

Backbench Business Committee

Representations: Backbench Business

Tuesday 22 May 2018

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Watch the meeting

Members present: Ian Mearns (Chair); Bob Blackman; Patricia Gibson; Nigel Mills; Jess Phillips; Alex Sobel.

Questions 1-23

Representations made

[I](#): Frank Field and Heidi Allen

[II](#): Emma Dent Coad

[III](#): Norman Lamb and Helen Hayes

[IV](#): Nick Herbert and Mr Virendra Sharma

Written evidence from witnesses:

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Frank Field and **Heidi Allen** made representations.

Q1 **Chair:** Welcome to the Backbench Business Committee. We have five applications this afternoon, the first of which is to be presented to us by Mr Frank Field on PIP and ESA assessment.

Frank Field: Chair, thank you for hearing this request for a half-day debate on the Floor of the House of Commons. We ask for it on the Floor, and for as soon as it is possible for a relevant slot to arise, for the following reasons. First, very large numbers of our constituents are being affected by the move from what are called the legacy benefits to PIP. Secondly, when we advertised that we were doing this inquiry, by the time we reported, we had had more than 4,000 individual letters from various constituents and voters around the country. They were not part of any write-in campaign; you could see that they were individual letters and not copied from anybody else. Thirdly, we are really anxious to push the Government on reforming the structure of applications and appeals. I will ask Heidi to add to that.

Heidi Allen: As a constituency MP, I have received numerous emails from residents about problems with going from DLA to PIP, or with reassessments—the mandatory reconsideration process for PIP and ESA—and, as Frank says, I have never seen anything like the evidence from individuals that we had to our Select Committee inquiry. We created a comprehensive report, which the Government have responded to. As much as to debate all that, the Government are looking at how they can reform the two systems, and with the Green Paper and the White Paper that came out, now seems to be exactly the right moment to try to influence that, and for Back Benchers to give their personal experiences of how widespread some of these issues have been across the country.

Frank Field: I would add that one of the suggestions was that because there are real problems with the providers, because the service was outsourced, the Government hinted that they might be considering taking the project in-house. Clearly, we would want to push them on that, so that the service that people get from it becoming part of the DWP is far better than what they are getting from the three private contractors now.

Heidi Allen: Because none of them—Maximus, ATOS or Capita—has ever hit the service-level targets that the Government and the DWP have set them—not once.

Patricia Gibson: You are probably aware that some of those benefits are devolved to Scotland, and the Scottish Government have already said that they will not seek any private procurement. That shows that it can be done if the political will is there.

Q2 **Bob Blackman:** Two questions from me, Frank. One is that you two are listed as sponsors on the application in front of us, but there are no other speakers. Do you have a list of other potential speakers?

Frank Field: My apologies; it should have been on there. The whole of the Committee—both sides.

Q3 **Bob Blackman:** Okay, but that still includes only about half a dozen I think.

Frank Field: Slightly more.

Bob Blackman: Obviously you will appreciate that we have got a lot of pressure, particularly on Chamber time, and we have ensure both a balanced debate, in terms of the two sides of the Chamber, and sufficient speakers to make it meaningful. That is the first thing. Secondly, obviously this comes as a result of your Committee's report. Have you had a debate in Westminster Hall on the Committee report as yet?

Frank Field: No, we have not. In a sense, it ties up with the first question you raised, for which again I apologise. As you know, ours is a Tory-dominated Committee, so it would be a majority from the House already signed up. Given, as Heidi said, the pressure that MPs have had because of how PIP works, or does not work, I would be very surprised if the Speaker would not have to put a very limited time limit on speeches to allow all those who wish to participate in the debate from all areas of the country that are affected by this to do so.

Q4 **Bob Blackman:** I am very sympathetic towards the cause, but obviously we have a rationing of time and you as a Select Committee have the opportunity to get a guaranteed debate in Westminster Hall on the topic via the Liaison Committee. Were you unsatisfied with your answer from the Government, you could then put in a request to us, and that would be quite reasonable, but other Back Benchers do not have the opportunity of a guaranteed Liaison Committee debate in Westminster Hall. I gently suggest that that is the route to be used first; then, subsequently, an application to us.

Frank Field: Might I argue against that? Given the sheer weight of the evidence to our Committee from around the country, I do not think any other Committee has had the numbers of individual people saying, "Here is my experience of moving to PIP and what the horrors and difficulties have been." It will be a very good way of us linking with our electorate on that wider debate. While one appreciates the initiatives in Westminster Hall, they do not carry the same weight outside as Members from all parties in great numbers standing up, wanting to represent what their constituents are saying.

Q5 **Patricia Gibson:** May I say by way of support, Chair, that I think this is a very important debate and we should have it in the main Chamber, whenever time can be found? I know you do not have a list of speakers, but I think you would be beating them off with a stick on the day. There would be huge interest in this, and every MP would be lobbied quite hard by their constituents who have been affected to participate, and quite rightly so.

Frank Field: To respond to that, we have been trying to get over the equality of people with disabilities with the rest of the population. As you

say, most people see the Chamber as the primary means by which we can express the views of constituents and hold the Government to account.

Chair: Thank you very much indeed.

Emma Dent Coad made representations.

Q6 **Chair:** Emma, you are seeking a debate on the response to the Grenfell Tower fire. Over to you, please.

Emma Dent Coad: Thank you for this opportunity. Obviously, we have had a debate in Westminster Hall and an Opposition day debate, and we have constant updates and so on, whether interventions or comments. What we have not had is a debate that is all-encompassing.

Interest in this issue is growing. From what I have heard in the last 24 hours in the pen portraits revealed in the public inquiry, if anybody was not touched by this before, they are now. The whole issue cuts through so many different policies—housing policy, immigration policy, social policy, fire and emergency planning, and the whole issue about social housing—so there is an awful lot more to be said. The subject really merits a much broader debate than what we have been able to have so far.

Q7 **Alex Sobel:** As you know, I was at the Westminster Hall debate, and there were a lot of contributions from right across the House. This is clearly an issue which Members from the governing party as well as the opposition parties are really interested in. Your list does lack names from the governing party. Will you be able to add names?

Emma Dent Coad: Yes, I think so. Based on private conversations I have had after debates, quite a few Conservative Members are quite happy to speak out on specific issues. While they wouldn't want to criticise the Government in general, they will happily talk about fire regulations or building regulations or whatever else it may be. I think we will have quite a lot of support on particular technical issues.

Q8 **Alex Sobel:** I have had those same discussions. It would be useful if we could get some of those names to the Clerk, because they are not on your list. If you could provide them after the meeting, that would be really helpful.

Emma Dent Coad: I understand that. Thank you.

Chair: Thank you very much indeed. Anyone else?

Q9 **Bob Blackman:** We have had a whole series of debates, and there is no shortage of other urgent questions or statements on the subjects—quite rightly—to keep the House updated. I understand the purposes of the debate, but did you not think of putting together a draft text of a motion to get the Government to do something, rather than a general debate? Many of these areas will have been discussed in a variety of debates.

Emma Dent Coad: I have written a series of written questions and I meet Ministers regularly. I met the Prime Minister and I met the Secretary of State yesterday. I just think we need to push the whole debate forward



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publicly, rather than in private. It is very slow, and we need to bring issues out into the open so that they understand that a lot of Members have these different issues on their mind.

- Q10 **Chair:** But you haven't thought about a substantive motion, in terms of something that would appropriate to actually get Government action at the end of it?

Emma Dent Coad: That would be the next stage, I would hope. There are some groups that are thinking about a Bill or a charter or something in the future, but I think the next stage would be to get everything aired and to let everyone have their say publicly.

Chair: Thank you very much indeed.

Norman Lamb and **Helen Hayes** made representations.

- Q11 **Chair:** Next up we have Mr Norman Lamb and the future of the Transforming Care programme. Helen Hayes is here as well.

Norman Lamb: Thank you very much indeed. This is a programme that I instigated in 2012 when I was a Minister in the Department of Health. It followed on from the horror of Winterbourne View, which many of you will remember, in which people with learning disabilities were kept behind locked doors, abused, neglected and treated very badly. It was a national scandal at the time and it led to the Transforming Care programme, the purpose of which is to get people out of institutions and to enable them to live independently—with support—where they are able to.

It was an ambitious programme, with the aim of getting a significant proportion of people out of institutional care. The truth is that the programme's progress has been much less positive and successful than we had hoped. Large numbers of people remain locked up behind closed doors. I think it is appropriate to describe it as a human rights issue, because these people have the ability to live independently but are actually locked up.

There is lots of evidence of people who are locked up suffering excessive restraint and physical force to control them and being subject to sedation and to confinement and seclusion in a room on their own. I dealt with a horrific case of a 15-year-old girl who was in an institution for about two years.

The programme has been subject to some significant criticism from the National Audit Office and the Care Quality Commission. It will end in less than a year, and there is no plan at present to extend it. Many people fear that it will end without its ambition being realised. This is a group of people who are often ignored or neglected. They are treated too often as second-class citizens. I don't think we spend enough time in Parliament thinking and talking about their interests and concerns.

We have a motion, which would obviously have to be debated in the main Chamber, if that is possible. We are relaxed on the timescale; we



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recognise that you have a full programme. If it is pushed into September, that would not be disastrous, but we feel that it is really important that this is debated in Parliament. We have got 14 Members of Parliament supporting the application, and several others will follow beyond that. I invite Helen to add to what I said.

Helen Hayes: My engagement with the issue comes through a particularly distressing case in my constituency involving a 15-year-old with autism who ended up in a private institution in Northampton for about a year. He suffered a broken arm, he lost weight and he became very seriously ill indeed. The shocking revelation was that the NHS was paying £12,000 a week to keep him in an institution where the care he was receiving was making him sicker, not better. Out of that case and the work I did on that case and with Matthew's family have come many other stories. I think this issue needs Members of Parliament to be speaking out on behalf of their constituents who otherwise do not have a voice. That is why we thought it appropriate to bring a request to the Committee for a debate in the Chamber.

As Norman says, in terms of the timing, September would mark the beginning of the final six months of the "Transforming Care" programme. During that time, we know that the Government have plans to close around 1,000 psychiatric in-patient beds occupied by people with learning disabilities. There is no comparable Government expenditure programme to re-provide accommodation in the community for the individuals who are occupying those beds. This is an issue that gathers increasing urgency now, but particularly in those final six months. We believe that the people affected by this programme very much need and deserve to have the issues affecting them brought into the public domain with the prominence of a debate in the Chamber.

Q12 **Alex Sobel:** It is a good application, and you have got a divisible motion. It is clearly the sort of issue that we need to have debated. You have made a very good case. You said that you did not necessarily need the debate before September, although it sounds like you need the debate before September, because that is the—

Norman Lamb: I think September is fine. It could happen at any time before then, but I think September would be fine.

Q13 **Alex Sobel:** At the latest.

Norman Lamb: At the latest. I think it would be a good way of focusing the Government's mind in the final period of the programme.

Q14 **Alex Sobel:** So obviously that gives you time, because you have only got 14 names, which is not sufficient, and you have only got two Government-side names. That is the area you need to concentrate on.

Helen Hayes: We can say that that is the result of about 48 hours of work.

Alex Sobel: We will have another meeting next Tuesday and the following Tuesday, so there is plenty of time to collect additional names.



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Q15 **Chair:** Have you provided the Clerk with the list of names?

Norman Lamb: The updated list? I think we have.

Alex Sobel: I have it in front of me. That is how I knew there were two on the Government side.

Norman Lamb: Well spotted.

Q16 **Chair:** There's one thing I'm aware of. You are talking about people with learning disabilities and having no places to put them, should the psychiatric beds close. We know that there is a problem with provision for people with learning disabilities because of the issue of back pay for sleep-in workers. That could be in danger of taking other provision out of circulation, because the providers do not have the money to pay for it and the local authorities do not have the money to pay for it. I think the Government are hoping that a court case is going to take it away, but it might not—we are not sure about that.

Norman Lamb: It does make the market very fragile at the moment. There are certainly third sector and private providers who fear going out of business, as you say. The interesting thing with this is that it is actually not a long-term additional cost we are after. There is an up-front cost of creating and training up people for community provision, but in the longer run, community provision often costs the same as, if not less than, institutional care. The horrendous fees charged by these institutions to the taxpayer are a scandal in themselves.

Helen Hayes: My constituent is now living very happily in accommodation in which he is thriving, in a small community setting, for considerably less than he was being paid previously for an environment in which his health was—

Norman Lamb: He was abused.

Helen Hayes: Yes, exactly.

Chair: Thank you very much indeed.

Nick Herbert and Virendra Sharma made representations.

Q17 **Chair:** Next up is Mr Nick Herbert. Nick, your application is about ending tuberculosis.

Nick Herbert: That's right. Thank you very much for hearing this application, which I am making jointly with Virendra Sharma, my co-chair of the all-party parliamentary group on global tuberculosis.

So far, I have received support for the application from nearly 50 Members of Parliament from all parties, and I only started asking them less than a week ago. I think that is a sign of the interest there is in this issue. In my view, that interest is overdue. In fact, 100 parliamentarians—Members of this House and the other place—signed a letter to the Prime Minister a few weeks ago calling for more action to end tuberculosis. The reason this is important is because it is not known that tuberculosis is the world's



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deadliest infectious disease. It kills 1.7 million people a year, more than HIV/AIDS—to which it is linked—and malaria combined.

The rate of progress in tackling the disease is too slow. It was declared a global health emergency in 1993, since when 50 million people have died. The world's leaders came together three years ago and set the sustainable development goals. Target 3.3 says that the major epidemics of HIV/AIDS, malaria and TB are to be beaten in 15 years' time. On the current trajectory, TB will not be beaten for 160 years, and by 2030 another 30 million people will have lost their lives.

There is insufficient attention to a disease that should be easily and cheaply curable. On top of that, you have the growing risk of drug resistance. Drug-resistant TB is very dangerous, and the rates of drug resistance are rising. On top of that, you have an economic cost, which is huge to developing economies and holding them back. Ten million people a year are getting sick from this disease and, according to Lord O'Neill's committee into drug resistance, should drug-resistant TB take hold, it would account for about a quarter of all drug-resistant deaths by 2050 and the costs would be astronomical. That would fall on the world's developed economies as well.

There are very powerful reasons why this issue should be debated at any time, and it has not been debated properly for a couple of years. But there are particular reasons for wanting to debate it now. Finally, this issue is being pushed up the political agenda. There is now a United Nations high level meeting to be held in the United Nations General Assembly week in September. All Heads of Government have been invited by the assembly to attend. The letter to the Prime Minister a few weeks ago specifically asked her if she would attend.

Part of the purpose of holding the debate is to ask the Government whether they intend to support the high level meeting. Will the Prime Minister attend? What action are the Government going to take on tuberculosis? Their record in this area has been very good, but there is a great deal more to do and the UK's leadership is desperately needed.

In that sense, it is timely. We put in an application to hold a Westminster Hall debate—not through this Committee—to coincide with World TB Day in March and did not succeed. We thought that the appropriate thing to do now was to elevate the issue. It deserves attention and it deserves a debate on the Floor of the House, which tuberculosis has never had. Frankly, if we were making an application for a debate on HIV/AIDS, people would say, "Of course that should be debated on the Floor of the House." TB is the orphan disease. It is time that it got the attention that it deserves, and a great number of colleagues appear to agree with us about that.

Q18 **Chair:** Virendra, anything you would like to add?

Mr Sharma: No, thank you.

Q19 **Alex Sobel:** Your application is fine with the number of names to get a



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three-hour debate in the Chamber. Would you like it to be timed as close as possible to the UN high level meeting—in the two weeks we return in September—or would you like it before we rise for the summer?

Nick Herbert: It's a very good question. I think we would like it to be sooner, because part of the purpose of the debate is to try to establish from the Government whether they intend to support the meeting and, specifically, whether the Prime Minister intends to attend. If we hold the debate too close to the September meeting, that decision might have been made. One of the reasons for putting in the application now was to try to secure a debate as soon as possible. Clearly, it's not time-sensitive in the sense that nothing specific is going on next week or the week after—I mean, there is a UN meeting the week after next, a civil society hearing that I am speaking at in New York—but I suspect that Heads of Government will take the decisions over the next few weeks, so it is important that the feeling of the House about this, which has already been expressed in the letter, ought to be expressed formally, and the Government ought to hear that.

Q20 **Bob Blackman:** To follow up on Alex's question, we have a potential free date on 7 June in the Chamber. If the Committee decides to offer that to you, would you be in a position to have the debate?

Nick Herbert: Which day of the week is that?

Bob Blackman: Thursday—the week we come back.

Mr Sharma: Yes.

Nick Herbert: Yes, we would.

Chair: We tend to get Thursdays, Nick.

Q21 **Bob Blackman:** The reason for asking is that you were talking about addressing the United Nations.

Nick Herbert: I'm doing that on the Monday, so I will be back.

Chair: Thank you very much. We have another application on the stocks, but the Member concerned has not arrived, so we shall now end our public sitting.