



**Northern Ireland
Assembly**

**COMMITTEE FOR
SOCIAL DEVELOPMENT**

**OFFICIAL REPORT
(Hansard)**

Welfare Reform Bill

20 May 2010

NORTHERN IRELAND ASSEMBLY

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SOCIAL DEVELOPMENT**

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Members present for all or part of the proceedings:

Mr Simon Hamilton (Chairperson)
Ms Carál Ní Chuilín (Deputy Chairperson)
Mr Billy Armstrong
Mrs Mary Bradley
Mr Mickey Brady
Mr Jonathan Craig
Mr Alex Easton
Mr David Hilditch
Ms Anna Lo
Mr Fra McCann

Witnesses:

Ms Elaine Campbell)	Age NI
Ms Amy Veale)	
Ms Anne McCleary)	
Mr Colm McLaughlin)	Department for Social Development
Ms Margaret Sisk)	

The Chairperson (Mr Hamilton):

I welcome Ms Elaine Campbell, who is head of policy in Age NI, and Ms Amy Veale, Age NI's policy officer. The evidence session will be recorded by Hansard for inclusion in the Committee's report. Elaine and Amy, I invite you to give a brief overview of the pertinent issues in your written submission, after which Committee members will have an opportunity to ask questions.

Ms Elaine Campbell (Age NI):

We understand that time is limited, so we will restrict our comments to two areas. Amy will address the issue of pilot schemes in a clause that is missing from Northern Ireland's Welfare Reform Bill, and I will talk about conditionality.

Ms Amy Veale (Age NI):

As is outlined in our written briefing, the Welfare Reform Act 2009 contains a section that allows the automatic payment of pension credit for a pilot period in GB. Northern Ireland's Welfare Reform Bill does not contain a similar clause, meaning that a pilot exercise will not be carried out here. We urge the Committee to press for the inclusion of such a clause, because we have a number of concerns about its absence from the Bill. We already know that pensioner poverty levels are higher in Northern Ireland. The absence of, or failure to include, a clause in the Welfare Reform Bill that is similar to section 27 of the 2009 Act could contribute to the growing inequality between older people in Northern Ireland and those in GB.

There are two main reasons for that. First, the failure to carry out a pilot scheme here will waste an opportunity to narrow the aforementioned poverty gap. We all know that benefit-uptake initiatives here have had limited success, and up to 51% of older people are not claiming pension credit. Our research shows that 29% do not know what benefits are available to them. We need to be proactive in looking at other ways in which to get older people to claim. We have said that, and we continue to say that. A pilot exercise would present an ideal opportunity to be innovative.

Secondly, a key objective of the pilot scheme in GB is to establish how administration of automatic payments would work. It is a learning exercise that is specific to GB. We have a separate administration system here, so a separate pilot needs to be carried out to establish how automatic payments would work in Northern Ireland. Failure to conduct a pilot here could result in pension credit automatic payments being rolled out in GB and not in Northern Ireland. We are concerned that the introduction of automatic payments in Northern Ireland would be significantly delayed, as we would not have tested how such a system could work in Northern Ireland, and the poverty gap, which is already big, could widen.

Government strategies such as 'Lifetime Opportunities: Government's Anti-Poverty and Social Inclusion Strategy for Northern Ireland' and 'Ageing in an Inclusive Society: Promoting

the Social Inclusion of Older People', and even the Programme for Government, recognise and articulate the need to address pensioner poverty here. We think that the Bill provides an ideal opportunity to do that, and we do not want to waste that opportunity.

Ms E Campbell:

It is inappropriate to introduce a conditionality test for over-50s for a number of reasons. First, in the current economic climate, not enough jobs are available. There is insufficient back-to-work support for over-50s, and insufficient training that focuses specifically on older people's employment needs is available for personal employment advisers. Those issues are already a concern for older people. Introducing conditionality will make that situation worse.

We already know that, when they drop out of the labour market, over-50s are much more likely to stay unemployed for a longer period. Introducing conditions could make people feel as though they are being further punished for a situation that is largely out of their control.

I know that this is outwith the scope of the Welfare Reform Bill, but another issue is that the default retirement age is still 65. On the one hand, over-50s are out of work but are, I hope, being helped into the labour market, yet, on the other hand, we find that age discrimination in employment is still rife. Until employers begin to hire older workers, led by a government ban on the default retirement age, older workers will be stuck in a situation in which they are being pushed into employment by government but pushed back out by employers who do not necessarily want to take them on. I wanted to raise that as an issue, because it does have an impact on the Bill's potential success.

Rather than focus on punitive measures that may stigmatise people who are already experiencing significant difficulties, there must be a focus on what is needed to help over-50s obtain employment.

I will speak very briefly about the success of programmes such as New Deal. Over-50s are not being well served by such programmes. Around 71% of older people on New Deal went back to benefits immediately. That is a really high percentage, particularly when contrasted with other age groups. The figure was around 54% for people aged between 40 and 49, and 47% for people aged between 30 and 39. The situation as it stands is not working well for older people.

There is also a skills gap among older workers. Oxford Economics conducted a big piece of research into what jobs are coming up, how many there are likely to be, and what skills are needed. As the number of workforce jobs increases, it seems that people are required to have higher-level qualifications, such as NVQ level 4 and higher. Older people are less likely to hold those qualifications. The economy is graduate-hungry, and older workers are not filling the skills gap. Therefore, instead of putting resources into back-to-work-focused interviews, resources should perhaps go into looking into how to upskill the older workforce.

On the basis of research that Oxford Economics carried out, the Economic Research Institute of Northern Ireland (ERINI) stated:

“we envisage a bleak future for the currently unemployed and inactive aged over 50”,

and that is without the increased conditionality. If their future is indeed bleak, how will work-focused interviews assist people? Will it point out facts that are already known, such as the fact that older workers do not have the skills to go into employment? How will work-focused interviews operate in order to help older workers to obtain and sustain employment? From our perspective, we do not see work-focused interviews as being a workable solution.

The Northern Ireland Audit Office (NIAO) carried out work that concluded that there should be greater focus on the older participants’ requirements in New Deal. I realise that New Deal is not necessarily your primary concern. However, considerable scope exists for working across Departments to determine the best ways in which to get people who are over 50 years of age back into employment, rather than simply to tell them what will happen if they do not get back into employment.

Therefore, we advise strongly against any sanctions being applied until the three key points that I mentioned at the beginning are met, which are that the economy improve to such a degree that it is likely that people will be able to obtain jobs; that better back-to-work support be provided, which can be done through the Department for Social Development (DSD); and, especially important, that improved training for personal employment advisers be provided. When people first become unemployed is the critical period in which they need help to get back to work. The longer that they are out of work, the longer that they are likely to stay out of work. We all hope that that does not happen. That is it from us. We are happy to take questions.

The Chairperson:

Thank you for focusing on those issues. I appreciate that. Certainly, I understand Age NI's perspective, which is from that of older people, who find it difficult to get back to work. Sometimes, I find myself in the position in which I sound as though I am a spokesman for the Department. I shudder at the thought. You made a point about conditionality, which I understand entirely. I guess that it might be frustrating for people who are over 50 years of age to be going to work-focused interviews repetitively when they feel that there is a dearth of employment generally and a dearth of suitable employment for them. They may not have the skills that employers seek or are at an age at which they do not want to go back to work anyway.

A considerable number of people over 50 would go through work-focused interviews not weekly but more sporadically. Would that not assist, and enhance opportunities for, those who want to go back to work, through focusing their mind on what they should do and through signposting them in different directions, such as towards skills training or employability training? That might improve their position from one of being out of work to one of being on the path back to work.

Ms E Campbell:

It could, but not necessarily. If work-focused interviews are seen as a punitive measure, they will not be perceived as something that will work for people. If people are told that they must show up for work-focused interviews or else, only for them to go to those interviews and be told that, yes, they are quite right to think that they do not possess sufficient skills, or if people go to interviews and find them not to be useful, they will not benefit.

From our perspective, advisers must be trained in the needs of older people. You said that people might not want to find employment. They might or they might not. Having spoken to employers, we have learnt that they do not want to take on older workers. Such age discrimination occurs in employers' perceptions of older people. We do not want them to give up on older people, nor do we want older people to give up on themselves. However, we do not believe that the work-focused interview is necessarily the right starting point. We need to consider how to assist older people to help themselves acquire the necessary skills. If work-focused interviews are seen as a punitive measure, they will not be useful to anyone.

The Chairperson:

It is the nature and style of them rather than the encouragement and assistance offered that you believe could be perceived as being punitive.

Ms E Campbell:

It very much depends on how work-focused interviews are carried out in practice and how people perceive the help that is offered at job centres. Staff attitudes are not always as enlightened as we would like them to be, particularly where older workers are concerned, and the stigmatising influence can have a detrimental effect on people.

Mr Easton:

We are told that it will be a breach of parity if we go against the Bill, but is it not a breach of parity if we do not have a pilot scheme?

Ms Ní Chuilín:

He is right.

The Chairperson:

Alex is always right.

Mr Easton:

I wish that my wife would tell me that. *[Laughter.]*

The rest of the UK is having a pilot scheme. If our not going along with the Bill is cited as a breach of parity, I cite the lack of a pilot scheme as a breach of parity. We should have a pilot scheme.

The Chairperson:

You are inviting me to be a departmental spokesman again.

Mr Easton:

It is one area of the Bill that we may be able to work around.

The Chairperson:

Departmental officials will be along later for clause-by-clause scrutiny. I encourage members to raise all those issues and seek assurances at that stage. The argument may be that it is a pilot scheme, as opposed to the level of payment or conditions. However, I understand your point, and we will raise it later.

Ms Lo:

At one of last week's meetings, we said that we should have a pilot for the "work for your benefit" scheme. That supports Alex's point.

The Chairperson:

Yes; the Bill certainly contains the power to have that pilot.

Mr Brady:

Thanks very much for your presentation. To follow on from Alex's point, parity seems to be a one-way street in the North, because we have almost to ape what happens in Britain.

It is accepted that pension credit is the benefit that is not taken up by the majority of people who should be getting it. Between £1 million and £1.9 million goes directly back to the Treasury every week. A great deal of money has been spent on a number benefit-uptake initiatives — if that is the right word — but, as you said, most of them have been ineffective. Now seems an ideal opportunity to balance things out and have a pilot scheme that targets those most in need. I cannot imagine that it will cost much more to initiate a pilot scheme than what has been spent on failed uptake schemes and on the contracts that have been issued to various bodies.

Many of the schemes, such as New Deal, are predicated on the fact that many young people will take them up. We were told that 411 people in our area would be eligible, but it worked out that only around 35 people benefited. No one is denying that the majority of people want to work. However, the problem with sending people who are over 50 years of age to work-based interviews is that it raises expectations that will not be fulfilled. You rightly made the point that people who are over 50 have big difficulties getting employment in the current economic climate, and that would be the case even if the economic situation were not as bad.

Last year, an individual who had worked for a firm for something like 36 years but had now

been made redundant came into see me. That person was 51 or 52 and, at the last count, had attended something like 49 unsuccessful interviews. That is somebody who wanted to work and who used initiative to try to do so. On balance, people are going through skills assessments who are having their expectations raised but not fulfilled.

You are absolutely right in what you say. It goes back to the issue of parity: there needs to be some balance. It seems that every time that we find an innovative initiative, we are told that it cannot happen. I believe that parity is all about money and the subvention. We could have a better scheme here without its necessarily costing any more money, and surely that is the issue. If, God forbid, we breached parity, the Treasury would come over here with a hacksaw and cut us off, and we would drift off into the Atlantic. That seems to be the notion. If the money is not going to be affected adversely, there is no reason that we cannot be innovative. What are your views on that?

Ms E Campbell:

Work-focused interviews have resource implications. If scarce resources are becoming scarcer, will staff be taken off whatever they are doing at that moment to carry out the interviews? Obviously, we do not have the finer detail, but that would take resources away from existing work. The idea sounds OK, but the practical application of that and other ideas for resource allocation and outcomes must be considered.

Mr Brady:

All those ideas sound good in an ideal world, but, given the present climate in which unemployed people must look for jobs, we certainly do not live in one.

No big effort has been made to ensure that the people who should receive pension credit do so. Lip service has been paid to take-up campaigns, and we constantly hear that the Minister has initiating a take-up campaign, but none of those campaigns really works.

Ms E Campbell:

Age NI has participated in benefit-uptake campaigns that have provided some benefit. Nevertheless, you are right about them. There are other factors at work in the take-up of benefits. For example, some people believe that there is a stigma attached to taking up benefits, and that is an extremely difficult belief to break. I agree that benefit-uptake campaigns have not been as

successful as they might be.

Mr Brady:

In fairness, I am sure that Age NI's campaign was more than successful. However, the organisation had limited resources and can contact only so many people. The campaigns target chunks of pensioners who may or may not qualify instead of those who actually qualify. That is a bitty approach.

Ms Veale:

A major part of the barrier to pension credit uptake is the stigma that is attached to whole process of applying for it and the filling in of forms. Automatic payments would overcome that barrier to a large degree. The wording of section 27 in the UK Act makes provision for targeting either a sample of older people or a specific group. We, therefore, propose to use that pilot as an innovative way in which to get people to take up pension credit. Single women over 70 could be targeted, because they have the highest levels of pensioner poverty. It would not cost that much to do that.

Mr Brady:

In European countries, and particularly in Scandinavia, people automatically receive pension credit when they reach pension age. They do not even have to apply for it. There is absolutely no reason that that could not be considered here. That system is more cost-effective, because the information is already on the computer, so people do not have to go through the rigmarole of applying and making calls. It obviously has much to do with data and information being released under freedom of information legislation. Other countries seem to have a more effective scheme than Britain, which has the meanest pension award in the entire developed world.

Ms Veale:

As you say, Mickey, the money spent on benefit-uptake initiatives could be spent on something innovative and new. This is our chance to do that. If a clause that mirrors section 27 in the UK Act is not included, that chance is gone, so we should get it in the Bill.

The Chairperson:

Do any other members wish to ask a question?As we move to the next phase of the scrutiny of the Bill, we will certainly raise all the issues with the Department and seek assurance or clarity on

possible change.

Ms Campbell:

Will it change?

The Chairperson:

I always qualify the change with the word “possible”, because of the nature of the process.

Thank you very much for coming along and giving your evidence today, particularly at such short notice. We are grateful for that. It is the first time we have had Age NI before us. I am sure that your organisation will be vital to us in a lot of the work we do, and I am sure that we will see you again soon.

Ms Campbell:

Yes, definitely. Thank you.

Mr Brady:

For some of us it is becoming more and more relevant.

The Chairperson:

When we hear about over-50s and work-focused interviews, people here get nervous.

That concludes our evidence sessions on the Welfare Reform Bill. Are members happy to conclude taking evidence and to proceed with clause-by-clause scrutiny? Perhaps “happy” is the wrong word.

Members indicated assent.

The Chairperson:

The Committee Stage of the Welfare Reform Bill commenced, as you all know, on 22 April. The Committee has received 20 written responses on the Bill. It has considered oral evidence from seven key stakeholder organisations, plus the Department. Given the Committee’s extensive consideration of evidence and responses from the Department, it was agreed that formal clause-by-clause scrutiny should commence today.

Members have previously set out their interim positions on the clauses of the Bill. I advise members that, during the clause-by-clause scrutiny, they will be asked to set out their final positions in respect of the clauses of the Bill, subject to the Examiner of Statutory Rules report and consequential amendments. Where the majority of Committee members support an amendment, the Committee Clerk and the Bill Clerk will take away the proposal and draft the appropriate wording for consideration at a subsequent meeting. Where members do not feel that they are able to agree a clause, that must be clearly stated during the clause-by-clause scrutiny. In such cases, members will be asked to set out their proposed amendment, and consideration of the clause in question may be deferred until the next meeting.

The Department has not suggested any amendments to the Bill. To speed up the process and answer any queries, the Department has been invited to attend the clause-by-clause scrutiny. We welcome Anne McCleary, Margaret Sisk, and Colm McLaughlin. Responses to the Committee's queries from the Department, the Employment and Learning Committee and the Committee for the Office of the First Minister and deputy First Minister have been tabled, as have the Department's notes from the meeting on 18 May.

Before we begin, I wish to refresh everyone's memory of a key point in the last evidence session which might assist us in getting through some of those items. We seek assurance from the Department, in respect of all the clauses of the Bill, that it will revise its and the Department for Employment and Learning's guidance to benefit advisers, requiring them to give additional consideration to claimants who have childcare difficulties, mental illness, learning disability, domestic violence issues or other caring responsibilities.

Ms Margaret Sisk (Department for Social Development):

Yes.

Ms Anne McCleary (Department for Social Development):

Yes.

The Chairperson:

That may assist us in moving this along. I also seek agreement from the Department that this assurance will be repeated at Consideration Stage of the Bill by the Minister.

Ms Sisk:

Yes.

Ms McCleary:

Yes.

The Chairperson:

There is a lot of paper involved in all of this. Members have a clause-by-clause table which the Committee Clerk has helpfully provided. We will start at the beginning and go through all 35 clauses.

Clause 1 (Schemes for assisting persons to obtain employment: “work for your benefit” schemes etc.)

The Chairperson:

Clause 1 introduces mandatory “work for your benefit” schemes for jobseeker’s allowance (JSA) claimants. The Department advises that the policy intention is to target those schemes and provide intensive support for the long-term unemployed. The Department indicates that the schemes are to be piloted in Great Britain, and that regulations prescribing the nature of the schemes will be subject to negative resolution by the Assembly. The Committee has been advised that the schemes will form part of the UK social security system. As such, a decision not to implement them in Northern Ireland would represent a breach of parity in social security matters.

Stakeholders have indicated numerous concerns and suggested changes, including a requirement to pay participants the minimum wage, exemptions for lone parents and claimants with mental or physical disability, guarantees that participants will be facilitated to undertake other training courses, a sunset clause, and a Northern Ireland pilot version of the scheme.

I refer Members to suggested amendments A to M in our table. I will begin by asking the Department whether it has anything to add to its evidence on the clause. We have heard a lot about the pilot schemes in GB. Is there anything that you want to add at this stage?

Ms McCleary:

No. The Committee has heard us talk on numerous occasions over the past couple of weeks about the importance of the pilot schemes, and that whatever happens in Northern Ireland will be determined by the Department for Employment and Learning (DEL) and not necessarily take exactly the same shape as the Department for Work and Pensions (DWP) schemes. There is flexibility there.

Ms Sisk:

Amendment B suggests that the schemes should provide training and support. They will provide training and support; that is part of the scheme.

The Chairperson:

The power is in the Bill to run NI pilot schemes, if deemed appropriate —

Ms Sisk:

Yes, that is right.

The Chairperson:

If the GB pilot schemes show anomalies that stick out like a sore thumb and maybe would not work in the same way in Northern Ireland, there is the power to do that.

Ms Sisk:

Oh, yes. That will be up to DEL, and it has already indicated that it may well decide to run its own pilot schemes tailored to Northern Ireland. In the end, however, that decision will rest with DEL.

The Chairperson:

That is conditional on resources.

Ms Sisk:

Availability of resources is one of the big issues for DEL.

The Chairperson:

Is the whole thing conditional on resources?

Ms Sisk:

The introduction of the scheme is, yes. DEL has made it clear that a lot of the Bill has significant resource implications, because it requires an awful lot more work by personal advisers. Therefore, there will have to be a bid to the Department of Finance and Personnel (DFP) for additional administration funding. A lot will depend on the availability of resources.

Mr F McCann:

It seems that we are near enough joined at the hip to DEL in much of this. Obviously, that is important. However, I always believed that the controlling Department was the Department for Social Development (DSD), and that any decisions to run pilot schemes would, therefore, come through DSD.

Ms Sisk:

No. Our responsibility is to require people to attend schemes as a condition of the receipt of the benefit. However, if DEL does not run the scheme in the first place, we cannot put the requirement into place. The running of the scheme is the responsibility of the Department for Employment and Learning. The design of the scheme will also be for DEL.

Mr F McCann:

Are you saying that, if the Committee asks you to go away and consider introducing pilot schemes in a number of areas, you do not have the ability to do that or to instruct DEL to do that?

Ms Sisk:

We cannot guarantee that that would happen. All we can say is that the power is in the Bill to run pilot schemes. Therefore, there is nothing to prevent them from happening. However, we cannot bind the Department for Employment and Learning to actually run pilot schemes. That would have to be taken up with them.

The Chairperson:

The Committee Clerk is reminding me that in GB, DWP has both these roles, but here they are split.

Ms Sisk:

That is correct.

Ms McCleary:

There is a structural difference.

Ms Ní Chuilín:

Therein lies the core of the problem. We have been given assurances that lone parents — I am not talking about this clause, just using it as an example by way of illustration — will not be penalised if they do not have childcare. This is buck-passing from one Department to another. If people cannot avail themselves of proper training, that may be one way out. However, if they cannot avail of the training that they feel is appropriate to them, then their benefit is at risk. Even before we know what the Tory cuts will be, DEL, like any other Department, is saying that there will be budgetary constraints. We have heard a presentation from Age NI about appropriate advice, training and support. Unless it is specified what that is, and it is actually clear and compulsory — or not even so much compulsory but that people fully understand what it is, and it is not related to budgets — this is totally ridiculous. It is forcing people out to work and giving them very little support, and having the audacity to ask them to work for their benefit.

Mr Brady:

Resource implications were mentioned. Are we being told by DSD that for such a piece of legislation, which is probably the most major piece of legislation, in terms of its implications for social security, since the inception of the welfare state, proper resources and funding will not be put in place to implement it?

Ms Sisk:

We are not saying that. When the pilots are put in place in GB, we will have the opportunity to see what type and level of resources are required to run the schemes. At that point, the Department for Employment and Learning, with us, will approach DFP for resources. Nobody is saying that those resources will not be made available. However, we are saying that the running of the schemes is dependent on the resources being made available.

Mr Brady:

Surely, from a logical point of view, those pilot schemes will be run, but the legislation will have been implemented already.

Ms Sisk:

Yes.

Mr Brady:

It will be too late.

Ms Sisk:

The legislation puts in place the power for us to require people to attend those schemes should they be put in place. However, if no schemes are put in place, then people cannot be required to attend them. We are asking for the power to be put in place now so that, if the schemes are run, we can require people to attend them.

Mr Brady:

But if the pilot schemes in England are not successful — if there are anomalies within them — then by the time it comes here it will be a fait accompli.

Ms Sisk:

If the pilot schemes are not successful in Great Britain they will not be rolled out in Great Britain, and we will not have any schemes here.

Mr Brady:

Yes, but the point that we have been trying to make is that there may be an area in Britain where the schemes could be successful, but that does not necessarily transfer to the North.

Ms Sisk:

You are absolutely right. That is why we are saying that the design of the scheme in Northern Ireland will be specifically tailored to Northern Ireland.

Mr Brady:

Why do we not have a pilot scheme to ensure that?

Ms Sisk:

That is up to DEL. If DEL wants to run pilot schemes, it can. All we are saying is that we will have the power in the Bill for the pilot scheme to be run. If we do not put the power in the Bill to

run pilot schemes, DEL cannot run them. That is why we need the power in the first place.

Mr Brady:

When legislation was being introduced in 2008 around employment and support allowance (ESA), we wanted clause 16 to be deleted. It was to do with privatisation, and we were told that it would not happen so there was no need to delete it, but it has happened in terms of medical support services. If you retain the power —

Ms Sisk:

To run the schemes?

Mr Brady:

In my experience, it will be implemented.

Ms Sisk:

I will not say that it will or it will not. It depends on the success of the pilots in GB. If they are successful and they work well, and if DEL decides that it can run good schemes in Northern Ireland, clearly they will be set up. If not, they will not be set up.

Mr Brady:

We could have successful schemes here, which would give a much better overview.

Ms Sisk:

We could.

Ms McCleary:

We could, and that might happen.

Ms Sisk:

However, if we do not put the power in the Bill, then we cannot do it. We need the piloting power in the Bill: so that we can run separate Northern Ireland schemes.

Mr Brady:

We are back to “may” and “shall”. We will be talking about how many angels we can balance on

the point of a needle.

The Chairperson:

Is that on our agenda? It may be under “Any other business”.

Ms Lo:

I just want to clarify something before I comment. Does the first column of the table contain suggested amendments?

Ms Ní Chuilín:

Yes.

The Chairperson:

Those amendments flow from the various pieces of evidence that the Committee has received. It is literally everything that has been suggested as an amendment, so that the Committee has the fullness of what stakeholders are saying on this.

Ms Lo:

So we are asking the Department to accept all those?

The Chairperson:

No, we are not quite saying that. It is guidance for Committee members. That is what has been raised, and members may be interested in pursuing one, two or all of them.

Ms Lo:

OK. I very much agree with Les Allamby that we seem to be putting the cart before the horse. There are so many uncertainties about “work for your benefit” schemes that we are almost dependent on a wing and a prayer. That is a lovely phrase.

The Bill will give the Department the power to run pilot schemes and to consider whether they are appropriate for Northern Ireland. However, it depends on DEL having the resources to carry them out. If DEL says that those schemes are not for us, will that be a breach of parity?

Ms Sisk:

No.

Ms Lo:

So people will not be asked to go on “work for your benefit” schemes? Do we have the power to opt out?

Ms Sisk:

Our Bill provides for people who get to the end of Steps to Work schemes to attend a “work for your benefit” scheme. However, if those schemes do not exist, the power will not be exercised. It is up to DEL to decide whether it can design suitable schemes for Northern Ireland, and one of the things it wants to do is have a look at what is run in GB and how successful it is. If the schemes do not work and help people back into employment, there is absolutely no point in wasting taxpayers’ money on them. The starting point must be that to prove that the schemes are of some benefit and that they assist in getting the long-term unemployed back into work. We must put the power into the Bill to allow us to run the schemes if DEL decides that they work, are beneficial and are cost-effective.

Ms Lo:

I understand that, but if England decides to roll out “work for your benefit” schemes across the UK, and we say that we do not want them as they do not work for us, or we do not have the resources from DEL to run them, will we have breached parity with the UK?

Ms Sisk:

I do not think that we do. One of the issues on parity is that there are the same conditions. If DEL cannot run those schemes because they are unworkable, the condition is not satisfied. I would not see that as a breach of parity.

We need to have the scope to explore the situation. If at this stage you say no, there will be no chance for either DSD or DEL to explore the schemes and establish whether they work. That is what we are asking for at this point.

Ms McCleary:

The schemes in Northern Ireland and in GB could be very different things.

The Chairperson:

If this clause goes through as it stands it will completely replicate a clause in the Welfare Reform Act 2009, and that will not be a breach of parity. However, I think that Anna's point is that if GB goes off on one track and we stay stuck in the station, effectively —

Ms McCleary:

Yes.

The Chairperson:

That would be a breach of parity.

Ms Sisk:

We will still have given the power through legislation to do it. We can still apply flexibility. If it does not work in GB, or if we cannot replicate it because it is not possible in Northern Ireland for us to do anything similar, I do not see that as a breach of parity. I see that as being sensible.

Ms Lo:

How much of a case do we have for arguing that Northern Ireland is different if the Department for Work and Pensions says that we have to have schemes like the rest of the UK?

Ms McCleary:

It is hard to talk about in theory. Parity is all about equality of conditionality and equality in the amount of benefits that a person receives. There are circumstances — in terms of general operational flexibilities — where differences in Northern Ireland can be taken into account. However, it would be a fundamental mistake to say that Northern Ireland is different full stop, because there are areas in Britain that are not unlike Northern Ireland.

Ms Sisk:

That is right.

Ms Lo:

That is what I am saying. How strong would our case be for arguing against the running of “work for your benefit” schemes?

Ms McCleary:

That is a matter for DEL.

Ms Sisk:

Our Department and DEL could make a case to DWP if we decided that, after looking at what was happening in GB and looking at the situation in Northern Ireland, it would not be possible for us to do anything similar. I cannot see DWP having a problem with that. However, DWP would have a problem if we decided to not even attempt it — to not put this in the Bill because we do not want it. That is the difficulty. If we give it a try to see if it works, I do not see DWP having a problem with that.

Mr Brady:

If, as you say, the measure is workable, what will happen if DEL does not have the resources to implement it?

Ms Sisk:

In that case, it will not happen. If DEL decides that it does not have the resources available to run this, there will not be any schemes.

Mr Brady:

With respect, that is a major issue. When will DEL know?

Ms Sisk:

The starting point has to be to look at what is happening in Great Britain, see what type of schemes are being run and look at the format of those schemes. As far as I understand, the schemes will be run in four areas in GB, and we have given you information on where those areas are.

Mr Brady:

The other issue is parity. Talking about equality and all the rest if it is fine, but to me parity is all about the amount of subvention. A breach of parity is all about money, because if you underspend the money goes back to the Treasury, and if you overspend it comes out of your budget. That is the issue.

Correct me if I am wrong, but I am picking up that DEL is the driving force and that DSD will simply administer what DEL decides. Therefore, we should really be looking at the administration rather than the policy.

Ms Sisk:

Where the schemes are available, we will require jobseekers to attend them as a condition of receiving their benefit. That is our role in the process.

Can I also say, Mr Brady, that parity is not just to do with money; it is also about individuals receiving benefit on the same conditions as people in Great Britain and having access to the same benefits at the same rates. We have to be careful about that as well. The issue is not simply money, although it is.

Mr Brady:

It is.

Ms Ní Chuilín:

It is.

Ms Sisk:

If we break parity, money comes into it, because it underpins parity.

The Chairperson:

As Margaret said, some information has been provided on the pilots. To clarify, Mickey, the pilots begin on 22 November this year and will run for two and a half years. They are taking place in Cambridgeshire, Suffolk, Norfolk and greater Manchester. Two and a half years from this November takes us into 2013. You asked about resources, but it is impossible to know what the resources will be for next year. If the Tory cuts are as bad as feared, there might not even be a DEL by 2013, never mind a pilot scheme.

Mr Brady:

I am just thinking in terms of Cambridgeshire and Suffolk. I am not sure —

Ms Sisk:

I am sure that there will be opportunities for us to get information from DWP on what is happening with the pilots and how they are running. There is no reason why, if it was of help, the Committee could not see information like that before 2013.

Mr Brady:

The analogy was made the other day between Newcastle, County Down and Newcastle-upon-Tyne. The north-east of England is a deprived region where large industries have simply closed down. Places like Consett were derelict a few years ago. That is an area that might have more in common with us with regard to unemployment rates and deprivation than Cambridgeshire or Suffolk.

The Chairperson:

There are two pilot schemes in greater Manchester.

Ms Sisk:

There is also greater Manchester.

Mr Brady:

Greater Manchester could include Blackburn and Bolton and all the associated conurbations.

Ms Sisk:

The point, though, Mr Brady, is that they are looking at rural and urban areas. The barriers that people face in rural areas are different, so the idea is to take a cross section of areas.

Ms McCleary:

A broad spread.

The Chairperson:

That is quite similar to a lot of parts of Northern Ireland.

Ms Sisk:

That is right. I am sure that, when these things have been up and running for a while, there will be opportunities to get information about them and about how successful they have been. If it

would help you to have more information about them well before 2013, we could use our contacts in DWP.

Mr Craig:

Margaret, that was wonderful. I am glad that I watched an episode of ‘Yes, Minister’ last night. *[Laughter.]* It was an eye-opener.

To paraphrase — correct me if I am wrong — everyone seems to agree that the legislation is far from perfect. It is clear to us that it is not perfect; it does not dot all the i’s and cross all the t’s. However, there is a reason for that. If I am reading the situation right, you are really saying that the legislation is being left open so that it can be interpreted in a number of ways to give you and, more importantly, DEL the flexibility to implement it fully if the funding is there. As we are all aware, funding will probably not be there.

Truth be told, it would probably be cheaper for DEL to do a pilot scheme somewhere in Northern Ireland. There is flexibility in the legislation to allow it to do that. Ultimately, given the timescales that have been outlined, the most responsible thing for DEL to do would be to give the UK pilot schemes six months to a year, look at the results and then make a sensible decision about whether to go for a pilot scheme in Northern Ireland. Alternatively, in a year’s time, we could all be sitting here and there might be no money to implement this, which would knock the whole thing on the head. From what you said, the secret to it all seems to be that although, technically, we can maintain parity by keeping this, in reality, if the finance is not there, there is no breach of parity if we do not actually implement it.

Ms Sisk:

That is right. We would break parity if we were to decide here and now that we are not even going to bother, that we do not like the look of it and that, no matter what DWP is doing, we are just not going to do it.

The Chairperson:

Or, equally, to amend it radically. That would have the same impact.

Ms Sisk:

That is right. We suggest that you leave it and see what happens. All that we are asking for is to

put the power into the legislation, and then, depending on the outcomes of the UK pilot schemes, we can make our judgement. As you said, DEL also needs time to look at what happens in GB, because, at the minute, it cannot decide either whether this will work. Nobody really knows anything about the schemes. Yes, you paraphrased it accurately.

Mr Craig:

The thing that encourages me, although it may not be in the power of this Committee alone, is the Northern Ireland Assembly's ability not to implement something that might go dramatically wrong in the rest of the UK. We have not lost the ability to control the implementation of this. That is good.

Ms Ní Chuilín:

I still think that it is important to put in some of the suggested amendments, even though it is not our call, from what you are saying about DEL.

Mrs M Bradley:

If we were not to amend the Bill —

Ms Ní Chuilín:

I would not be happy with it.

Mrs M Bradley:

What would the situation be then? In a year or 18 months, would we have an opportunity to put in the amendments that we think are right to make now?

Ms McCleary:

We would not be able to change the legislation. To change the Bill, we would have to introduce fresh legislation. However, in terms of its outworking — the scheme itself — in a year's time we will know far better how the schemes are going and DEL's thoughts on them.

Ms Sisk:

Many of the suggested amendments concern points of detail that are really about the schemes, rather than the power in the Bill, which is simply to establish a scheme. The Bill does not say anything at all about what the scheme will contain.

The Chairperson:

That detail will then come in the relevant regulations.

Ms Sisk:

That is right, and the proposed amendments to clause 1 are on the scheme's design.

Ms Ní Chuilín:

Chairperson, we are making broad, generic points. The nature of a scheme could depend on whatever resources are available to DEL. We are discussing the fundamental principle of supporting people on welfare. The do-nothing approach that the Department is suggesting is totally unacceptable. The principle is generic enough for even staff in DEL to support, and to leave it as a scheme of sorts is just too vague for me to accept. If the Committee cannot agree on an amendment, my party will table one, because I would not be happy to stand over the clause as drafted.

Mr Brady:

We need to get real and be honest with people. I take Jonathan's point. Ms Sisk is saying that there is flexibility. I have been around long enough to have gone down this road before. In what was a major change in 1988, supplementary benefit was taken out of the income support equation and the social fund replaced single payments, and we were told at the time how flexible all that would be.

One reads this stuff about "dynamic benefits" from the Centre for Social Justice, which was Iain Duncan Smith, a previous leader of the Tory party if I am not mistaken, but nobody will convince me that this legislation will not be implemented. As far as I am concerned, the suggestion that there will be flexibility is fine, but I do not accept that the flexibility that we are being told about will happen. I do not doubt Ms Sisk's belief that there will be flexibility, but experience tells me that it will just not happen.

The reality is that we have a Welfare Reform Bill with 37 clauses and four schedules. Unless amendments are tabled now, the opportunity for the Committee to propose them will be lost. The Department is saying, "Let's sit back and see what happens." Once the Bill is passed, it will be too late to amend it. I do not want to be told in the Chamber, as I have been previously, that I am arguing against something after failing to do so in Committee. I am saying now that I am

arguing. I want that point to be recorded, because, as far as I am concerned, this is a huge piece of legislation.

Going back years, the guy who came up with the idea for the social fund was seconded from a finance house in the City of London to cobble it together and then returned to the City to leave us with its legacy. That will happen again, because there is no doubt that the Bill's provisions will be implemented. We need to be on top of things, and if we are to propose amendments, they must be relevant. At the end of the day, the Bill will adversely affect the people whom we represent, not the Department for Social Development or DWP. That must be made clear.

Ms Sisk:

May I just say, Mr Brady, that you ought to concentrate on the "work for your benefit" schemes? If they do not work, they will not be implemented and rolled out in Great Britain or in Northern Ireland. Nobody is going to run schemes that cost the Government and the taxpayer money if they do not help people back to work. At this stage, the problem is that we cannot tell the Committee whether the schemes will work. We need the pilots to be run in GB in order to see what will happen. The Bill will merely create the power to run those schemes; it does not specify what the schemes will be. That will be something that DEL will have to carry if it decides to run them.

Mr Brady:

With respect, you summed it up by saying "create the power".

Ms Sisk:

That is all that the Bill does. At present, to create the power to pilot the schemes is all that we ask.

Mr Brady:

Why formulate a very detailed Bill such as this just to conduct a pilot scheme? Why not conduct a pilot scheme, see how it works, and formulate legislation around that? We have here a piece of legislation that, once passed, will be implemented.

Ms Sisk:

It will not be implemented if the pilot schemes do not work. If the schemes are too costly and do

not work, there is no way in the current economic climate that the Government will roll them out.

Mr Brady:

My difficulty is over who decides whether they work or not.

Ms Sisk:

The starting point is that DWP will decide whether the schemes are working. However, we will also have to assess whether they would work here. The Department for Social Development will have to make that assessment with DEL.

Mr Brady:

Therefore, why will we not have pilot schemes here? Jonathan Craig suggested —

Ms Sisk:

We will have pilot schemes if DEL decides to run them. The power to do so is provided in the legislation.

Mr Brady:

We need to speak to representatives from DEL, then.

Ms Sisk:

Yes, if you want to find out whether DEL intends to run pilot schemes. At this stage, I do not think that DEL will be able to give you a yes or no answer. I think that DEL will want to see what is happening in GB first.

Ms McCleary:

As others have said, the key point will be around a year from now, when we will have a clearer idea as to how things are progressing.

Mr Brady:

With respect, if the schemes are to run for two and a half years —

Ms McCleary:

In GB.

Mr Brady:

— yet we will know so much about them in a year, why are they to run for a further 18 months? Will there be some fundamental change?

Ms Sisk:

They will not be finally evaluated for two and a half years. We are suggesting that DEL may be able to get some information after a year to see how things are running, although it may well be the case that it does not get that information. I accept what you are saying: that, at this stage, there is much that we just do not know. However, that is because none of the schemes has been up and running for any length of time yet. We have to bide our time; we must wait and see. As I said, nobody is going to run schemes that cost money but do not work.

Mr Brady:

The employment and support allowance has been up and running since October 2008 —

Ms Sisk:

Apart from anything else, DFP and the NIAO would not be pleased.

Mr Brady:

— and there are mixed views on how effective it has been.

Ms Sisk:

This is very different from ESA.

Mr Brady:

I know, but ESA is the forerunner to what we are talking about.

Mr F McCann:

I want to make one small point about the implementation of legislation that does not work, about which we have recently spoken in this Committee. A number of years ago, when people made an application for goods, it used to go directly to the person supplying the goods. It proved hugely disadvantageous to the people who were applying for goods, and it did not work. However, now we are speaking about implementing the same idea again.

Ms Sisk:

I think that that concerned care grants.

Mr F McCann:

I am just saying that it was proved that that did not work in the past, yet now we are to go through the same thing again.

Ms Sisk:

It is slightly different.

The Chairperson:

We will return to that later. I was hoping that we might have got to that issue today, but I fear that we might not. I want to try to move the formal clause-by-clause scrutiny on. I have allowed members to express their views several times on clause 1 because I know that it is a fundamental clause and that stakeholders who responded to our consultation expressed many views. I want to move on and get some clarity from the Committee as to its position on clause 1. I have heard some members expressing opposition to it, although it is a means to an end for other members. I think that the point that Jonathan made earlier sums up many members' views.

We all accept — perhaps even the Department accepts — that it is not a perfect clause, but parity applies, and clause 1 is not the final destination of the “work for your benefit” scheme proposal. The clause creates the power, notwithstanding the comments that members have made. We have heard views expressed in opposition to the clause, and views expressed that were — “supportive” may be too strong a word — accepting of the clause. Does anybody else want to express a view in support of or in opposition to the clause before I put the Question on whether we accept the clause or want to amend it? I take it that there will be a Division. I always like to try to avoid division, but I think that everybody understands the basis on which it is happening.

The Committee Clerk:

If the Committee is to divide, I will remind members how the voting system will work. I hope that members will forgive me; I am not patronising them. The Chairperson will put the Question, and members will be asked to indicate which way they are voting by a show of hands. The options are to vote Aye or No or to abstain. A fourth option is not to vote at all, just as would be the case in a plenary sitting. The minutes will therefore record who votes Aye, who votes No,

and who abstains but will not record who does not vote.

Question put, That the Committee, subject to the Examiner's report or other consequential amendment, is content with the clause.

The Committee divided: Ayes 7; Noes 3.

AYES

Mr Armstrong, Mrs M Bradley, Mr Craig, Mr Easton, Mr Hamilton, Mr Hilditch, Ms Lo.

NOES

Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly agreed to.

Clause 1, subject to the Examiner's report or other consequential amendment, agreed to.

Ms Lo:

I would like it noted that we have many reservations about the clause.

The Chairperson:

I can make that clear. I have taken latitude to express my opinion from the Chair in the past. I am not satisfied with how the process has gone, to be perfectly honest, and it has put the Committee in an invidious position. Several amendments were suggested from which, when regulations are made, we may get a bit more purchase. Stakeholder groups have suggested amendments in good faith, and although some of us feel that, even though they are very good suggestions, it is difficult to run with them. However, I acknowledge that other members would be happy to do so. Everyone understands what has happened, and I will ensure that, in our report and in any speech that I make at the Bill's later stages, we express those concerns.

The Committee Clerk:

Some members indicated that they might wish to table an amendment on behalf of their party. If they wish to do so, will they please indicate to me and the Bill Clerk, as soon as they are able to, which amendments they have in mind? That is so that the Bill Clerk has time to draft them.

Ms Ní Chuilín:

It should be clear that Sinn Féin wishes to amend clause 1.

The Committee Clerk:

Yes, but we wish to know which amendment and what you have in mind. Let us know as soon as possible, because amendments can be a nightmare to draft.

Ms Ní Chuilín:

Absolutely.

Clause 2 (Work-related activity: income support claimants and partners of claimants)

The Chairperson:

Clause 2 requires claimants who are in receipt of income support, income-based ESA and JSA who are not lone parents of children under the age of 3 to undertake work-related activity. The clause allows DSD or DEL, in circumstances to be set out in subsequent regulations, to issue a direction to a person to undertake work-related activity. The clause also allows regulations to be made that set out a good cause for failing to undertake mandatory activities.

Stakeholders have indicated numerous concerns, mostly around the absence of childcare in Northern Ireland, and suggested changes in the clause, including the replacement of sanctions with the payment of premiums for compliance; exemptions for certain groups of claimants; and suggestions for the better delivery of ESA and JSA.

I refer members to the suggested amendments, which are amendments N to T in the table in the Committee Stage summary. Is there anything that the Department wants to add to the evidence that the Committee has already heard on clause 2?

Ms McCleary:

No, I do not think so.

The Chairperson:

Do members wish to express any views on the clause at this stage? In the correspondence from the Department, there is more detail on what constitutes “good cause”. Such circumstances include disease, or physical or mental disablement; sincere religious or conscientious objection; transport; caring responsibilities; attendance at court; arranging or attending a funeral; lifeboat crew member or part-time firefighter; and domestic emergencies. There are some very good

examples of good cause there.

Mr Brady:

It is fairly flexible.

The Chairperson:

Yes, it is fairly broad. Do members want to express any views?

Mr Brady:

I have one point to make. Why does the Department specify a child under the age of three? That age limit is much too low.

The Chairperson:

Is that correct? If the child is three or under —

Ms Sisk:

It does not apply to a child under three. It applies to children aged three to six.

The Chairperson:

As I mentioned before we started, if childcare is an issue —

Ms Sisk:

All of that, yes.

Mr Colm McLaughlin (Department for Social Development):

Childcare will be included as “good cause”.

Mr Brady:

You also said that “work-related activity” does not necessarily mean work.

Ms Sisk:

It absolutely does not mean work, Mr Brady. That is one thing about which we need to be very clear.

Mr Brady:

For instance, a lone parent could argue that looking after a four-year-old [*Inaudible.*]

The Chairperson:

It is certainly work.

Ms McCleary:

Well, yes. Perhaps they should not be doing that. Let us not go down that road.

Mr Brady:

That could be a reasonable argument that has not been factored in.

Ms Sisk:

The Bill does not specify what work-related activity consists of. At this stage, I do not know whether there will be any definition of “work-related activity”, even in regulations. However, I suggest that what is really being referred to is the type of activity that would make people more employable in the long run. Therefore, whether looking after a child is sufficient to qualify would have to be left to the personal adviser and the decision-maker.

Mr Brady:

Considering the dearth of childcare, people could argue that they are working towards getting a job.

Ms Sisk:

Yes, one could argue that about childcare. I am sure that that is a possible argument.

The Chairperson:

The phrase is flexible.

Ms Sisk:

Yes, it does not specify what it is, so I am sure that your point is arguable, Mr Brady.

Mr Brady:

Some might say that that is stretching flexibility.

The Chairperson:

It is far too flexible.

Ms Sisk:

Our Department and DEL have said that we intend to be as flexible as possible and to take full account of conditions in Northern Ireland and of the availability and non-availability of childcare. That is one reason why not spelling out what “work-related activity” means makes life a lot easier. It can then be interpreted in many different ways.

Mr Brady:

What would be the implications of the Committee’s deciding that three was too young and recommending an amendment to move the age limit up?

Ms Sisk:

Raising the age limit would break parity.

The Chairperson:

We have the same conditions.

Ms Sisk:

Yes, that is right.

Mr Brady:

[Inaudible.] childcare provisions.

Ms Sisk:

However, we are saying that we will take that into account.

Mr McLaughlin:

We will take all of that into account.

Ms Sisk:

The non-availability of childcare will be taken into account when this is looked at.

Mr Brady:

For how long?

Ms Sisk:

As far as the Department is concerned, there is absolutely no time limit. It will be taken into account until childcare is available.

Mr Brady:

Until the child grows up?

Ms Sisk:

Well, until it is not needed any more, yes.

The Chairperson:

Some people never grow up.

Mr F McCann:

To follow on from that, I know that you say that that is in the Bill, but every clerk in every DEL office will not be checking the wording. Will there be written instructions?

Ms Sisk:

Absolutely. There will be instructions and training for staff in all of these things. DEL is completely on board with us on what constitutes good cause and all the flexibilities. We checked those issues out with DEL before coming back to the Committee. Both Departments are entirely in agreement on the matter.

Mr F McCann:

Our sitting here can sometimes feel like a waste of time, particularly when dealing with the Bill, because we have no control whatsoever over the vast majority of its provisions.

Ms Sisk:

Many of the face-to-face discussions with the people who will be involved will be carried out by staff from DEL. However, there is close liaison between our Department and DEL. We have spoken to DEL officials about the Bill on a number of occasions before coming to the Committee.

Therefore, we know a great deal about that Department's attitude towards it.

Ms Lo:

When lone parents with young children are asked to take on work-related activities, surely they should be entitled to payment to cover childcare. Are they?

Ms McCleary:

Expenses perhaps.

Ms Sisk:

It depends on what that work-related activity is. As far as I am aware, if they require childcare to carry it out, they are probably entitled to claim for it. Money would be made available to them.

Ms Lo:

Would that cover attending interviews, compiling CVs and other —

Ms Sisk:

They will not be out of pocket for having to do anything like that.

Ms Lo:

The problem is finding and accessing it. That is why —

Ms Sisk:

The problem is childcare, and we recognise that. We also said that a woman who says that she cannot find childcare will not be challenged on that by her personal adviser. Her word will be accepted.

Ms Ní Chuilín:

Will there be a blanket exemption for parents whose children are in receipt of disability living allowance (DLA)?

Ms Sisk:

Yes, if they are on the middle or higher rates of DLA, there is a blanket exemption.

Ms Ní Chuilín:

That is with a DLA care or mobility component?

Ms Sisk:

Yes.

Question put, That the Committee, subject to the Examiner's report or other consequential amendment, is content with the clause.

The Committee divided: Ayes 7; Noes 3.

AYES

Mr Armstrong, Mrs M Bradley, Mr Craig, Mr Easton, Mr Hamilton, Mr Hilditch, Ms Lo.

NOES

Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly agreed to.

Clause 2, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 3 (Lone parents)

The Chairperson:

Clause 3 ensures that lone parents with a child under seven years of age remain a prescribed category of person, entitled to income support. The clause also ensures that lone parents in receipt of ESA with a child under one year of age will not be required to take part in a work-focused interview and that those with a child under three will not be required to undertake work-related activity. Stakeholders have indicated concerns, largely on conditionality for benefit recipients. There are some suggested amendments, which can be found at amendments U to V in the table in the Committee Stage summary. Has the Department anything to add?

Ms McCleary:

This is obviously an issue that has exercised various minds for some time. I stress that the intention is to facilitate people in being moved closer to work. I also stress that lack of childcare provision will be taken into account.

Ms Sisk:

This is an entirely beneficial clause. The idea behind it is to remove the requirement for parents

with children under one to attend a work-focused interview. At present, parents with children under one are required to attend periodic work-focused interviews. Clause 3 will remove that requirement, so it is an easing of conditionality for lone parents and parents.

The Chairperson:

Some of the objections are to the clause in general.

Ms Sisk:

Yes. However, people may also misunderstand its intention. It is a beneficial clause; it is a release of conditionality, rather than an increase.

The Chairperson:

All the other assurances still stand?

Ms Sisk:

Yes.

Question put, That the Committee, subject to the Examiner's report or other consequential amendment, is content with the clause.

The Committee divided: Ayes 7; Noes 3.

AYES

Mr Armstrong, Mrs M Bradley, Mr Craig, Mr Easton, Mr Hamilton, Mr Hilditch, Ms Lo.

NOES

Mr Brady, Mr F McCann, Ms Ní Chuilín.

Question accordingly agreed to.

Clause 3, subject to the Examiner's report or other consequential amendment, agreed to.

The Chairperson:

A pattern is developing.

Clause 4 (Entitlement to jobseeker's allowance without seeking employment etc.)

The Chairperson:

Clause 4 extends access to income-based JSA to groups that currently qualify for income support.

The clause is designed to support the abolition of income support. Stakeholders have made limited comments, indicating that the provision should not be enacted until detail is provided of the impact on carers of the requirement to undertake work-related activity. No amendments were suggested. Has the Department any comment to make?

Ms McCleary:

I stress that the one point to stress is that the clause does not apply to carers.

Ms Ní Chuilín:

It does not apply?

Ms McCleary:

It does not.

The Chairperson:

Do any members wish to comment? If not, is the Committee content to agree the clause without dissent?

Ms Lo:

We are breaking the pattern.

Ms Ní Chuilín:

We are not voting against it. I thought that I would just prove you wrong there, Simon.

The Chairperson:

I am all flustered now. I was on a roll before.

Question, That the Committee, subject to the Examiner's report or other consequential amendment, is content with the clause, put and agreed to.

Clause 4, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 5 (Couples where at least one member capable of work)

The Chairperson:

Clause 5 removes entitlement to income support and to income-related employment and support

allowance for couples where one member is capable of work. Regulations will set out the circumstances in which a member of a couple is treated as being capable of work.

Stakeholders indicated concerns about the impact on carers, and how the provision will prevent claimants from availing themselves of employment support that is available to ESA claimants and of the additional payment for undertaking work-related activity. Amendments were suggested, which are at amendments W to X in the table in the Committee Stage summary. Anne, do you have anything to add?

Ms McCleary:

I will just say again that the aim of the clause is to help back into work those who are capable of work. I stress again, however, that caring responsibilities, which I know are a concern, will be part of that assessment.

Mr Brady:

Does the carer then have to be verified, as it were, if they are getting carer's allowance?

Ms McCleary:

Any caring responsibilities will be taken into account.

Mr Brady:

That is the important bit, because many carers are in receipt of benefits.

Ms Sisk:

That would be where the good cause provisions would come into play. Caring would be a good cause.

Ms Ní Chuilín:

Will that be clearly set out in the regulations governing that clause? The clause states: "Regulations may prescribe circumstances". Will the regulations outline what constitutes a good cause?

Ms Sisk:

Yes. Good cause applies to any mandatory activity. Good cause is a reason not to take part.

Ms Ní Chuilín:

OK.

The Chairperson:

We can obviously revisit that issue when the regulations come through.

Question, That the Committee, subject to the Examiner's report or other consequential amendment, is content with the clause, put and agreed to.

Clause 5, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 6 (Statutory sick pay and employment and support allowance)

The Chairperson:

Clause 6 provides a regulation-making power to allow people who are receiving statutory sick pay to claim income-related ESA instead of income support. No amendments were suggested. Do you have anything to add?

Ms Sisk:

No.

Mr Brady:

At present, if a person is on statutory sick pay, the income support element is only a small aspect of the benefit. The explanatory and financial memorandum to the Bill states:

“Currently people may receive income support in addition to statutory sick pay. In order to abolish income support, alternative provision needs to be made for this group of people.”

What will that alternative provision be?

Ms Sisk:

The alternative is to move them on to income-related employment and support allowance instead. However, they would still be passported to all the benefits that they would have received had they been getting income support.

Ms Ní Chuilín:

Are they penalised for being sick?

Ms Sisk:

No. The clause simply changes the name of the benefit that they are on. It is just a technicality.

Mr Brady:

[Inaudible.] The phrase “alternative provision” needs to be clarified.

Ms Ní Chuilín:

The previous clause, for example, states: “Regulations may prescribe circumstances”. Perhaps that should be written into the Bill. The explanatory and financial memorandum to the Bill states:

“alternative provision needs to be made for this group of people.”

Ms Sisk:

I do not know whether the regulations specifically need to say that the passporting provisions will apply, because passporting applies to anyone in receipt of any income-related benefit. If people are receiving income-based jobseeker’s allowance or pension credit, or anything that is income-related, they are entitled to free glasses, and so on.

Mr Brady:

I take that as clarification of the ESA aspect.

Ms Ní Chuilín:

That will be reflected in the Minister’s comments at Consideration Stage.

Ms Sisk:

You will also see what is in the regulations.

The Chairperson:

If that were made clear at Consideration Stage, that would be helpful.

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Question, That the Committee is content with the clause, subject to the Examiner’s report or other consequential amendment, *put and agreed to.*

Clause 6, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 7 (Transitional provision relating to sections 4 to 6)

The Chairperson:

Clause 7 provides for transitional arrangements for people transferring from income support to ESA and JSA. No amendments were suggested by anyone in our evidence sessions. Have you anything to add?

Ms McCleary:

No, I think it is purely a technical point.

Mr F McCann:

In relation to the transitional support, there will obviously be a change in benefit, and normally when changing from one benefit to another people have to go through the whole process of applying for the new benefit. I take it that, in the transitional period, that will not be the case, and it will just happen automatically.

Ms Sisk:

Yes. The regulations will allow for the transition to be made so that when people stop being awarded one benefit they are awarded another benefit. It will ensure that there is no gap in the payment, so that nobody will actually lose anything. It is a technical thing that is required to allow people to move from one benefit to another benefit.

Mr Brady:

Are you saying that it will be seamless?

Ms Sisk:

It will be a seamless transfer as far as the person is concerned. They will not see any difference.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, put and agreed to.

Clause 7, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 8 (Assembly procedure: regulations imposing work-related activity requirements on lone parents of children under 7)

The Chairperson:

Clause 8 provides that regulations relating to lone parents' work-related activity where the child is under 7 will be subject to confirmatory resolution procedure. That is a technical point. No amendments were suggested. Do members have any comment? It is positive, in that the Assembly has the final say on it.

The Committee Clerk:

I should advise members that the report of the Examiner of Statutory Rules has not been received yet. That is why the Chairperson is saying "subject to the Examiner's report". If, when that report comes back, members choose to adopt his recommendations, for example, to change the type of procedure —

Ms Ní Chuilín:

We can do it?

The Committee Clerk:

Yes.

The Chairperson:

I think that we are generally supportive.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 8, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 9 (Abolition of income support)

The Chairperson:

This will not be just as easy. Clause 9 allows the abolition of income support when there are no longer any groups of entitled claimants. Entitlement to income support can be ended by confirmatory resolution regulations. Stakeholders have indicated opposition to this provision,

highlighting concerns in respect of errors and arguing for exemptions and additional safeguards. There are two suggested amendments, Y and Z.

Ms McCleary:

Again, we have discussed this at length. I stress again that there is no end date necessarily in sight for income support, because we cannot move away from it until such time as the carers issue is resolved. However, this gives us the framework to move.

Mr Brady:

One of the issues that stakeholders had was that you cannot just remove income support without having an alternative. What you are saying is that that alternative —

Ms Ní Chuilín:

Is not there.

Mr Brady:

— will be in place.

Ms Sisk:

It will be in place before income support is removed.

Mr Brady:

That was one of the issues that stakeholders had, because if you abolish income support without replacing it with something better, or at least comprehensive —

Ms Sisk:

That will not happen. That is why we are saying that that no end date has been decided. Until a suitable alternative benefit can be identified, income support cannot be abolished. The purpose of the clause is just to allow for that to happen. It removes all of the references to income support.

Mr Brady:

I would almost say that was reassuring.

Ms Sisk:

Income support will not be abolished until there are suitable alternative arrangements for everybody who is currently on income support.

The Chairperson;

It would be useful if the assurances that we have heard here, and before from the Minister, were repeated by the Minister —

Ms Sisk:

At Consideration Stage, yes. That will not be a problem.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 9, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 10 (Power to direct claimant to undertake specific work-related activity)

The Chairperson:

Clause 10 allows DSD or DEL to specify a work-related activity for an ESA claimant to undertake. Non-compliance will be sanctionable unless there is good cause. Stakeholders highlighted concerns in respect of how that provision will affect claimants with mental health issues. No amendments are suggested. Has the Department anything to add?

Ms McCleary:

I stress that this is about work-related activity, not about work per se. I also stress that it will be personalised to the individual, such as the people just mentioned who have mental disabilities or education issues or whatever. Those kinds of factors will be taken into account.

The Chairperson:

And "good cause" can include mental disablement as well as physical.

Ms McCleary:

Yes.

Mr F McCann:

I do not know whether the Department can answer this point. One of our concerns has always been the level of training given to staff who deal with people who have mental health problems. I have never been satisfied that a course of six, three or four weeks can equip anyone to deal with the widespread problems of those with mental health difficulties. How can we be guaranteed that staff are trained to a level that enables them to deal with it? Sometimes doctors or GPs fail to identify people who suffer from mental health problems.

Ms Sisk:

The majority of the staff who deal with such people are personal advisers in DEL. DEL would say that it has its staff trained sufficiently by psychologists. However, if it would be helpful, I will ask our counterparts in DEL to give us information about the type of training that they give to personal advisers. We will ask for that and let the Committee have a note on it.

Mr Brady:

The two issues follow on from what Fra was saying. Mencap raised that issue, obviously. *[Inaudible.]* Autism, because adult autism —

Ms Ní Chuilín:

The Don't Write Us Off campaign.

Ms Sisk:

Yes. We are well aware of it.

Mr Brady:

The difficulty for people with autism, both adults and children, is that they have very fixed regimes. Even work-related activity, never mind actual work, has to be handled very sensitively. It comes back to what Fra said about staff training. We need to be assured that staff will know what they are dealing with.

Ms Sisk:

We will ask our counterparts in DEL to give us a note about the type of training that is given to their personal advisers. We have had reassurances about that before, but we will ask again and

send a note to the Committee on it.

The Chairperson:

I was going to ask that myself. Anyone else?

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 10, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 11 (Conditions for contributory jobseeker's allowance)

The Chairperson:

Clause 11 changes the period of contributions necessary to claim contributory JSA. Stakeholders commented that the provision may adversely affect seasonal workers. There are some suggested amendments, AA and AB, in the table.

Ms McCleary:

It is worth highlighting that we discussed the parity issue long and hard. However, the Law Centre itself accepted that parity applied in this area. There is little scope, if any.

The Chairperson:

Whether people like it or not, almost.

Mr Brady:

Before jobseeker's allowance was introduced in 1996, people got almost a year's benefit without contributions. JSA reduced it to six months. The purpose of that was to get people off benefit. If you got it for six months, then your wife was working for 16 or more hours per week. That was what it was specifically designed to do, so I am not fully convinced — in fact I am not at all convinced — that the same purpose is not behind this. It has been suggested that *[Inaudible.]* The issue for a lot of people is whether there will be income support, anyhow, to supplement their jobseeker's allowance. *[Inaudible.]*

Ms Sisk:

They will be entitled to income-based jobseeker's allowance instead of income support.

Mr Brady:

That could still knock a number of people off the jobseekers' list. I think that may be one of the points that have been raised about this. It will probably disenfranchise more people from benefit than it will enfranchise.

Ms Sisk:

I do not think that anybody can argue that it will not reduce the number of people who are potentially entitled to those benefits. However, the idea is to align the contributory benefits more closely to periods of work. What is being said is that, in some cases, somebody can qualify for contributory jobseeker's allowance after working for three weeks, which is not what was intended. The idea is that a person must work a minimum of 26 weeks before being entitled. However, as we have said, this clause is quite clearly a parity issue.

Mr Brady:

[Inaudible.]

Ms Sisk:

They did.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 11, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 12 (Conditions for contributory employment and support allowance)

The Chairperson:

Clause 12 changes the period of contributions necessary to claim contributory ESA. Stakeholders commented that the provision may adversely affect seasonal workers. There are some suggested amendments, AC and AD. This is very much the same issue as with clause 11. It is a parity thing, a point that was made by the Law Centre.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 12, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 13 (Mobility component)

The Chairperson:

Clause 13 allows entitlement to the higher-rate component of disability living allowance for the visually impaired. Stakeholders welcomed the provision. I think that members may actually be enthusiastic about this one. A suggested amendment is at AE in the table.

Ms McCleary:

This is definitely a very beneficial clause.

The Chairperson:

OK.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 13, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 14 (Maternity allowance and carer's allowance)

The Chairperson:

Clause 14 will abolish the payment of adult dependency increases for all new claims to maternity allowance and carer's allowance. Stakeholders opposed this provision. They highlighted the fact that carers who had not worked long enough to claim statutory maternity pay will be penalised. A suggested amendment is at AF in the table.

Ms McCleary:

This is one of the other clauses that the Law Centre accepted was a parity issue. It is also worth saying that clause 14 reflects the fact that society has changed. It is now accepted that adult dependency increases are outdated, and we have to move away from them.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 14, subject to the Examiner's report or other consequential amendment, agreed to.

Clause 15 (Community care grants relating to specified goods or services)

The Chairperson:

This is where we have our Romanian washing machines. *[Laughter.]*

Ms Ní Chuilín:

It was Spanish cookers.

Mr Brady:

With a broken-down grill.

The Chairperson:

Or no grill, was it? Clause 15 allows the Department —

Mr F McCann:

Mickey still has three of them in the house.

The Chairperson:

Clause 15 allows the Department to contract with a supplier — in Spain or wherever — to provide goods and services in lieu of a community care grant. Stakeholders opposed the provision, highlighting concerns in relation to product quality, administration costs and the stigmatisation of claimants. There are some suggested amendments at AG and AH in the table. Have you anything to enlighten us with?

Ms McCleary:

I genuinely believe that things have changed since the experiences that others have recounted. The way in which contracts are dealt with has changed fairly dramatically since then, and monitoring and quality control are a key part of that. I genuinely think that it will benefit recipients, who, rather than perhaps having to argue for slightly more than the norm for a particular item because they have a specific requirement for that item, will be able to get the item

itself directly. I think that will be beneficial.

Mr Brady;

The only thing that has changed is that you now have Czechoslovakian cookers.

The Chairperson:

They would be really old, because Czechoslovakia has not been there for about 15 years. They might not even have an on switch.

Mr Brady:

They are very old cookers.

The Chairperson:

Skodas are from there as well.

Ms Lo:

Exactly, and they have improved.

Ms Sisk:

One of the concerns raised about this was the stigma that might be attached to it. If somebody gets a cooker or a washing machine it will actually be delivered and installed for them, so they will not have the stigma of having to go to any supplier to ask for it or produce vouchers or anything like that. I would have thought that that might be beneficial for them, as opposed to the opposite.

Mr Brady:

The point was made that it will create a monopoly, rather than allowing people to have more choice. That is a difficulty.

Ms McCleary:

That will be handled by the awarding of the contract in the first place. There will have to be tenders for it in relation to the EU procurement rules.

Ms Ní Chuilín:

Is it going to go down the traditional procurement route?

Ms Sisk:

Yes. The contracts are also reviewed periodically. People are not given contracts for ever, so if they do not satisfy the conditions the contract can be moved around. We think that it will get better value for money from the community grant scheme, and that people will also be more inclined to get better goods. They will get what they say they want, as opposed to being given the money.

Ms McCleary:

Although in some cases they will be able to receive money.

Ms Sisk:

They will get the money in certain circumstances.

Ms Lo:

I am a bit concerned. A cooker is a cooker, but there can be different ranges of furniture. There is a big difference between a £50 cupboard and a £200 cupboard. Are they going to get the cheapest range? How is it going to work out?

Ms McCleary:

I would not have thought so. The procurement procedure will be looking for value for money — that means value, it is not just about whatever is cheapest.

Mrs M Bradley:

So they will have to be quality goods?

Ms McCleary:

Yes.

Ms Ní Chuilín:

Unless that is set out very clearly it is a wee bit arbitrary at this stage, even depending on the supplier. That is a big concern.

The Chairperson:

Say this goes through and we are developing the whole process: how will it come back to the Committee? Are regulations needed to set this up, or is the only assurance we have that it goes through the procurement process, which has its own criteria?

Ms Sisk:

I do not think there is a requirement to make regulations, but that does not mean that we could not come back to the Committee to give you more information when we have it. Even DWP has not progressed the issue any great distance yet. After we came to give evidence to the Committee at the beginning we went back to DWP to see if it had more information, but it has not got very far with it either. We can certainly come back to the Committee to provide you with more information once we have it.

The Chairperson:

That might be useful.

Ms Sisk:

That is not a problem at all.

Mr F McCann:

With the best will in the world — and I have no doubt that you sincerely believe what you are saying — I have to refer back to the previous time that this was done. Even today, when people apply for community care grants, there are already fixed prices set against what local offices perceive they should be given and the prices at which they should be buying. What they go for is the cheapest. So it already exists.

One of the difficulties you have, again with the best will in the world, is that once this starts up suppliers will look at mechanisms to get around it. In the past, you could see in local newspapers advertisements about buying second-hand cookers. They got a mechanic in to fix them up and they made triple the price.

Ms Sisk:

These will be new.

Ms McCleary:

That will not happen. It really will not happen.

Mr F McCann:

I understand that you are sincere in saying that. However, the reality will be different. You have said that the Department will try to work around the issue of a stigma, but this will directly hit those areas that suffer from severe and high deprivation. The difficulty is that there are those out there who are seeking to make money. I thought that procurement was trying to get things on the cheap right across the board. I am not just talking about —

Ms Sisk:

No, no. Procurement is concerned with quality as well. However, I suggest that at this stage we are talking without having a great deal of information. When we get to the point where we are ready to put together contracts and we have more information, we will come back to the Committee and let it see what we intend to do. We will take on board your views at that stage, when we have some detail.

Mr F McCann:

Defer it until then.

Mr Brady:

It really is about the outworkings.

Ms Sisk:

We will come back to you and talk you through what we intend to do when we have some information about it. We will be more than happy to provide some reassurance on that.

The Chairperson:

Do you have no timescale for when that might be?

Ms Sisk:

No. We have spoken to DWP, but they have nothing on this as yet. The change of Government has brought a lot of these things to a halt.

The Chairperson:

Are members happy to accept those assurances? We cannot defer the whole thing. We will have to take the assurance that the Department will come back to us on this.

Ms Ní Chuilín:

We are in no position to vote on this unless we have that assurance.

The Chairperson:

Assurance of what?

Ms Ní Chuilín:

Assurance on procurement; what it says, and the concerns around it.

The Chairperson:

My point is that you are not going to get any detail other than what has been said.

Ms Ní Chuilín:

We asked for assurances on previous clauses. The Department is prepared to go forward and say — look, I will give you the wording. It is something about regulations; regulations will be set out clearly to give people some sort of comfort. At the moment, this is just too vague.

Ms Sisk:

That will be in the contracting process. This does not require regulations to set it up; the contracts will set it up. What we are saying is that we cannot come back to you with regulations, but with the contract, and let you see what that says and take on board any concerns you have at that stage. I am sure that there is no difficulty in letting you have input to the contracting process, if that would help.

Ms McCleary:

The procurement process is lengthy and complex.

Ms Sisk:

Input to the contracting process might help. If you have concerns and you want to tie things

down more closely, I cannot see that that would be difficult.

Ms M Bradley:

That is a good idea. None of us want to put people into embarrassing positions or attach stigma. This will allow us to see that.

The Chairperson:

We have got some level of comfort and assurance that we will not be excluded from the process. Can we have that repeated at Consideration Stage?

Ms Sisk:

We will write into the Minister's speech that we will come back and talk to the Committee about this.

The Chairperson:

If we are not content with all that is said, we always have the option, like everything else at Consideration Stage.

Mr F McCann:

This goes to the heart of providing choice for people. At a time when most people are saying that they want to widen the choice for people in many different things, we are reducing people's choice.

Ms Sisk:

We are trying to get better for money for people. Sometimes it is a case of priorities.

Mr F McCann:

You are looking to get things cheaper?

Ms Sisk:

No. Better value for money does not necessarily mean getting things cheaper.

The Chairperson:

In theory, getting better value for money —

Ms Sisk:

Economies of scale. That is right.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, *put and agreed to*.

Clause 15, subject to the Examiner's report or other consequential amendment, agreed to.

The Chairperson:

Time is pressing on. We will do two more which are related, and it should not be too difficult. We will take it up to clause 17 and then break.

Clause 16 (Community care grants: reviews and information)

The Chairperson:

Clause 16 prevents a review where an award of goods and services has been made in lieu of a community care grant. The clause allows regulations for the exchange of information between the Department and relevant suppliers. Stakeholders made the same points as with clause 15: they opposed the provision and highlighted concerns in relation to product quality, administration costs and the stigmatisation of claimants. No amendments were suggested. It relates to the previous clause, and those assurances relate to that as well. Does anyone want to raise anything further?

Mr Brady:

Is this saying that, if someone is awarded goods and is not happy with them, they cannot apply for a first- or second-stage review?

Mr Sisk:

As I understand it, yes. The reason why most reviews have been carried out in the past was that people had asked for a specific sum of money and did not get it. They might have asked for £200 and got £100, whereas now they will be asking for an item and will get that item. There will be no reason to ask for a review.

Mr Brady:

What about the Spanish cooker?

Mr Sisk:

Hopefully, they will not receive a Spanish or Czech cooker, or a Romanian washing machine.

Mr Brady:

With the greatest respect; I am not being facetious. Really what it is saying is that if you get an item —

Ms Sisk:

They will get what they ask for.

Mr Brady:

You might ask for a Rolls-Royce and get a Trabant.

Ms Sisk:

One must be reasonable. If someone applies for a cooker and gets a cooker, the argument is that there will be no need for that decision to be reviewed. They will have got what they wanted.

Ms McCleary:

Providing it is working, of course.

The Chairperson:

If they get a rubbish item — *[Interruption.]*

Ms Sisk:

Yes.

Mrs M Bradley:

If they asked for more than one item and only got one, there would be no comeback.

Mr Brady:

It is about quality assurance.

The Chairperson:

As long as the quality is OK.

Ms Sisk:

Again, that is the contracting.

Ms McCleary:

[Inaudible.]

Ms Ní Chuilín:

It goes back to the previous clause.

The Chairperson:

It does. It is entirely to do with the nature of the contract.

Ms Lo:

I have never come across the word “preclude” before. What does it mean?

Ms Sisk:

It means “prevent” or “not allow”.

Ms Lo:

Sorry; I have learned a new word.

The Chairperson:

You learn something new every day.

Question, That the Committee is content with the clause, subject to the Examiner’s report or other consequential amendment, put and agreed to.

Clause 16, subject to the Examiner’s report or other consequential amendment, agreed to.

The Chairperson:

We will do clause 17 and that will do us, because we are nearly at 12.00.

Clause 17 (Regulations relating to information: Assembly control)

The Chairperson:

Clause 17 allows for regulations to create an offence relating to unauthorised disclosure of information relating to community care grants. Stakeholders again made the same points as with clause 16: they opposed the provision and highlighted concerns in relation to product quality, administration costs and the stigmatisation of claimants. No amendments were suggested. Does anyone have anything to add?

Ms Sisk:

Nothing to add.

The Chairperson:

It fits in with the previous stuff.

Question, That the Committee is content with the clause, subject to the Examiner's report or other consequential amendment, put and agreed to.

Clause 17, subject to the Examiner's report or other consequential amendment, agreed to.

The Chairperson:

That will do for today. We will suspend clause-by-clause scrutiny of the Bill and come back to it next Tuesday. We have made a lot of progress. I thank Committee members, and Anne, Margaret and Colm for their assistance.