



House of Commons

Tuesday 17 May 2011

PUBLIC BILL COMMITTEE PROCEEDINGS

WELFARE REFORM BILL

[TWENTY-FIRST AND TWENTY-SECOND SITTINGS]

Kate Green

Withdrawn 205

Clause 93, page 61, line 40, at end insert ‘excepting where they are the parent(s) or principal carer(s) of a child who is the subject of a child protection plan, a Children in Need assessment or Common Assessment Framework Team Around the Child’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Negated on division 232

Clause 93, page 61, line 40, at end insert—

‘(1A) The Secretary of State shall not apply a benefit cap on a claimant’s welfare benefits where the claimant has not received a reasonable offer of a job, except in prescribed circumstances.’.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 244

Clause 93, page 62, line 15, at end insert ‘including one for couples with children who between them work more than a prescribed number of hours.’.

Chris Grayling

Agreed to

That the Order of the Committee of 22 March shall be amended as follows—

- (1) in paragraph (1)(m) leave out ‘10.30 amd and 4.00 pm’ and insert ‘9.30 am and 2 pm’.
- (2) in paragraph (4) leave out ‘7.00 pm’ and insert ‘6 pm’.

Kate Green

Not called 197

Clause 93, page 62, line 24, at end insert—

‘(4A) Family and friends carers will be exempt from the benefit cap—

Welfare Reform Bill, *continued*

- (a) where the child comes to live with the carer as a result of plans made within a section 47 Children Act 1989 child protection enquiry;
- (b) where a child comes to live with the carer following a section 37 Children Act 1989 investigation;
- (c) where a carer has secured a Residence Order or Special Guardianship Order to avoid a child being looked after, and there is professional evidence of the impairment of the parents' ability to care for the child;
- (d) where the carer has a Residence Order or Special Guardianship Order arising out of care proceedings;
- (e) where the carer has a Residence Order or Special Guardianship Order following the accommodation of a child;
- (f) where the carer has a Residence Order or Special Guardianship Order following the death or serious illness of a parent.'.

Kate Green

Not called 206

Clause 93, page 62, line 24, at end insert—

- '(h) make provision where there are parent(s) or principal carer(s) of a child who is the subject of a child protection plan, a Children in Need assessment or Common Assessment Framework Team Around the Child.'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 233

Clause 93, page 62, line 25, at end insert—

- '(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for individuals or couples living in social housing as defined by section 68 of the Housing and Regeneration Act 2008.'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 234

Clause 93, page 62, line 25, at end insert—

- '(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for individuals or couples owed a duty to be supported with interim or temporary accommodation under sections 188, 190, 193 or 200 of the Housing Act 1996.'.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 235

Clause 93, page 62, line 25, at end insert—

- '(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for couples or a single person who within a prescribed period has left work due to redundancy or illness or reasons relating to the care of a child.'.

Welfare Reform Bill, *continued*

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 236

Clause 93, page 62, line 25, at end insert—

‘(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for couples with dependent children who if living in separate households would have benefit entitlements lower than the relevant amount.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 237

Clause 93, page 62, line 25, at end insert—

‘(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for households where no adult is subject to all work related requirements as defined in Clause 22.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 238

Clause 93, page 62, line 25, at end insert—

‘(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for families who are worse off in work once childcare costs are taken into consideration.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 246

Clause 93, page 62, line 25, at end insert—

‘(5A) Regulations under this section must provide for an exemption from the application of the benefit cap for any claimant in receipt of disability living allowance, personal independence payment, attendance allowance, constant attendance allowance, employment and support allowance, carer’s allowance, or any element or sub-element of universal credit paid in respect of a disability.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 239

Clause 93, page 62, line 27, after ‘earnings’, insert ‘plus in work benefits which the average earner might expect to receive’.

Kate Green

Not called 182

Clause 93, page 62, line 27, at end insert ‘equivalised as to household size’.

Welfare Reform Bill, *continued*

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 240

Clause 93, page 62, line 27, at end insert—

- ‘(6A) Regulations under this section must exclude housing benefit and any components of universal credit that relate to housing costs from the amount specified under subsection (5).’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 241

Clause 93, page 62, line 27, at end insert—

- ‘(6A) Regulations under this section must exclude child benefit, child tax credit, and any elements or sub-elements of universal credit that are paid in respect of children, from the amount specified under subsection (5).’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 242

Clause 93, page 62, line 27, at end insert—

- ‘(6A) Regulations under this section must provide for an exemption from the application of the benefit cap for individuals or couples living in supported or sheltered accommodation.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 243

Clause 93, page 62, line 27, at end insert—

- ‘(6A) Regulations under this section must provide for an exemption from the application of the benefit cap for individuals or couples who are offered accommodation under the prevention and relief of homelessness powers and duties in part 7 of the Housing Act 1996.’

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Not called 245

Clause 93, page 62, line 27, at end insert—

- ‘(6A) Regulations under this section must exclude any element or sub-element of universal credit paid in respect of a disability from the amount specified under subsection (5).’

Welfare Reform Bill, continued

Clause agreed to.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 248

Clause 94, page 63, line 13, leave out subsection (4) and insert—

‘(4) In section 150 of the Social Security Administration Act 1992 (annual up-rating of benefits) after subsection (7) there is inserted—

“(7A) The Secretary of State—

- (a) shall in each tax year review the relevant amount specified under subsection (5) of section 93 of the Welfare Reform Act 2011 (benefit cap) to determine whether its relationship with estimated average earnings and any other factors specified in subsection (6) of section 93 of the Welfare Reform Act 2011 (within the meaning of that section) has changed; and
- (b) after that review, must, if the conclusion of that review is that estimated average earnings and any other factors stipulated in subsection (6) of section 93 of the Welfare Reform Act 2011 have increased in relation to the amount specified under subsection (5) of section 93 of the Welfare Reform Act 2011, include in the draft of an up-rating order provision increasing that amount in proportion to the increase in earnings; or
- (c) after that review, must, if the conclusion of that review is that estimated average earnings and any other factors specified in subsection (6) of section 93 of the Welfare Reform Act 2011 have decreased or remained unchanged in relation to the amount specified under subsection (5) of section 93 of the Welfare Reform Act 2011, include in the draft of an up-rating order provision increasing that amount in proportion to the general level of prices under section 150 of the Social Security Administration Act 1992.”’.

Clause agreed to.

Clauses 95 and 96 agreed to.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 249

Clause 97, page 64, line 34, at end insert—

‘(3C) For the purposes of paragraph (3B), elements or sub-elements of the universal credit award that are paid in respect of children, including any amount in respect of childcare, shall by default be paid to the main carer of the children, except in prescribed circumstances.’.

Welfare Reform Bill, *continued*

Clause agreed to.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 250

Clause 98, page 65, line 6, at end insert—

- ‘(3) Where there is insufficient information to calculate entitlement to the full amount of universal credit, the claimant shall continue to be paid an amount in respect of any component or components for which there is sufficient information to calculate eligibility, with these components corresponding to the elements in sections 9 to 12 of this Act and/or to any appropriate sub-elements as specified in regulations, except in prescribed circumstances.’

Clause agreed to.

Mr Liam Byrne
Stephen Timms
Ms Karen Buck
Margaret Curran

Withdrawn 251

Clause 99, page 66, line 16, at end insert—

- ‘(10) In section 5(1) of the Social Security Administration Act 1992 (regulations about claims and payments), after paragraph (r), there is inserted—
“(s) for the making of a payment pending appeal.”’

Clause agreed to.

Schedule 11 agreed to.

Clause 100 agreed to.

Schedule 12 agreed to.

Clause 101 agreed to.

[Adjourned until Thursday at 9.00 am]