



Select Committee on Economic Affairs

Uncorrected oral evidence: The economics of universal credit

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4 pm

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Members present: Lord Forsyth of Drumlean (The Chair); Baroness Bowles of Berkhamsted; Lord Burns; Viscount Chandos; Lord Fox; Baroness Kingsmill; Lord Livingston of Parkhead; Lord Monks; Lord Skidelsky; Lord Tugendhat.

Evidence Session No. 11

Virtual Proceeding

Questions 103 - 108

Witnesses

I: Evan Odell, Researcher, Disability Rights UK; James Taylor, Executive Director of Strategy, Impact and Social Change, Scope.

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Examination of witnesses

Evan Odell and James Taylor.

Q103 **The Chair:** We now move on to the second session of the Committee today. I welcome Evan Odell and James Taylor as witnesses. The technology seems to be working and I can see both of you. My first question is: is the work-first approach underlying universal credit an appropriate framework for disabled people?

James Taylor: Thank you for inviting Scope to give evidence this afternoon. We support the principles of universal credit in aiming to simplify a quite complex legacy welfare system. We know that many disabled people have struggled for years to work their way through the welfare system, identify how much they should be entitled to, then get that entitlement. Our concern about universal credit is the work-first approach. We know that there are many disabled people who are not actively looking for work and the need to take any job as it comes in is not always appropriate. Disabled people who we have spoken to have had mixed experiences of the support provided by jobcentres in helping them to find work. We have heard from some who were not supported to find jobs that met their needs; they did not have any useful impact on their job searches. It is vital that disabled people can access the right support from DWP and the jobcentre if they are able to find work that is appropriate to them.

Evan Odell: I largely agree with that. The idea of trying to help disabled people into work and supporting them in finding work is a good one, but the way in which it has been prioritised and the way that disabled people are often pushed towards jobs that they are not in a position to be able to do, or that would not be reasonable for them to do, is a problem. Likewise, a lot of the determination around what an individual applicant can be expected to be doing to look for work is left to the discretion of job coaches. As we know, there are not enough of them, so they are vastly overworked. The experience of getting support from job coaches within jobcentres is very mixed at best, and people are often pushed towards work that is simply not appropriate for them to be doing.

The Chair: I was quite struck in one of our evidence sessions with some of the people who were the architects of universal credit. One of them said: "Everyone is capable of finding work and of working". Do you agree with that?

Evan Odell: In theory, yes. The obstacles that a lot of disabled people face are external to them or exist because there is a lack of support available. The way that universal credit functions is not particularly supportive. It is much more punitive, given the sanctions regimes and the way it is structured. Just because everyone could be able to do some work in theory does not mean that those jobs are available.

The Chair: I am sorry to interrupt you, but I am thinking of people who have drug or alcohol problems or people who have severe mental illness

and may not be able to hold down a job in the workplace. Is there not an area where the drive to get everyone into work might not work for every person?

Evan Odell: I agree. The problem is that it is a drive and a push and is often very short term. If you are talking about people with drug or alcohol problems, or severe mental health issues, or very severe health problems, they cannot be expected to find work in six weeks or whatever kind of time period. It might be years before they are in a position to work, but the kind of support available for them to do that, if they wanted to, is simply not there. Universal credit sort of ignores anyone who has needs that would take a longer time to support or address.

Q104 **Lord Skidelsky:** How well does universal credit function as an out-of-work benefit for those unable to work? We have heard evidence—I think it is generally accepted—that the system has got more means-tested through different criteria, more punitive and more sanctions-based since the 1980s, with the aim of facilitating, encouraging, cajoling and demanding that people either look for work and take it, or lose benefit.

What do you think about that move to sanctioning people, especially those who in some cases are the least able to respond to the needs of a labour market that is also shrinking? Do you find the attempt to change behaviour a bit Orwellian? What is your view of this move to greater sanctioning, which everyone accepts has taken place?

James Taylor: First, Scope believes that conditionality, or sanctioning, is a totally ineffective approach to supporting disabled people move towards work. We know from some research we did a few years ago—which we are happy to share with the Committee—that disabled people who have experienced that sanctioning found it to be a further barrier to moving into work rather than helping them to get a job. Sanctions are based on the principle that people who are unemployed need sanctioning as a motivation to help them to get into work.

However, that is not always the case. There are lots of external barriers, which Evan has highlighted, that disabled people face and that act as a demotivator. They could be negative employer attitudes, inaccessible public transport or inflexible working practices that limit opportunities. What benefit conditionality fails to address is those external barriers; it is therefore inappropriate as a means of supporting people into employment. That is why we want to see the Government end conditionality in sanctioning for disabled people. It leaves them further from the workplace, rather than closer.

Evan Odell: The need to end conditionality is very much a priority. The emphasis on conditionality in a more punitive benefits system ignores the realities of labour markets, wherever it is that people live. It does not matter how much pressure you put on someone to find a job; if there are no jobs available, they are not going to find anything. It does not matter how much pressure they are under or how qualified they are. Those jobs

have to exist. We kind of ignored that fact as for the past 30 or 40 years, probably, British social policy has ignored the problem of job creation.

Lord Skidelsky: Is there any evidence that ramping up conditionality has affected people's take-up of or desire to work? Has it improved job take-up among people being sanctioned in that way? What I mean is: has there been any kind of test between two groups subjected to different levels of sanction or incentive, to see what effect those have had, or is this just an assumption about human nature, which is that you have to make being out of work sufficiently punitive to get people to want to work? Is that just an assumption or is it based on evidence?

James Taylor: I am unaware of much, if any, evidence demonstrating that sanctions lead to better job outcomes. What we think does lead to better job outcomes, and Jobcentre Plus and DWP should focus on this, is a personalised approach to employment support—I think Evan outlined this—where you spend more time understanding what motivates people and finding jobs that are right for them. That is how we at Scope run our own employment services; they are completely voluntary and personalised to the individual. We believe that leads to better outcomes than sanctioning, but I am unaware of any evidence that demonstrates the effectiveness of sanctions on job outcomes.

Lord Skidelsky: So money spent in providing more help, through coaches and personalised attention, would be well spent? Is that what you are saying?

James Taylor: I believe so, yes.

Q105 **Lord Tugendhat:** I would like to ask about the particular problems of disabled people. To what extent does the design of universal credit cause specific problems and issues for them? Perhaps I could add a further thought, which is that people have lots of different sorts of disabilities. Perhaps in answering the question you could indicate whether some categories of disability are particularly disadvantaged and others are not disadvantaged in any particular way.

Evan Odell: In terms of the design of universal credit, I know that one of the biggest issues is its digital-first and online nature. The application and online management of universal credit is a big barrier for a lot of disabled people, who are much less likely to have ever used the internet. Even if they have, it does not mean they would necessarily know how to manage everything involving universal credit. There are particular issues for people who are visually impaired, depending on what kind of access they have—to accessible software, screen readers and so on—but I am unaware of any groups that have disadvantages because of the application design of universal credit.

James Taylor: No, neither am I. There are particular groups within society who have lower employment rates than the general population, so disabled people on the whole are less likely to be employed. But when you break that down by autism and learning disability, for example, the

employment rates of those groups are significantly lower. I do not know if there is anything in the universal credit design, but there is certainly something in how the department supports all groups and recognises their particular needs or experiences in supporting them into either work or further education and training.

Lord Tugendhat: To what extent do you think that people with disabilities face extra pressures during the five-week wait? In many cases, their cost of living or of maintaining themselves is higher than for people who do not have disabilities. I would have thought that perhaps the five-week wait might bear more harshly on them than others. Would that be the case or not?

James Taylor: I wholeheartedly agree with you. Our own research at Scope found that disabled people faced an extra cost of £583 a month, just as a result of being disabled. That is about things such as having to pay for specialist equipment or spend more on your energy, for example. They may use taxis because transport is not accessible. These are costs that many non-disabled people do not face. I think those pressures can be exacerbated by the universal credit system, if you have to wait five weeks for your first payment when you already have lots of money going out of the door for things related to your disability. On top of that, you are less likely to be in full-time employment. All these things begin to mount up.

Some research done by the Disability Benefits Consortium, which is a coalition of around 100 disability and health charities, found that 70% of the people who they spoke to had to wait more than five weeks, and that around one in five had to wait nine weeks for their first payment. The financial impact of that delay is quite clear: people have to borrow money from their families or have to choose whether they go a day without eating as a result of waiting for their first universal credit payment and then turning to food banks. It is a big issue and it hits disabled people particularly hard.

Q106 **Baroness Bowles of Berkhamsted:** Continuing on a similar theme, what effect has the drive to increase personal independence through the welfare system had on disabled claimants? In essence, they are being made responsible for factors beyond their control and for what life has dished out to them. What is the effect on the individuals who find themselves in that position?

Evan Odell: It is often quite negative. There is the long-term impact of trying to find work. Without adequate support to work, it can be quite difficult for people's mental health—their sense of well-being and purpose. It is difficult as well, because it forces people to try to manage stuff that they have little to no control over. There are ways to evidence that within the universal credit system, but oftentimes people have delays getting, say, medical evidence from their doctor. That can take weeks, then they send it to their work coach through the universal credit application and it is not accepted. So oftentimes, even though in theory there are mechanisms that are supposed to provide people with more

support and not leave them so isolated, in practice they are often very difficult to access. I think almost half of people in a Citizens Advice survey found that they had difficulties getting sufficient evidence for their health conditions or disabilities.

James Taylor: I would echo everything that Evan has said there.

Baroness Bowles of Berkhamsted: Does that mean people are being asked to do things that are physically impossible? In the context of being unable to get the evidence to show the limitations of their health condition, is it that there is a discontinuity between what the doctors can provide and what the job coaches will accept? Do they expect disabled people, whatever their disability, to be able to spend their lives searching for things that they have no hope of getting?

Evan Odell: Yes.

James Taylor: I think that is right. There is no greater expert in someone's condition or disability than the individual themselves. The need continually to find evidence and trawl through documents multiple times—remember, many disabled people may also be claiming personal independence payments, which ask for lots of similar evidence—having to present that evidence in a certain way and a certain format is extremely complex. On top of that, having to wait at least five weeks for your first payments means that many disabled people are going for months without the financial support that they should be getting to be able to have their own independence in the first place.

Evan Odell: This seems to have a particularly big impact on people with mental or physical health conditions, because those are both types of impairments that can fluctuate a lot, are often quite difficult to spot, and are very poorly understood, particularly for things such as long-term chronic illnesses. Someone may be physically able to do a certain task on some days but not on others, or they may be able to perform a certain task but to do so is quite risky for their long-term or short-term health. It is very difficult to get work coaches to understand that. From the work that I have done with people with long-term chronic conditions, it is very difficult to get doctors to understand that sometimes, let alone anyone else.

Baroness Bowles of Berkhamsted: So they are getting a double whammy, because they are under pressure to prove the benefits that they get because of their conditions, and they then have to go through it all again because there is no way of joining it up. Or would that be worse because, if they get a bad result on one, they are hit across the board?

Evan Odell: That does seem to be the case, particularly for things like the personal independence payment, where the accuracy of the assessments is appallingly poor. People appealing a decision win something like 75% of the time. There is a safety net design in having them separate, simply because they are so poorly administered. That is a big issue. Probably the most universal experience of being a disabled

person is completing paperwork—more than any other social phenomenon. Anything that can be done to reduce the amount of time people spend filling in forms would be incredibly beneficial.

The Chair: The DWP used to be called the Department for Social Security. Listening to what you say about people with mental health conditions, is there any evidence that people acquire mental health problems as a result of the continual stress that the system seems to put them under? They have to find a job; then, when they find a job, they have to find a better one, and go through all these assessments, with the problems of fluctuating income and never being sure what their benefits are going to be. All that seems to me to create a situation of permanent insecurity. Am I exaggerating the position?

James Taylor: Absolutely not. People who Scope speaks to on our helpline who have been going through a work capability assessment or any other benefit assessment describe just how stressful that assessment process is and the toll that it takes on their mental health and well-being. There is finding the evidence in the first place, which we talked about. Then there are the criteria and the questions that you are asked at an assessment, often by someone who might not have specialist knowledge of your particular condition, and then making a decision about your capability for work or how much benefit you should be entitled to.

Then, if you want to challenge that, there is a whole separate lengthy process to go through to try to get your benefit increased and all your assessment criteria awards changed, which can take a further toll, until you get to the appeals stage, where the majority of cases, as Evan said, are actually won because the assessment was wrong in the first place. It is quite right that the assessment and the benefits process, from the beginning to receiving that first payment, can be extremely stressful and can take a huge toll on people's mental health and well-being.

Evan Odell: I do not know if we can point to a particular person who has developed a mental health condition as a direct result of universal credit, but there is a lot of evidence suggesting that it exacerbates issues and can exacerbate problems on a broader ecological level. When they started—in 2010 or 2012, I think—the reassessments of people claiming the previous incapacity benefit and the moving of them into employment support allowance was staggered over different local authorities. You could see as it was rolled out that the increases in referrals to mental health services went up in those local authorities, that there were increased prescriptions of antidepressant drugs and that there were increased numbers of deaths recorded as suicides. So there seems to be something of a link, certainly at a broad level, in terms of making people's mental health worse. It is certainly much more stressful than it needs to be.

The Chair: It would be extremely helpful if you could provide the evidence that you just cited for the Committee.

Evan Odell: Absolutely.

Lord Burns: One of the issues that we have been probing is the extent to which there are problems in the design of the universal credit system by comparison with the pressure that there has been on funding. I was slightly surprised by the earlier statement that seemed to downplay the impact of the design of universal credit on disability claimants. Was it because the question was posed too narrowly, or are you effectively saying that all the problems are to do with the pressures of funding rather than the way that this has been designed? When I read the paper, I got the impression that one of the pieces of evidence was arguing that quite a lot of features of the universal credit system are particularly disadvantageous for claimants who are disabled. Have I not picked up the right nuances here about the balance between design and funding?

Evan Odell: I think I interpreted that question as more particularly about the application process itself rather than the overall design. The overall design is certainly less generous, but for people who are not expected to undergo any kind of work-related activities because of their health or disability or childcare responsibilities, the amount of money that they can make is simply a lot lower than it was in the previous benefit systems.

You have the issue of the sanctions regimes as well. The last month for which we have data from the DWP is November last year, unfortunately. Then, a little over 1,000 people who had no work requirements at all received sanctions. I am not entirely clear how that is possible, but there are various design issues throughout. The single biggest one is the lack of generosity and the very strict sanctions regime.

James Taylor: I agree. I possibly interpreted the first question a bit too narrowly. I agree about the design and conditionality. Our sanctions are ineffective, as I have talked about. It is important that disabled people move into employment. In this country at the moment, around 1 million disabled people are out of work but want to work, so I do not think that any additional motivation is needed for that huge group of people or would help the Government to meet their commitment to getting 1 million more disabled people into work over the next six to seven years.

There are also issues, which we have talked about, such as having to wait for payments in the first place. Evan is completely right: the new system is less generous than the legacy system, so although it is designed to be less complex, people moving on to universal credit are no longer entitled to additional payments related to their disability. We know that it can be harder for disabled people to find a job and stay in work. The removal of those disability premiums effectively makes it much harder for them now than it was perhaps five or six years ago, which is why we want to see that disability top-up or premium be reintroduced into universal credit to reflect and recognise the fact that living in this country as a disabled person is much harder than it needs to be.

Lord Burns: There was some suggestion earlier that, somehow or other, over recent years no jobs were available, but we have seen an enormous increase in the number of people in employment. Is the argument that these have not been jobs that were suitable for disabled people, since

there has been a massive increase in the number of people actually in employment?

James Taylor: There has also been a massive increase in the number of disabled people in employment too. Unfortunately, that has been matched by a big increase in the number of disabled people who have fallen out of work, so you almost have a situation in which you are filling up the bath with disabled employees, but the plug does not quite fit the plughole. You are filling up the bath with disabled employees, but they are also falling out of work at the same time, so we are not quite sealing the gap there. Often, perhaps, employers are not willing to hire disabled people.

Often, HR professionals like to hire in their own image and tend not to “take a risk”—I say that in inverted commas—on a disabled person or worry about the additional costs that having a disabled employee might incur on the business. Thankfully, over the last few years, a lot of employers have begun to challenge these perceptions, but there is still an underlying current that disabled people cannot do the same jobs as everyone else, when in fact they can.

Lord Burns: I would like to return to the issue of funding versus design. Is your argument that, because of the change in the system, the squeeze on funding has fallen disproportionately upon disabled claimants, or are they in much the same position as everyone else who has felt the pressure on funding?

James Taylor: I would say that the impact is greater on disabled people, purely because disabled people are worse off financially as a result of who we are anyway. A benefits system that by its very nature is financially tighter than the one that preceded it is going to impact harder on disabled people, so yes, I would agree.

The Chair: Lord Livingston, do you want to come in on this question or was it the previous one?

Q107 **Lord Livingston of Parkhead:** A bit of both. Taking Lord Burns’s comment about design, I want to get the witness’s thoughts on the separation of design from application. On the sanctions regime, for example, many people do not like the idea of sanctions or think that they work. I understand that, but for something like the assessment process, is it that you do not agree with the concept of the assessment process, or is it about the application—that there is not the level of support and expertise, and that there is a danger sometimes in saying: “It does not work in practice, therefore do not do it”, when in fact it could work in practice if it was done differently? Can you briefly separate the two things and say: “That is actually not a bad idea, it just does not work well enough, we need to do it better”, rather than “we should never even have considered it in the design”?

Evan Odell: In terms of the assessment process, if you are talking about things like the work capability assessment as part of universal credit, in

theory there is nothing wrong with assessing people's ability to work, but it is designed to be relatively punitive as opposed to being supportive. It is not like an assessment that says, "What help do you need to find a job?", which would look at you as an individual, with your skills and experience, and ask, "What jobs are available in the area in which you live?" It is more a semi-arbitrary list of criteria, and, "If you hit this list of criteria, we will put you into a group where you will get a little more money and you will have to do mock interviews".

Lord Livingston of Parkhead: So you can do it, but do it differently. That would be your summation of that.

Evan Odell: Yes, absolutely. If it is supportive, as opposed to being a punitive form of assessment, that would be very transformative.

James Taylor: I agree that some sort of assessment to see whether people are entitled to some form of benefits or not is the right thing. It is the application of the work capabilities assessment as it currently stands that is not right—the questions and the way that it looks purely at medical terms and does not really capture the wider factors that disabled people might face in their ability to find and stay in work. That is the issue that needs looking at. Coronavirus aside, it is welcome that the Government are looking at a Green Paper on the welfare system. We hope that their eyes are open to looking at how much reform they can do improve the situation for disabled people.

Lord Fox: We have started to think about this. Turning to the point about work coaches, we heard in the previous evidence session that nationally we are short of a huge number of work coaches. Is there extra support available via work coaches for disabled claimants, or should there be?

Also, to slightly repurpose this question, as Lord Monks pointed out, there will be an influx in the system of people who have recently been made redundant. Is there a danger that the retention of the existing work coaches who we have is pushed into helping these new claimants, who, largely speaking, will not be disabled, simply on the basis that they are easier to get back into work than some of the disabled people who have been clients in the past? That is a double-edged question.

Evan Odell: In theory, one of the roles of work coaches is to provide tailored personalised support to disabled people. However, given the shortages of work coaches and the influx of demand, that is unlikely to happen. We know from other employment programmes that there is an instinctual need to prioritise quick wins and easy cases in getting them extra support, because for a lot of disabled people it might take more time or there may be additional barriers to overcome, so if you are trying to engage in a form of supportive triage, disabled people lose out very badly.

We know that has been the case with the DWP's work and health programme. Some organisations that I have spoken to who provide

employment for disabled people considered bidding for it, but did not because they knew that it would be too much of a financial risk, given that they were being judged on their performance in getting people into work and meeting certain criteria; their typical client base would really struggle to do that in sufficient numbers. These things are slightly off topic, but the work coaches could be a lot better. Even if they have the time to support individual disabled people, their knowledge of people's barriers and abilities is going to be very varied and is quite inconsistently applied. There is a lot of luck when it comes to the quality of support that you would get. Even one work coach might be able to write world-class [Inaudible] but may not be able to do anything helpful for someone with a different disability.

Lord Fox: I think I got the end of that, but your connection froze. Mr Taylor, do you have a similar view?

James Taylor: There are some amazing work coaches out there supporting disabled people up and down the country. However, for some disabled people who are out of work, that support can take longer. It might need to be more in-depth. If we are looking at a situation in which we are already down on the number of work coaches we think that we need, coupled with potentially higher unemployment rates, it will be tricky for disabled people to get that level of tailored and personalised support that they need and that they should be entitled to, to support them in getting to work and getting closer to work in the first place.

Lord Fox: Looking at the situation at the moment, how many extra work coaches do you calculate that we need across the country?

James Taylor: I would have to write to you on that question. It is not something that we have done at Scope, but certainly we can look into it and come back to you.

Lord Fox: That would be a useful number to have. Thank you.

The Chair: It strikes me that if we are going to have 3 million people becoming unemployed as a result of the lockdown and everything else, there is no way work coaches can continue to operate the system as it is. Do you think there should be some sort of prioritisation towards people with particular special needs?

James Taylor: The Government have made commitments to get 1 million more disabled people into work and to close the disability employment gap. It would be a very positive thing for the Government to commit to continue doing that over the next year or so, and really invest time and money—funding—in supporting more disabled people into work. That would show that disabled people are not forgotten and have not been forgotten during this crisis, because some certainly believe that they have been. That could be a very positive thing that the Government could do to support lots of disabled people get into work and—crucially—to keep them in work.

Viscount Chandos: I was going to ask about the appropriateness of the conditionality regime for people with disabilities, but I think we have covered that. So on a separate line, if there was one thing, apart from more money, that would make a real difference to universal credit for people with disabilities, what would it be?

James Taylor: That is a very good question.

Evan Odell: Yes. More personalised support that is tailored to people's specific needs and gives them the time and space they need to find work that they want to be doing. I know that in the previous evidence session there was some discussion about how employers had been kind of forgotten out of universal credit. It is not really the role of universal credit, but any kind of system to help people get into work of course needs to consider employers—what employers need from the labour market and what they should be doing to ensure that they are inclusive and able to employ disabled people.

James Taylor: For me, if there was one thing it would be the removal of the threat of sanctions and conditionality.

The Chair: That has been done at present anyway.

James Taylor: Exactly, but I think you continue that post-lockdown.

Q108 **Baroness Kingsmill:** This has been a fascinating discussion. One of the conclusions that seems to have come through from your evidence is that the whole business of the work capability assessment is pretty flawed. It may be flawed for everyone, but it is certainly heavily so as far as disabled people are concerned. I have to say that we have had heart-rending submissions from people who have battled their way through on behalf of disabled children of theirs, or in relation to their own disability. There does not seem to have been any particular difference according to age, gender or anything else. Do you think it is a mechanism that can be improved, or should it be abolished? Following on from what Lord Chandos said about trying to be constructive with what we have, how can we change it and make it better? Or should we abolish it and rethink?

James Taylor: Personally, I would say that it is time for a rethink. As I said earlier, the assessment is ineffective and unfit for purpose.

Baroness Kingsmill: Sorry to interrupt you. I think it is quite important—perhaps my question did not elicit this—that you be specific about what you think could replace it.

James Taylor: Yes, and I was going to come on to say that I would replace it with a new assessment that is split into two. First, there needs to be an assessment that determines an individual's immediate need for financial support. Then there should be a separate conversation about person-centred support into work. Rather than trying to do it in one assessment, you would separate them out into two, which is something that I know many organisations said in the evidence that they submitted. I would replace the single WCA with two separate assessments.

Evan Odell: That is a very good idea. The assessment should look at what an individual needs, and it should tailor particular support, finding out what they need to do and what other people could do to support them. The work capability assessment as it is currently designed is quite perverse in that it penalises you for effectively managing your health condition, because some of it is on functional issues and if, for example, you are good at remembering to take medication, or if you have a bowel problem and are good at always knowing where the nearest toilet is, you will get fewer points than someone who does not know how to do those things.

A properly designed assessment would look at what is important and that people need. That could be from their GP or a specialist. In other countries, people who have gone through the equivalent of the WCA are assigned a case worker with a specialty in their particular health condition, who monitors them and monitors developments for any support they might need: for example, new technologies, new medication or new work opportunities. It is personalised and in-depth and recognises a person's own abilities to contribute to society.

Baroness Kingsmill: Yes, that sounds very constructive. Thank you.

The Chair: On that constructive note, our evidence session will conclude. I am very grateful to both of you for accommodating the Committee, not just with your time and good advice but with the problems we have had in organising diaries and so on, by virtue of the fact that we have a virtual Parliament operating. It is a jolly good thing we have, because otherwise we would not have been able to benefit from the witnesses, which I am sure we all agree has been very useful in both sessions today.