



Debate on the Queen's Speech: Day 5 Health, Social Care, Education, Culture, Welfare and Pensions 22 October 2019

Summary

This Lords Library Briefing is one of four prepared ahead of the five days of debate in the House of Lords on the Queen's Speech, scheduled to take place between 15 and 22 October 2019. This briefing looks at health, social care, education, culture, welfare and pensions.

The briefing identifies key bills that may be announced in the Queen's Speech. This is based on existing government commitments foreshadowing such legislation and press reports. Additional bills may be announced not covered in this briefing. Details vary but at the time of writing possible government bills include:

- A health service safety investigations bill, to establish the Health Service Safety Investigations Body (HSSIB) as an independent statutory body, with legislative powers to conduct investigations.
- A bill to support integrated healthcare in the NHS, following an NHS England board paper which recommended its introduction.
- A home education bill, based on proposals to create four new duties in primary legislation set out in a recent consultation.
- An online harms bill, containing a new duty of care on companies towards their users, overseen by an independent regulator.
- A pensions schemes bill, including delivery of pensions dashboards.

Several bills were lost at the close of the previous parliamentary session on 8 October 2019. The Immigration and Social Security Co-ordination (EU Withdrawal) Bill was not carried over. However, the Birmingham Commonwealth Games Bill [HL] will return in the new session.

To provide additional context and a flavour of government policy positions, the briefing sets out some of the key announcements made since the new Government took office in July. These include the Government's priorities for healthcare, education, broadband and 5G, and welfare.

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11 October 2019

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Health and Social Care

Health Service Safety Investigations Bill

In 2016, the Healthcare Safety Investigation Branch (HSIB) was set up to improve patients' safety in England through "effective and independent investigations that don't apportion blame or liability".¹ In April 2017, the HSIB became operational.

On 14 September 2017, the previous Conservative Government published the draft Health Service Safety Investigations Bill.² The draft bill proposed to establish the Health Service Safety Investigations Body (HSSIB) as an independent statutory body, with legislative powers to conduct investigations. These included provisions for the creation of 'safe space' investigations. This means that information provided to HSSIB as part of an investigation would only be disclosed in certain "limited circumstances". It would also provide for some enforcement powers, such as financial penalties for NHS Trusts that fail to cooperate with HSSIB investigations.

The draft bill was scrutinised by a joint committee, with the committee's report published on 2 August 2018.³ The report made the following conclusions:⁴

- It supported the planned 'safe space' approach to investigating incidents where patient safety had been compromised.
- It called on the Government to reconsider plans that would allow HSSIB to accredit NHS trusts and foundations trusts to conduct internal 'safe space' investigations, citing the "likely" conflict of interest.
- It suggested funding of the new body should be "sufficient" to allow comprehensive investigation, advice and assistance across the health network.
- It expressed "concern" about the limited remit of the HSSIB. It is restricted to incidents during the provision of NHS services, or at NHS premises.
- It suggested HSSIB powers should allow it to investigate all aspects of the care pathway.

¹ Healthcare Safety Investigations Branch, '[Healthcare Safety Investigations Branch](#)', accessed 8 October 2019.

² Department of Health, '[Draft Health Service Safety Investigations Bill](#)', September 2017, Cm 9497.

³ Joint Committee on the Draft Health Service Safety Investigations Bill, '[Draft Health Service Safety Investigations Bill: A New Capability for Investigating Patient Safety Incidents](#)', 2 August 2019, HL Paper 180 of session 2017–19.

⁴ Joint Committee on the Draft Health Service Safety Investigations Bill, '[Joint Committee on Health Service Safety Investigations Bill Publishes Report](#)', 2 August 2018.

The Government's response to the report was published on 4 December 2018.⁵ It accepted many of the recommendations in full. This included the recommendation to remove accreditation of trusts to carry out 'safe space' investigations from the bill. It accepted in principle further recommendations around the arrangements for safe space and the powers of the new body.

On 18 September 2019, the *Health Service Journal* reported that the Health Minister, Nadine Dorries, stated that a Healthcare Safety Investigation Bill would be in the next Queen's Speech.⁶ Ms Dorries reported that the Government's actions were "firstly to put the Healthcare Safety Investigation Branch on a statutory footing to give it the powers it needs to investigate comprehensively and we are keen to legislate on that".

Integrated Healthcare Bill

On 26 September 2019, an NHS England board paper was published which recommended the introduction of an NHS integrated care bill.⁷ This would "free up different parts of the NHS to work together and with partners more easily".⁸ It stated that "once enacted, it would speed implementation of the 10-year NHS Long Term Plan".

On 25 September 2019, the *Guardian* reported that health service bosses expected a bill to be included in the Queen's speech.⁹

Priorities for the Government

On 24 July 2019, in his first speech as Prime Minister, Boris Johnson identified the Government's priorities for health and social care.¹⁰ These included:

- a reduction in GP waiting times;
- development of frontline services; and
- a "fix" for the social care "crisis".

The next day in the House of Commons, the Prime Minister made a

⁵ Department of Health and Social Care, [The Government Response to the Report of the Joint Committee on the Draft Health Service Safety Investigations Bill](#), 4 December 2018, Cm 9737.

⁶ Shaun Lintern, '[Queen's Speech May Include New Powers for Fining Trusts](#)', *Health Service Journal*, 18 September 2018.

⁷ NHS England and NHS Improvement, [NHS's Recommendations to Government and Parliament for an NHS Bill](#), 26 September 2019.

⁸ *ibid*, p 3.

⁹ Denis Campbell, '[NHS Privatisation to be Reined in Under Secret Plan to Reform Care](#)', *Guardian*, 25 September 2019.

¹⁰ Prime Minister's Office, '[Boris Johnson's First Speech as Prime Minister](#)', 24 July 2019.

commitment to invest “vital funding” into frontline public services, including healthcare.¹¹

I am committed to making sure that the NHS receives the funds that it deserves—the funds that were promised by the previous Government in June 2018—and these funds will go to the frontline as soon as possible. That will include urgent funding for 20 hospital upgrades and for winter readiness. I have asked officials to provide policy proposals for drastically reducing waiting times for GP appointments.¹²

In response to a question from the Leader of the Opposition, Jeremy Corbyn, Boris Johnson confirmed that the NHS would not be part of any free trade deal with the US.¹³ He stated:

Under no circumstances will we agree to any free trade deal that puts the NHS on the table. It is not for sale.

Healthcare Funding

In the 2019 spending round the Chancellor of the Exchequer, Sajid Javid, committed to prioritising “high quality, readily-accessible healthcare”.¹⁴ He pledged to enable “quick access to quality healthcare for those who need it, and to giving every older person the dignity and security they deserve”.¹⁵ To support this ambition, the Department of Health and Social Care’s resource budget is set to rise by 3.1% in real terms.¹⁶

The spending round reaffirmed the five-year settlement for the NHS, with an additional £33.9 billion per year by 2023/24 in comparison to 2018/19 budgets.¹⁷ The spending round also confirmed the following:

- **Budget increase for Health Education England:** an additional £150 million for continuing professional development. This provides a £1,000 central training budget over three years for each nurse, midwife and allied health professional.
- **Funding to upgrade outdated facilities and equipment:** a commitment to upgrade “outdated” facilities and equipment in 20 hospitals—sharing an £854 million pot of new funding. This is alongside a £1 billion boost to NHS capital spending in 2020/21.

¹¹ [HC Hansard, 25 July 2019, col 1459.](#)

¹² *ibid.*

¹³ *ibid.*, col 1463.

¹⁴ HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 1.

¹⁵ *ibid.*, p 2.

¹⁶ *ibid.*, p 9.

¹⁷ *ibid.*

- **Budget increase for the public health grant:** a real-terms budget increase to ensure local authorities continue to provide prevention and public health interventions.
- **Investment in artificial intelligence to solve healthcare challenges:** a £250 million investment from 2020/21 to aid in the discovery of new treatments and earlier cancer detection.
- **Funding for adult and children's social care:** an additional £1 billion for adult and children's social care, and consultation on a 2 percent adult social care precept, an additional council tax charge that enables councils to access a further £0.5 billion.

The spending round stated that the Department of Health and Social Care would receive a new multi-year capital settlement at the next capital review.¹⁸ This will look to deliver a “smarter, more strategic” long-term approach to the country's health infrastructure.

In response to the spending review, the Shadow Chancellor of the Exchequer, John McDonnell, stated:

The announcement of £1.8 billion spending for the NHS has already been exposed as largely a reannouncement of existing money. There is no mention, is there, of the £6 billion backlog in the maintenance we need in our hospitals? Our hospitals are still using buckets to catch water coming through leaking roofs. Operating theatres are closed because of the lack of maintenance over the past nine years of austerity. The Government mention GP waiting times. Any announcement on GP waiting times is likely to turn out to be totally undeliverable. Why? Because we have just lost 600 full-time equivalent GPs over the past year. They are just not there because of nine years of lack of investment.¹⁹

Health Infrastructure Plan

At the 2019 Conservative Party conference, the Health Secretary, Matt Hancock, announced the Government would invest £13 billion over the next decade to construct 40 new general hospitals.²⁰ On 30 September 2019, the Department of Health and Social Care published the health infrastructure plan.²¹ It sets out the Government's aim to deliver “a long-term five-year

¹⁸ HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 9.

¹⁹ [HC Hansard, 4 September 2019, col 190](#).

²⁰ Tim Shipman, '[Matt Hancock Interview: Tories to Spend £13bn on 40 New General Hospitals](#)', *Times* (£), 29 September 2019.

²¹ Department of Health and Social Care, [Health Infrastructure Plan: A New, Strategic Approach to Improving our Hospitals and Health Infrastructure](#), 30 September 2019.

programme of investment” which includes capital to:

- build new hospitals;
- modernise the primary care estate;
- invest in new diagnostics and technology; and
- help eradicate critical safety issues in the NHS estate.²²

Phase 1 involves an investment of £2.7 billion for six new large hospitals, aimed to be delivered by 2025.²³ Phase 2 involves seed funding—money to develop business cases—of £100 million for 21 schemes. The aim is for these projects to be ready to deliver between 2025 and 2030.

In response to the Government's announcement of 40 hospital upgrades, Jon Ashworth, the Shadow Secretary for Health, stated that it was “six hospital reconfigurations” not 40 “new” hospitals.²⁴ He raised questions about details of the funding:

Are you guaranteeing every single one of 21 hospitals (including in Johnson's marginal seat) invited to access £100 million to develop plans will be rebuilt? If so where's [the money] coming from? And why no mental health trust included?²⁵

Mental Health

At the 2019 Conservative Party conference, the Government announced that “new models of personalised care” will be rolled out to target adult mental illness.²⁶ Mental health providers in twelve areas of England will receive permission to recruit 1,000 additional staff to “ensure patients have easier access to the support they need”. This pilot scheme will be funded as part of the £2.3 billion extra investment in mental health under the NHS Long Term Plan.²⁷

The Parliamentary Under Secretary of State for Mental Health, Suicide Prevention and Patient Safety, Nadine Dorries, stated “[this funding] will allow local areas to recruit extra staff to run brand new specialist services, helping them transform the lives of those suffering from poor mental

²² Department of Health and Social Care, [Health Infrastructure Plan: A New, Strategic Approach to Improving our Hospitals and Health Infrastructure](#), 30 September 2019.

²³ Department of Health and Social Care, [New Hospital Building Programme Announced](#), 29 September 2019.

²⁴ [HC Hansard, 30 September 2019, col 996](#).

²⁵ Heather Stewart, [Today at the Conservative Party Conference](#), *Guardian*, 29 September 2019.

²⁶ Conservative Party, [Our Spending Boost to Tackle Adult Mental Illness](#), 1 October 2019.

²⁷ NHS England, [The NHS Long Term Plan](#), January 2019.

health”.²⁸

In response to the announcement, Barbara Keely, Shadow Cabinet Minister for Mental Health and Social Care, stated that Boris Johnson had “merely repeated an old announcement about trying to recruit more [Mental Health Specialist Nurses]”.²⁹

Vaccinations

In August 2019, the Prime Minister, Boris Johnson, ordered “urgent action to improve vaccination uptake”.³⁰ At the Conservative Party conference the Health Secretary, Matt Hancock, said he was looking at “all options” to increase England’s vaccination levels.³¹ He stated that there was a “very strong argument” for having compulsory vaccinations for children when they go to school, because otherwise “they’re putting other children at risk”.³² The Health Secretary stated he had taken legal advice on the matter. However, a spokesman for the Prime Minister said the Government was not “at the stage of refusing [children] admission” to state schools without vaccinations.³³

Other Announcements

Since 24 July 2019, announcements on other health and social care issues have included:

- **Cancer screening equipment:** a £200 million funding commitment for new cancer screening equipment.³⁴
- **Global health threats:** a £18.2 million pledge for projects to help beat antimicrobial resistance (AMR) and achieve global universal health coverage.³⁵

²⁸ Andrew Woodcock, ‘[Government Announces £70 Million for Community Mental Health Services](#)’, *Independent*, 29 September 2019.

²⁹ Labour Party, ‘[Another Health Re-announcement by Boris Johnson](#)’, 29 September 2019.

³⁰ Department of Health and Social Care and Prime Minister’s Office, ‘[Prime Minister Orders Urgent Action to Improve Vaccination Uptake](#)’, 18 August 2019.

³¹ BBC News, ‘[Health Secretary ‘Looking Seriously’ at Compulsory Vaccines for Schoolchildren](#)’, 29 September 2019.

³² Peter Walker, ‘[Hancock: Compulsory Vaccinations Being Seriously Considered](#)’, *Guardian*, 29 September 2019.

³³ Peter Walker, ‘[No Plan to Require Vaccinations at State Schools, Says No 10](#)’, *Guardian*, 30 September 2019.

³⁴ Department of Health and Social Care and Prime Minister’s Office, ‘[Prime Minister Pledges Funding for Cancer Screening Overhaul](#)’, 27 September 2019.

³⁵ Department of Health and Social Care, ‘[UK to Invest in New Research Against Evolving Global Health Threats](#)’, 25 September 2019.

- **Hospices and palliative care:** a £25 million funding commitment to protect hospices and palliative services to support end of life care.³⁶

³⁶ Prime Minister's Office, '[Prime Minister Announces £25 million Cash Boost for Hospices to Secure their Future](#)', 20 August 2019.

Education

The Government has said that the Queen's Speech will set out how it intends to "build on" rising school standards, "level up" education spending and give schools the "power they need to deal with bad behaviour and bullying".³⁷

Home Education Bill

In April 2018, the Department for Education (DfE) launched a consultation and call for evidence to:

[...] better understand how oversight of children educated outside of state or independent schools could be carried out as effectively and proportionately as possible.³⁸

Updated guidance on home education was published by DfE in April 2019. Two guidance documents were published, one for local authorities and one for parents.³⁹

On 2 April 2019, the Government published a consultation on proposed legislation concerning children not in school.⁴⁰ The consultation closed on 24 June 2019. The consultation sought views on proposals to create four new duties in primary legislation:⁴¹

- A duty on local authorities to maintain a register of children of compulsory school age who are not registered at schools of a specified type.
- A duty on parents to provide information to their local authority if their child is within scope of the register.
- A duty on education settings attended by children on the register to respond to enquiries from local authorities about the education provided to individual children.
- A duty on local authorities to provide support to home educated families if requested by such families.

³⁷ Department for Education, '[New Drive to Continue Boosting Standards in Schools](#)', 1 September 2019; and Prime Minister's Office, '[Prime Minister's Statement: 2 September 2019](#)', 2 September 2019.

³⁸ Department for Education, '[Children Not in School: Proposed Legislation](#)', 2 April 2019, p 8; and '[Home Education: Call for Evidence and Revised DfE Guidance](#)', accessed 8 October 2019.

³⁹ Department for Education, '[Elective Home Education: Departmental Guidance for Parents](#)', April 2019; and '[Elective Home Education: Departmental Guidance for Local Authorities](#)', April 2019.

⁴⁰ Department for Education, '[Children Not in School: Proposed Legislation](#)', 2 April 2019.

⁴¹ *ibid*, p 6.

The consultation document states that the proposals depend on gaining suitable parliamentary time for primary legislation and there would need to be an implementation period for local authorities.⁴² As a result, it says, no detailed timetable for implementation can be given and “full roll-out might be two to three years away”.

The Government is yet to respond to the consultation responses.

In July 2017, Lord Soley (Labour) introduced the Home Education (Duties of Local Authorities) Bill in the House of Lords. The bill completed its House of Lords stages on 24 July 2018 and was presented to the House of Commons on 24 July 2018. However, it did not receive a second reading in the House of Commons before Parliament was prorogued on 8 October 2019. The bill would have created a duty for local authorities to monitor the educational, physical and emotional development of children receiving elective home education in England and Wales, and for a parent to register home-educated children with the local authority.⁴³ The bill did not have formal government support.⁴⁴ However, DfE stated that the debates on the bill at second reading and committee stages in the House of Lords “provided some valuable discussion of home education and related issues”.

Education Funding

During the Conservative Party leadership campaign, Boris Johnson made a pledge to “significantly improve” the level of per-pupil funding in schools and to “protect that funding in real terms”.⁴⁵ Mr Johnson stated that he would “address” the “ yawning funding gap” between schools across different parts of the country; he would not “split the difference”, but would “level up”. He also set out his priority to establish “real parity of esteem to vocational training and apprenticeships”. Mr Johnson argued that funding for further education had “not kept up with schools”. He stated that he would “rectify that mistake”.

On becoming prime minister, Boris Johnson made a commitment to “make sure every child receives a superb education—regardless of which school they attend, or where they grew up”.⁴⁶ In a statement to the House of Commons on 25 July 2019, Mr Johnson pledged to increase the minimum level of per-pupil funding in primary and secondary schools.⁴⁷ He stated that

⁴² Department for Education, [Children Not in School: Proposed Legislation](#), 2 April 2019, p 9.

⁴³ Further information can be found in the House of Lords Library briefing, [Home Education \(Duty of Local Authorities\) Bill \[HL\]](#) (20 November 2017).

⁴⁴ *ibid.*

⁴⁵ Boris Johnson, ‘[Conservatives Must Address our Country’s Shocking Educational Disparities](#)’, *Telegraph* (£), 2 June 2019.

⁴⁶ Department for Education, ‘[Prime Minister Boosts Schools with £14 Billion Package](#)’, 30 August 2019.

⁴⁷ [HC Hansard, 25 July 2019, col 1460](#).

the Government would “return education funding to previous levels by the end of this Parliament”. In August 2019, Mr Johnson announced that the Government would be investing more than £14 billion in primary and secondary education over three years to 2022/23.⁴⁸

The 2019 spending round confirmed the funding arrangements for schools and further education:⁴⁹

- An increase of £7.1 billion in funding for schools by 2022/23 (£4.6 billion above inflation), compared to 2019/20 funding levels.
- The schools budget to rise by £2.6 billion in 2020/21, £4.8 billion in 2021/22, and £7.1 billion in 2022/23, compared to 2019/20 funding levels.
- In 2020/21, per-pupil funding for all schools to rise in line with inflation (1.8 percent). The minimum per-pupil amount for 2020/21 will increase to £3,750 for primary schools and £5,000 for secondary schools. The primary schools minimum to rise to £4,000 in 2021/22.
- The schools funding will include over £700 million more in 2020/21 compared to 2019/20 funding levels to support children and young people with special educational needs and disability (SEND).
- For further education, £400 million investment in 2020/21. This will include £190 million to increase core funding for 16–19 year-olds at a “faster rate than core schools funding”. Colleges and school sixth forms will also get £210 million in targeted interventions for high-cost programmes such as engineering; English and Maths resits; T Levels; the Advanced Maths Premium; and workforce investments.

The Government also made a commitment to increase early years spending by £66 million, to increase the hourly rate paid to childcare providers through the Government's free hours offers.⁵⁰

Responding to the announcements made in the spending round on education funding, Shadow Chancellor of the Exchequer John McDonnell questioned whether the additional funds would be sufficient to reverse the cuts made to

⁴⁸ Department for Education, '[Prime Minister Boosts Schools with £14 Billion Package](#)', 30 August 2019.

⁴⁹ HM Treasury, '[Spending Round 2019](#)', September 2019, CP 170, pp 2–3 and 10; and Department for Education and HM Treasury, '[Chancellor Announces £400 million Investment for 16–19 Year Olds' Education](#)', 31 August 2019.

⁵⁰ Department for Education, '[Prime Minister Boosts Schools with £14 billion Package](#)', 30 August 2019.

⁵⁰ HM Treasury, '[Spending Round 2019](#)', September 2019, CP 170, pp 2–3 and 10.

the Department for Education budget since 2010.⁵¹ Mr McDonnell highlighted the Local Government Association's findings that councils "face a funding shortfall for SEN children of £1.2 billion by 2021". He argued that despite the additional £700 million, "these children will still be left vulnerable and in need". He also argued that the extra money for further education would be not be enough:

Further education colleges are getting a one-off £400 million. Does the Chancellor really think that they should be grateful when he has cut £3.3 billion from them since 2010? The reality is that the economy will continue to desperately need skills and training, and our young people will still be denied them.⁵²

School Places

The Prime Minister has pledged to create "thousands more good school places".⁵³ On 9 September 2019, the Government announced that it would be opening the next round of applications for the free schools programme. It stated that it intends to select up to 30 schools in November 2019. The Government said that it will target areas most in need of "good new mainstream schools". Commenting on the latest round of applications, Mr Johnson stated:

Free schools help to ensure children are getting the best education possible—offering exceptional teaching, encouraging strong discipline and providing families with more choices.⁵⁴

In response to the announcement, Shadow Education Secretary Angela Rayner claimed that the long-running free schools programme had "failed to create the school places that our children need".⁵⁵ The plans were also criticised by Dr Mary Bousted, joint general secretary of the National Education Union, who said:

Once again, this Government is throwing taxpayers' money at its pet project free schools instead of taking a long hard look at where investment is most needed after a decade in which schools across England have been starved of cash.⁵⁶

⁵¹ [HC Hansard, 4 September 2019, cols 189–90.](#)

⁵² *ibid.*, col 190.

⁵³ Prime Minister's Office and Department for Education, '[PM Pledges Thousands More Good School Places](#)', 9 September 2019.

⁵⁴ *ibid.*

⁵⁵ John Johnston, '[Boris Johnson Vows to Create Thousands More School Places in Bid to 'Drive Up Standards'](#)', Politics Home, 10 September 2019.

⁵⁶ *ibid.*

Dr Bousted argued that the “most sensible and financially sound way” to create new schools in areas that most need them is to allow local authorities (LAs) to establish new maintained schools.⁵⁷ She advocated giving LAs the legal powers to “instruct academies and free schools to expand where they have the capacity to do so”.

The Conservative Party's 2017 general election manifesto committed to continuing its programme of free schools, building at least a hundred new free schools a year.⁵⁸ On 26 June 2019, in answer to a written parliamentary question, the Government confirmed that there were 446 open free schools, including three that had opened since 1 April 2019.⁵⁹ The Department for Education stated that it had approved a further 285 applications from groups that were working to establish free schools. In addition, LAs were running competitions to find academy trusts to establish an additional 37 special free schools and two alternative provision free schools across the country.

As of January 2019, academy and free schools made up 32% of primary schools and 75% of secondary schools.⁶⁰ More than 4.1 million pupils were attending academies and free schools. Nearly 2.5 million of these were in secondary schools (75% of all secondary school pupils) and over 1.6 million in primary schools (34% of all primary school pupils).

Standards and Behaviour in Schools

Standards

On 1 September 2019, Education Secretary Gavin Williamson set out proposals for a “raft of new measures” intended to raise standards in schools.⁶¹ The plans included:

- Reintroducing regular Ofsted inspections for schools graded outstanding.⁶² The aim is to provide parents with “up-to-date information” about their child's school so that they can be “confident” the school is “providing the highest standards”.

⁵⁷ John Johnston, [‘Boris Johnson Vows to Create Thousands More School Places in Bid to Drive Up Standards’](#), Politics Home, 10 September 2019.

⁵⁸ Conservative Party, [The Conservative Party Manifesto 2017](#), 18 May 2017, p 50.

⁵⁹ House of Commons, [‘Written Question: Free Schools: Construction’](#), 26 June 2019, 267299.

⁶⁰ Department for Education, [Schools, Pupils and their Characteristics: January 2019](#), 27 June 2019, p 4.

⁶¹ Department for Education, [‘New Drive to Continue Boosting Standards in Schools’](#), 1 September 2019.

⁶² Currently schools inspected by Ofsted that were judged as outstanding at their last full inspection are exempt from further routine inspections. This does not apply to special schools, pupil referral units or maintained nursery schools.

- For schools that have consistently been rated 'requires improvement' by Ofsted, a new programme of leadership support from experienced school leaders and evidence-based support programmes.
- Piloting a new academy trust in the north, specifically established to take on the "most challenging schools", where there is no other local academy trust with sufficient capacity available.
- Making more funding available to help the "strongest academy trusts" to expand to support other schools.
- Work with Ofsted to ensure all reports include a rating for financial management and oversight to "ensure best practice is shared across the sector".

Concerns have previously been raised by Ofsted's chief inspector, Amanda Spielman, about the exemption of most outstanding schools from routine inspection.⁶³ In June 2019, Ms Spielman called for the exemption to be removed, and Ofsted's resources to be increased:

The fact that outstanding schools are largely exempt from inspection leaves us with real gaps in our knowledge about the quality of education and safeguarding in these schools. Some of them have not been inspected for over a decade, and when our inspectors go back in, they sometimes find standards have significantly declined. [...] For the outstanding grade to be properly meaningful and a genuine beacon of excellence, the exemption should be lifted and Ofsted resourced to routinely inspect these schools.⁶⁴

At its annual conference in September 2019, the Labour Party announced proposals to abolish Ofsted.⁶⁵ Under Labour's plan, Ofsted would be replaced with a "two-phase" inspection system. All education providers would be subjected to regular "health checks" led by local authorities. Where concerns arose, more in-depth inspections would be conducted by specialists.

Behaviour

During the Conservative Party leadership campaign, Boris Johnson pledged to "strengthen [...] not weaken" teachers' powers to deal with poor behaviour and bullying in schools.⁶⁶ When Mr Johnson became Prime

⁶³ Ofsted, '[Ofsted Chief Inspector Repeats Call for Outstanding School Exemption to be Lifted as More Schools Lose Top Ofsted Grade](#)', 13 June 2019.

⁶⁴ *ibid.*

⁶⁵ Michael Savage and Toby Helm, '[We Will Scrap Ofsted: Labour Makes Radical Election Pledge](#)', *Guardian*, 21 September 2019

⁶⁶ Boris Johnson, '[Conservatives Must Address our Country's Shocking Educational Disparities](#)', *Telegraph* (£), 2 June 2019.

Minister, he confirmed that his Government would address the issue:

My Government will ensure all young people get the best possible start in life. That means the right funding, but also giving schools the powers they need to deal with bad behaviour and bullying so pupils continue to learn effectively.⁶⁷

In September 2019, Ofsted implemented a new education inspection framework (EIF). The new framework introduced grading on behaviour and attitudes: inspectors will look at how a school manages behaviour, low-level disruption and bullying.⁶⁸ Ofsted are currently running a programme of research to study how schools are managing challenging behaviour.⁶⁹

Special Educational Needs and Disability (SEND) Reform

On 6 September 2019, the Government announced that in addition to the £700 million increase in funding in 2020/21 for children with SEND, it would also conduct a review into the existing support system.⁷⁰ The aims of the review are: to “improve the services available to families”; to equip staff in schools to “respond effectively to their needs”; and to “end the postcode lottery”. The Government said the review will conclude with action to boost outcomes on:⁷¹

- how the system enables children and young people with SEND to prepare for adulthood, including employment;
- how better to help parents make decisions about what kind of support they need;
- making sure support in different local areas is consistent and joined up across education, care and health services;
- balancing state-funded provision across mainstream and specialist places;
- aligning incentives and accountability for schools, colleges and local authorities; and
- ensuring that money is spent in an efficient and sustainable manner.

The review will explore the role of healthcare in SEND in collaboration with the Department of Health and Social Care.

⁶⁷ Department for Education, [‘Prime Minister Boosts Schools with £14 billion Package’](#), 30 August 2019.

⁶⁸ Ofsted, [‘Ofsted is Changing How it Inspects Schools’](#), 20 August 2019.

⁶⁹ Ofsted, [‘HMCI Commentary: Managing Behaviour Research’](#), 12 September 2019.

⁷⁰ Department for Education, [‘Major Review into Support for Children With Special Educational Needs’](#), 6 September 2019.

⁷¹ *ibid.*

Digital, Culture, Media and Sport

Online Harms Bill

In April 2019, the previous Conservative Government published the [Online Harms White Paper](#).⁷² The consultation sought views on the creation of a new regulatory framework intended to eradicate illegal and hateful content online. The consultation addressed a range of problems online, such as child sexual abuse, incitement to violence and terrorism, the sale of illegal products, and online hate crimes and bullying. The white paper proposed to bring technology companies, including social media platforms, under a new system of regulation to make them responsible for the content hosted on their websites. The system would be enforced through the establishment of a new independent regulator.

The consultation ran for twelve weeks and closed on 1 July 2019. The Government stated in the white paper that following “the publication of the Government response to the consultation, we will bring forward legislation when parliamentary time allows”.⁷³ To date, the Government has not published its response or confirmed when an online harms bill will be published.

In September 2019, the Government was asked in a written parliamentary question when it planned to introduce an online harms bill, in order to help tackle Islamophobia online. Answering for the Government, Matt Warman, Minister for Digital and Broadband, did not provide a specific date. However, he stated:

The online harms white paper sets out our plans for world-leading legislation to make the UK the safest place in the world to be online, by making companies more responsible for their users' safety online. We will establish in law a new duty of care on companies towards their users, overseen by an independent regulator. Companies will be held to account for tackling a comprehensive set of online harms, and hate crime is one of the harms in scope of these proposals.⁷⁴

On 3 October 2019, the BBC reported that the National Society for the Prevention of Cruelty to Children (NSPCC) had called on the Government to introduce legislation “in the new year” to prevent the sexual grooming of children online.⁷⁵ The report stated that the “UK Government has indicated

⁷² HM Government, [Online Harms White Paper](#), April 2019, CP 57.

⁷³ *ibid*, p 96.

⁷⁴ House of Commons, [‘Written Question: Religious Hatred: Islam’](#), 3 September 2019, 282391.

⁷⁵ BBC News, [‘Online Grooming: ‘The Most Distressing Experience of My Life’](#)’, 3 October 2019.

it will publish a draft online harms bill early next year".⁷⁶

Birmingham Commonwealth Games Bill [HL]

The [Birmingham Commonwealth Games Bill \[HL\]](#) was subject to a carry-over motion before Parliament was prorogued. The bill would make provision for the hosting of the Commonwealth Games in Birmingham in 2022. The bill was introduced in the House of Lords on 5 June 2019, had completed its report stage in the House of Lords and was awaiting a date for third reading. The motion to carry over the bill into the next session was agreed in the House of Lords on 9 September 2019.⁷⁷

Broadband and 5G

The Prime Minister has stated the Government's intention to invest in the roll-out of high-speed broadband and 'fifth generation' (also known as 5G) cellular communications technology. In his statement to the House of Commons on 25 July 2019, the Prime Minister stated:

By 2050, it is more than possible that the United Kingdom will be the greatest and most prosperous economy in Europe [...] with the road and rail investments that we are making and propose to make now and the investment in broadband and 5G, our country will boast the most affordable transport and technological connectivity on the planet.⁷⁸

Nicky Morgan, Secretary of State for Digital, Culture, Media and Sport, told the 2019 Conservative Party conference:

We will dramatically speed up the rollout of fast, reliable and secure broadband and get gigabit speeds right across the UK—much faster than our previous target [...] 96% of UK premises have access to superfast broadband—but there is much more that we can and will do.⁷⁹

⁷⁶ BBC News, '[Online Grooming: 'The Most Distressing Experience of My Life'](#)', 3 October 2019.

⁷⁷ [HL Hansard, 9 September 2019, col 1295.](#)

⁷⁸ [HC Hansard, 25 July 2019, col 1457.](#)

⁷⁹ Conservative Party, '[Nicky Morgan: Speech to Conservative Party Conference 2019](#)', 30 September 2019.

Welfare

Pensions Schemes Bill

The 2019 spending review stated that the Government's pensions priorities were to:

Ensure older people are able to live with the dignity and respect they deserve by supporting private pension saving and delivering the state pension.⁸⁰

The spending review included additional funding for the Department for Education and the Ministry of Defence to contribute towards the "increased cost of employer pensions contributions".⁸¹ The health and social care funding announced in the spending review did not provide a breakdown of whether a proportion of that funding was allocated to meet the cost of pensions contributions for public sector healthcare workers.

In her speech to the Conservative Party conference, the Secretary of State for Welfare and Pensions, Thérèse Coffey, provided further information on the Government's pensions policy. She stated:

We want to put people in control of their pension pots. We are ensuring the delivery of pensions dashboards so that people can see their savings online and in one place. We will take powers so we can send reckless business owners to jail if they plunder pension pots. And for the employees of the Royal Mail, we will make good on our commitments to help them deliver a new pension fund.⁸²

The commitments made in the statement above are reported to have been included in a draft pensions bill.

Guy Opperman, Minister for Pensions and Financial Inclusion at the Department for Work and Pensions, is reported to have told a fringe event at the 2019 Conservative Party conference that a draft pensions bill was "completely ready and good to go".⁸³ In April 2019, in oral evidence to the House of Commons Work and Pensions Committee, Mr Opperman stated

⁸⁰ HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 21.

⁸¹ *ibid*, pp 10 and 13.

⁸² Conservative Party, '[Thérèse Coffey: Speech to Conservative Party Conference 2019](#)', Conservative Press Office, 30 September 2019.

⁸³ Maria Espadinha, '[Opperman Says Pensions Bill Is 'Good to Go'](#)', *FT Adviser*, 2 October 2019.

that there were “three clear parts” included in the draft bill:

In relation to the pensions bill, the reality is that we are waiting for a new Queen's Speech, because that would be the logical and next stage forward on a pensions bill. There are a variety of matters that one would seek to put into that. Clearly size is an issue, but the three clear parts that I have identified, which I would like to have above all others, would be in relation to the dashboard, the DB [defined benefit pensions] white paper and the TPR [the Pensions Regulator] powers and in relation to CDCs [collective defined contribution pensions]. Those are the three key elements.⁸⁴

The commitment to legislate for the creation of pensions dashboards originated in a public consultation published by the previous Conservative Government in December 2018. The consultation document, [Pensions Dashboards: Working Together for the Consumer](#), stated:

A pensions dashboard is a service which will let people access their pension information in a single place online, in a clear and simple form [...] Government is prepared to legislate to compel pension schemes to provide their data for dashboards, and to take steps to provide state pension data via dashboards.⁸⁵

The Government's response to the consultation, published in April 2019, committed to introduce primary legislation to compel the pensions industry to introduce dashboards.⁸⁶

Following a number of cases of pensions schemes being adversely affected by corporate failures, such as the collapse of British Home Stores (BHS) in 2016, the Government undertook a consultation on the regulation of defined benefit pensions in March 2018.⁸⁷ The consultation proposed a range of reforms, including new powers for the Pensions Regulator and the creation of a criminal offence to punish the “wilful or grossly reckless behaviour” of directors in relation to a defined benefit pension scheme.⁸⁸ The Government's response to the consultation committed to legislate to introduce the reforms.⁸⁹

⁸⁴ House of Commons Work and Pensions Committee, [Oral Evidence: Pension Costs and Transparency, HC 1476](#), 3 April 2019, p 17, Q278.

⁸⁵ Department for Work and Pensions, [Pensions Dashboards: Working Together for the Consumer](#), December 2018, Cm 9719, p 5.

⁸⁶ Department for Work and Pensions, [Pensions Dashboards: Government Response to the Consultation](#), April 2019, CP 75, p 3.

⁸⁷ Department for Work and Pensions, [Protecting Defined Benefit Pension Schemes](#), March 2018, Cm 9591,.

⁸⁸ *ibid*, p 13.

⁸⁹ Department for Work and Pensions, [Government Response to the Consultation on Protecting Defined Benefit Pension Schemes—A Stronger Pensions Regulator](#), February 2019, p 39.

The introduction of collective defined contribution (CDC) pensions has been influenced by a campaign by staff at the Royal Mail and by its union, the Communication Workers' Union.⁹⁰ The Government established a consultation on the feasibility of introducing CDC pensions in November 2018. Unlike a defined benefit pension, in which the pension provider guarantees the individual a specific income at retirement, the consultation document described a CDC pension as a scheme in which contributions "are pooled and invested with a view to delivering an aspired to benefit level".⁹¹ The Government's response to the consultation committed to legislate for the introduction of CDC pensions.⁹² The *Financial Times* reported that Guy Opperman told to a Conservative Party conference fringe event in October 2019 that the draft pensions bill contains "a copious section on collective defined contribution [schemes], with 45, 50 clauses".⁹³

In his evidence to the House of Commons Work and Pensions Committee in April 2019, Mr Opperman stated that a pensions bill had been drafted with broad cross-party support, particularly by working closely with the Shadow Pensions Minister, Jack Dromey.⁹⁴ On 4 July 2019, the *Financial Times* reported that Jack Dromey had told a conference of the Association of Member Nominated Trustees that the draft pensions bill would be a "reduced version", which would not include the full range of reforms proposed in the defined benefit pensions white paper of March 2018.⁹⁵ However, in Guy Opperman's reported comments to the Conservative Party conference fringe event, he indicated that the draft bill would include the commitments made to reform defined benefit pensions.⁹⁶

Bills Lost at Prorogation

At the time of Parliament's prorogation on 8 October 2019, one bill before Parliament related to the welfare system: the [Immigration and Social Security Co-ordination \(EU Withdrawal\) Bill](#). Part 2 of the bill would have made provision for ministers to make regulations to modify retained EU legislation on social security co-ordination after exit day. The bill had been introduced in the House of Commons on 20 December 2018 and it had completed its committee stage. However, the bill fell as a result of prorogation and the Government did not table a carry-over motion. Further

⁹⁰ Department for Work and Pensions, [Delivering Collective Defined Contribution Pension Schemes: Public Consultation](#), November 2018, p 7.

⁹¹ *ibid*, p 8.

⁹² Department for Work and Pensions, [Delivering Collective Defined Contribution Pension Schemes: Government Response to the Consultation](#), March 2019, p 4.

⁹³ Maria Espadinha, '[Opperman Says Pensions Bill Is 'Good to Go'](#)', *FT Adviser*, 2 October 2019.

⁹⁴ House of Commons Work and Pensions Committee, [Oral Evidence: Pension Costs and Transparency, HC 1476](#), 3 April 2019, Q278.

⁹⁵ Amy Austin, '[Pensions Bill Will Be Reduced Version](#)', *FT Adviser*, 4 July 2019.

⁹⁶ Maria Espadinha, '[Opperman Says Pensions Bill Is 'Good to Go'](#)', *FT Adviser*, 2 October 2019.

information on the bill can be found in the House of Commons Library briefing [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Bill 2017–19](#) (25 January 2019).⁹⁷

Welfare: Priorities

The Prime Minister, Boris Johnson, has made few public comments about the welfare system since taking office. In his first statement to the House of Commons as Prime Minister on 25 July 2019, he indicated his support for the continued roll-out of universal credit. The Labour Party has criticised universal credit and stated that it would abolish the policy if it won a general election.⁹⁸ The Prime Minister said:

Labour Members want to scrap universal credit, and I hear what they say, but the old welfare system kept people trapped in benefits. Two hundred thousand people are going to be lifted out of benefits and into work thanks to universal credit, and it has added massively to the incomes of 700,000 families across this country.⁹⁹

The Government's support for universal credit was reiterated at the 2019 Conservative Party conference by the Secretary of State for Welfare and Pensions, Thérèse Coffey. In her speech to the conference she stated that it provided a "safeguard for the most vulnerable in our society".¹⁰⁰ Her speech set out the Government's broader welfare priorities, which were:

- To continue to improve universal credit to ensure people get the money they need in a timely manner, are helped into work, and onto an escalator up to better work.
- To help with the cost of living across the country to ensure that people feel secure in their homes and can support themselves financially.
- To support everyone in society—especially disabled people—so we all can share in the success and prosperity of this country.¹⁰¹

Departmental Spending

The 2019 spending round, announced by the Chancellor of the Exchequer, Sajid Javid, on 4 September 2019, included a 1.9 percent increase in real

⁹⁷ House of Commons Library, [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Bill 2017–19](#), 25 January 2019.

⁹⁸ BBC News, '[Universal Credit: Labour Pledges to Scrap Welfare Scheme](#)', 29 September 2019.

⁹⁹ [HC Hansard, 25 July 2019, col 1479](#).

¹⁰⁰ Conservative Party, '[Thérèse Coffey: Speech to Conservative Party Conference 2019](#)', Conservative Press Office, 30 September 2019.

¹⁰¹ *ibid.*

terms to the resource budget of the Department for Work and Pensions (DWP) from 2019/20 to 2020/21.¹⁰² The spending settlement included a £106 million package to fund the following priorities:

- £40 million additional funding for discretionary housing payments to tackle affordability pressures in the private rented sector in England and Wales;
- £36 million to ensure DWP decision-making is accurate and the application processes are straightforward and accessible, as well as improving safeguarding by creating a new independent serious case panel;
- £7 million to expand Jobcentre advisor support in schools for young people with special educational needs and extending eligibility for Access to Work to internships for disabled people; and
- £23 million to fund a range of other measures, including support for vulnerable claimants and people with complex needs migrating to universal credit, additional outreach activities to support those who are homeless, and increasing the number of armed forces champions to support veterans when entering the labour market.¹⁰³

Responding to the Chancellor's announcement in the House of Commons, the Shadow Chancellor, John McDonnell, criticised the DWP's funding settlement. He stated:

The Chancellor did not have any words for the thousands who are suffering from the brutal roll-out of universal credit—the people we represent who are now queueing up at food banks as a result of the cuts. Traditionally, the spending review concentrates on departmental expenditure limits, rather than social security. I appreciate that. But there was no reason why the Chancellor could not have signalled the Government's intent at least to end the misery and hardship that their policy is causing and to end the roll-out of universal credit as it now is.¹⁰⁴

Sajid Javid defended the real-terms increase in the funding settlement. He claimed the efforts of previous Conservative governments to address the deficit had now made it possible to “end austerity for good”.¹⁰⁵

¹⁰² HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 21. NB: the funding settlement applies to the department's day-to-day resource budget, which is not the source of most welfare spending.

¹⁰³ HM Treasury, [Spending Round 2019](#), September 2019, CP 170, p 21.

¹⁰⁴ [HC Hansard, 4 September 2019, cols 191–2](#).

¹⁰⁵ *ibid*, col 193.