was no tenant at that time and sub-paragraph (iii) does not apply,”

Page 33, line 20, leave out sub-paragraphs (7) and (8) and insert –

“(6A) The Secretary of State may by regulations define “formula rent” and may, in particular, provide that it is a rent set in accordance with a method specified in the regulations.

(6B) Regulations under sub-paragraph (6A) may, in particular, make provision by reference to –

- (a) the standard published in January 2015 by the regulator under section 194(2A) of the Housing and Regeneration Act 2008 (the powers of the regulator to set standards relating to levels of rent),
- (b) *Rent Standard Guidance* published in January 2015 by the regulator, or
- (c) *Guidance on Rents for Social Housing* published in May 2014 by the Secretary of State.”

Page 34, line 17, leave out sub-paragraph (6)

Page 34, line 26, leave out from beginning to end of line 30 and insert “the higher of –

- (a) the amount found by –
 - (i) determining the rate of the market rent for that social housing when the tenancy begins, and
 - (ii) determining the amount that is 80% of the amount that would be payable in respect of a year if that rate had applied during the year, and
- (b) the amount that would be payable in respect of the first relevant year if the tenant were paying rent at the social rent rate.”

Page 34, line 40, leave out from “is” to end of line 44 and insert “the higher of the amounts described in sub-paragraph (3A).”

Page 34, line 44, at end insert –

“(3A) The amounts referred to in sub-paragraph (3) are –

- (a) the amount found by –
 - (i) determining the rate of the market rent for that social housing when the tenancy begins,
 - (ii) determining the amount that is 80% of the amount that would be payable in respect of a year if that rate had applied during the year, and

Schedule 2 – *continued*

- (iii) (if necessary) reducing that amount in proportion to the part of that relevant year that elapsed before the tenancy begins, and
- (b) the amount that would be payable in respect of the period in question if the tenant were paying rent at the social rent rate.”

Page 35, line 31, at end insert –

- “() an arrangement between a local authority and the Homes and Communities Agency, the Greater London Authority or the Secretary of State under which rents for social housing may be set on a particular basis.”

Page 35, line 32, leave out sub-paragraphs (5) and (6) and insert –

- “(4A) Regulations under sub-paragraph (2) may define “affordable rent” and may, in particular, provide that it is a rent set in accordance with a method specified, or of a description specified, in the regulations.
- (4B) The methods that may be specified in the regulations include, but are not limited to, methods that provide for a maximum level of rent when accommodation is initially let to be a certain percentage of market rent in certain cases or circumstances.”

Page 35, line 41, at end insert –

- “() A reference to an amount of market rent includes a reference to an amount payable by way of service charge.”

Page 37, line 26, at end insert –

- “() a direction that Part 1 is to have effect in relation to a private registered provider specified in the direction as if a reference in Part 1 to the social rent rate were a reference to that rate increased by the percentage specified in the direction;”

Page 38, line 12, at end insert –

- “() a direction that Part 1 is to have effect in relation to a local authority specified in the direction as if a reference in Part 1 to the social rent rate were a reference to that rate increased by the percentage specified in the direction;”

Page 38, line 38, leave out paragraph 7

Page 39, line 9, after “1(5)(a)(iii)” insert “or (iv)”

Page 39, line 10, leave out “the beginning of 8 July 2015” and insert “a particular time”

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20th January 2016

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS
LONDON - THE STATIONERY OFFICE LIMITED
£3.00

HL Bill 86(*d*)

(53638)

56/1



ISBN 978-0-10-800633-3



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