



House of Commons

Thursday 10 May 2011

PUBLIC BILL COMMITTEE PROCEEDINGS

WELFARE REFORM BILL

[SEVENTEENTH AND EIGHTEENTH SITTINGS]

Clause 75 agreed to.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 208

Clause 76, page 54, line 33, after ‘condition’, insert ‘or communication needs’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 209

Clause 76, page 54, line 37, after ‘condition’, insert ‘or communication needs’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 207

Clause 76, page 55, line 11, at end insert—

‘(7) In section 70, Social Security Contributions and Benefits Act 1992, for subsection (2) there is substituted—

“(2) In this section, ‘severely disabled person’ means a person in respect of whom there is payable either an attendance allowance or a personal independence payment by virtue of entitlement to the daily living component at a rate prescribed in regulations, or such other payment out of public funds on account of his need for attendance as may be prescribed.”.’.

Clause agreed to.

Welfare Reform Bill, *continued*

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 210

Clause 77, page 55, line 17, after 'condition', insert 'or communication needs'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 211

Clause 77, page 55, line 23, after 'condition', insert 'or communication needs'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 212

Clause 77, page 55, line 39, leave out from 'where' to end of the clause and insert 'the person is in a coma or vegetative state'.

Clause agreed to.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 213

Clause 78, page 56, line 5, after 'condition', insert 'or communication needs'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 214

Clause 78, page 56, line 7, after 'condition', insert 'or communication needs'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 215

Clause 78, page 56, line 9, after 'condition', insert 'or communication needs'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 216

Clause 78, page 56, line 11, after 'condition', insert 'or communication needs'.

Welfare Reform Bill, *continued*

Guto Bebb

Withdrawn 193

- Clause 78, page 56, line 21, at end insert—
 ‘(d) must provide for the assessment to be carried out in accordance with the Welsh Language scheme adopted by the Department and endorsed by the Welsh Language Board.’.

Jenny Willott

Withdrawn 200

- Clause 78, page 56, line 25, at end insert—
 ‘(ba) about which people, including healthcare and other relevant professionals, may provide information or evidence for consideration in determining the questions mentioned in subsections (1) and (2).’.

Jenny Willott

Withdrawn 201

- Clause 78, page 56, line 29, at end insert—
 ‘(d) allowing a suitable person, as defined under regulations, to participate with or on behalf of the claimant in a consultation to determine the questions mentioned in subsections (1) and (2).’.

Jenny Willott

Negated on division 202

- Clause 78, page 56, line 29, at end insert—
 ‘(d) exempting certain groups from a requirement to participate in a consultation to determine the questions mentioned in subsection, (1) and (2).’.

Jenny Willott

Negated on division 203

- Clause 78, page 56, line 29, at end insert—
 ‘(d) exempting certain categories of people from any requirement to participate in an assessment (or repeated assessments) where their diagnosis, or available medical and other expert evidence, is deemed sufficient to determine the questions measured in subsections (1) and (2).’.

Jenny Willott

Withdrawn 204

- Clause 78, page 56, line 40, at end insert—
 ‘(7) The Secretary of State must consult with appropriate organisations prior to drafting regulations made under sections 78(3), 78(4) and 78(5).’.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Withdrawn 217

- Clause 78, page 56, line 40, at end insert—
 ‘(7) The Secretary of State shall ensure that any assessment carried out under this section is performed by an individual who has access to sufficient skills and expertise appropriate to the impairment type of the claimant, as defined in regulations.’.

Welfare Reform Bill, *continued*

- (8) The Secretary of State shall issue clear guidance outlining the needs of different impairment groups for the use of professionals assessing people under this section.’.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Not called 218

Clause 78, page 56, line 40, at end insert—

- ‘(9) Regulations shall exempt people with prescribed medical conditions from the requirement in subsection (4)(c), including in prescribed circumstances where the individual is—
- (i) severely mentally impaired;
 - (ii) a double amputee;
 - (iii) deaf/blind;
 - (iv) undergoing haemodialysis;
 - (v) severely visually impaired; and/or
 - (vi) meets the requirements of special rules set out in Clause 80.’.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Withdrawn 219

Clause 78, page 56, line 40, at end insert—

- ‘(10) The assessment process specified in Regulations under subsection (3) shall, prior to its national implementation, be the subject of a pilot, which—
- (a) shall operate in one or more specified areas; and
 - (b) shall assess the impact on specific groups of people, including those with fluctuating conditions and mental health conditions; and
 - (c) shall receive a formal response from the Secretary of State.’.

Clause agreed to.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Negated on division 220

Clause 79, page 56, line 45, leave out ‘6’ and insert ‘3’.

Mr Liam Byrne
 Stephen Timms
 Ms Karen Buck
 Margaret Curran

Not called 221

Clause 79, page 57, line 3, leave out ‘6’ and insert ‘9’.

Welfare Reform Bill, *continued*

Jenny Willott

Withdrawn 199

Clause 79, page 57, line 6, at end insert ‘, or

- (c) for persons who experience a sudden onset physical or mental condition, whether, as respects every time in the next 12 months, it is likely that if the relevant ability were to be assessed at that time that ability would be determined to be limited or (as the case may be) severely limited by the person’s physical or mental condition.

(11A) Regulations must make provisions as to—

- (a) what conditions are to be considered “a sudden onset physical or mental condition”;
- (b) the amount or rate of payment which can be made under subsection (1)(c) above.’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran*Not called* 222

Clause 79, page 57, line 15, leave out from ‘previous’ to second ‘months’ and insert ‘3 months means the 3’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran*Not called* 223

Clause 79, page 57, line 17, leave out from ‘next’ to second ‘months’ and insert ‘9 months means the 9’.

*Clause agreed to.**Clause 80 agreed to.*

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran*Withdrawn* 224

Clause 81, page 58, line 6, at end insert ‘otherwise than by virtue of an award made before he attains that age.’.

*Clause agreed to.**Clause 82 agreed to.*

Welfare Reform Bill, *continued*

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Negatived on division 247

Clause 83, page 58, line 34, leave out 'meets the condition in subsection (2)' and insert 'is an in-patient of a hospital.'

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 225

Clause 83, page 58, line 37, leave out 'or a resident of a care home'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 226

Clause 83, page 58, line 40, leave out subsection (3).

Clause agreed to.

[Adjourned until Thursday at 9.00 am]