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PARLIAMENTARY DEBATES
(HANSARD)

HOUSE OF LORDS

WRITTEN STATEMENTS AND WRITTEN ANSWERS

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[I] indicates that the member concerned has a relevant registered interest. The full register of interests can be found at <http://www.parliament.uk/mps-lords-and-offices/standards-and-interests/register-of-lords-interests/>

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Ministers and others who make Statements or answer Questions are referred to only by name, not their ministerial or other title. The current list of ministerial and other responsibilities is as follows.

<i>Minister</i>	<i>Responsibilities</i>
Baroness Smith of Basildon	Leader of the House of Lords and Lord Privy Seal
Lord Collins of Highbury	Deputy Leader of the House of Lords and Parliamentary Under-Secretary of State, Foreign, Commonwealth and Development Office
Baroness Anderson of Stoke-on Trent	Whip
Baroness Blake of Leeds	Whip
Baroness Chapman of Darlington	Parliamentary Under-Secretary of State, Foreign, Commonwealth and Development Office
Lord Coaker	Minister of State, Ministry of Defence
Lord Cryer	Whip
Lord Hanson of Flint	Minister of State, Home Office
Baroness Hayman of Ullock	Parliamentary Under-Secretary of State, Department for the Environment, Food and Rural Affairs
Lord Hendy of Richmond Hill	Minister of State, Department for Transport
Lord Hermer	Attorney-General
Lord Hunt of Kings Heath	Minister of State, Department for Energy Security and Net Zero
Baroness Jones of Whitchurch	Parliamentary Under-Secretary of State, Department for Business and Trade and Department for Science, Innovation and Technology and Whip
Lord Kennedy of Southwark	Chief Whip
Lord Khan of Burnley	Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government
Lord Leong	Whip
Lord Livermore	Financial Secretary, HM Treasury
Baroness Merron	Parliamentary Under-Secretary of State, Department of Health and Social Care
Lord Ponsonby of Shulbrede	Parliamentary Under-Secretary of State, Ministry of Justice
Baroness Sherlock	Parliamentary Under-Secretary of State, Department for Work and Pensions
Baroness Smith of Cluny	Advocate-General for Scotland
Baroness Smith of Malvern	Minister of State, Department for Education
Baroness Taylor of Stevenage	Parliamentary Under-Secretary of State, Ministry of Housing, Communities and Local Government
Lord Timpson	Minister of State, Ministry of Justice
Baroness Twycross	Whip
Lord Vallance of Balham	Minister of State, Department for Science, Innovation and Technology
Baroness Wheeler	Deputy Chief Whip

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Written Statements

Thursday, 10 October 2024

Baby Loss Certificates Extension

[HLWS119]

Baroness Merron: I wish to inform the house that an extension to the Baby Loss Certificate Service has been launched.

The Baby Loss Certificate Service is a voluntary scheme to enable parents who have experienced a pre-24 weeks baby or pregnancy loss to record and receive a certificate to provide recognition of their loss if they wish to do so.

Until this extension, this service was only open to parents who experienced a loss since 1 September 2018. We are removing this eligibility restriction so that the service is now available for all historic losses, with no backdate, as well as future losses.

The Baby Loss Certificate Service is not a compulsory certificate, it will remain the choice of all parents how they wish to manage the difficult time around a loss. Its introduction was a recommendation from the [Independent Pregnancy Loss Review](#) published in July 2023, which examined the impact on families of not being able to formally register a baby or pregnancy loss before 24 weeks gestation. So far, over 50,000 certificates have been issued.

Following this announcement, eligibility will now be:

- Either parent (i.e., mothers, fathers, surrogates) who have experienced a pregnancy loss through miscarriage, ectopic/molar pregnancy or termination for medical reasons at less than 24 weeks gestation (i.e. up to 23 weeks plus 6 days gestation), or pre-28 week baby loss (i.e. up to 27 weeks plus 6 days gestation) for losses prior to October 1992.
- Parents resident in England.
- Parents who have experienced a historic pregnancy loss or experience a future pregnancy loss.
- Parents aged 16 years and over.

Ensuring this important service is available for all losses, regardless of how long ago the loss was or when it may occur in the future, demonstrates this Government's commitment to delivering personalised and compassionate care for women, and support for parents who have suffered a baby loss.

Cabinet Committees

[HLWS120]

Baroness Smith of Basildon: My Rt Hon Friend the Prime Minister has made the following statement:

Today I am publishing a Cabinet Committee list. I have placed a copy of the new list in the Libraries of both Houses.

Cambridge Waste Water Treatment Plant Relocation: Development Consent Order Extension

[HLWS121]

Baroness Hayman of Ullock: My Right Honourable Friend, the Secretary of State for Environment, Food and Rural Affairs, Steve Reed MP, has made the following Written Statement:

This statement concerns the application made under the Planning Act 2008 for the proposed development by Anglian Water for the Cambridge Waste Water Treatment Plant Relocation Project.

Under section 107(1) of the Planning Act 2008, the Secretary of State must make his decision within three months of receipt of the examining authority's report unless exercising the power under section 107(3) to extend the deadline and make a statement to the House of Parliament announcing the new deadline. The Secretary of State received the examining authority's report on the Cambridge Waste Water Treatment Plant Relocation Development Consent Order application on 12 July 2024 and the current deadline is 12 October 2024.

The deadline for the decision is to be extended to 12 January 2025 to allow additional time for Defra officials to conduct further consultation on emerging planning policy and analysis of responses to the consultation.

The decision to set a new deadline is without prejudice to the decision on whether to grant development consent.

Forensic Information Database Strategy Board: Annual Report 2023-24

[HLWS115]

Lord Hanson of Flint: My Rt Hon Friend the Minister of State for Policing, Fire and Crime Prevention (Dame Diana Johnson) has today made the following Written Ministerial Statement:

I am pleased to announce that I am, today, publishing the Annual Report of the Forensic Information Database Strategy Board for 2023-24. This report covers the National DNA Database and the National Fingerprints Database.

The Strategy Board Chair, DCC Ben Snuggs, has presented the Annual Report to the Home Secretary (under section 63AB(7)). Publication of the Report is a statutory requirement under section 63AB(8) of the Police and Criminal Evidence Act 1984 as inserted by section 24 of the Protection of Freedoms Act 2012.

The report highlights the continued, fundamental importance of fingerprints and DNA in solving crimes and the key part these biometrics play in bringing offenders to justice, keeping the public safe and preventing harm to potential future victims. I am grateful to the Strategy Board for their commitment to fulfilling their statutory functions.

The report has been laid before the House and copies will be available from the Vote Office. It will also be available on Gov.UK.

Infected Blood Compensation Authority: Independent Member Appointments

[HLWS118]

Baroness Twycross: My Right Honourable friend, the Paymaster-General and Minister for the Cabinet Office, the Rt Hon. Nick Thomas-Symonds MP, has today made the following statement:

I should like to inform the House that I have appointed three interim Non-Executive Board Members to the Infected Blood Compensation Authority under Part 3 of the Victims and Prisoners Act 2024:

- Russell Frith, appointed as an Interim Audit and Risk Board Member, effective from 1st October 2024 until 1 October 2025;
- Deborah Harris-Ugbomah, appointed as an Interim Commercial Board Member, effective from 1st October 2024 until 1 October 2025; and
- Paula Sussex, appointed as an Interim Digital and Data Board Member, effective from 1st October 2024 until 1 October 2025.

Sir Robert Francis KC, the interim Chair of the Infected Blood Compensation Authority, has also appointed three interim Non-Executive Board Members:

- Sir Robert Behrens, appointed as an Interim Community Engagement Board Member, effective from 1st October 2024 until 1 October 2025;
- Helen Parker, appointed as an Interim Community Engagement Board Member, effective from 1st October 2024 until 1 October 2025; and
- Gillian Fairfield, appointed as an Interim Medical Board Member, effective from 1st October 2024 until 1 October 2025.

These short-term appointments will support the Infected Blood Compensation Authority to deliver compensation to people who are infected and affected in a timely manner. An open and fair recruitment process will commence in 2025 to fill these posts substantively.

The Government is absolutely committed to acting on the findings of the Infected Blood Inquiry and today's announcement is progress towards that collective aim. I will continue to update the House as we progress work to deliver long overdue compensation to people infected and affected as a result of the Infected Blood Scandal.

Long-duration Electricity Storage Consultation: Government Response

[HLWS114]

Lord Hunt of Kings Heath: My hon. Friend the Minister for Energy Security and Net Zero (Michael Shanks MP) made the following Statement today:

This government is committed to making Britain a clean energy superpower. I am announcing a further important step enabling this mission: a decision to introduce a cap and floor regime to support investment in the next generation of Long Duration Electricity Storage (LDES) assets.

Our national mission to achieve clean power by 2030 and accelerate to net zero will require the capability to store energy when it is abundant and used when supply is scarce. LDES technologies, which include Pumped Storage Hydropower (PSH) as well as new, innovative solutions like Liquid Air Energy Storage (LAES), are designed to store large quantities of excess electricity, such as that generated by solar and wind during periods of high output, and then supply it back to the grid over periods of several hours or days when it is most needed.

Low carbon long-duration flexibility technologies such as LDES will be pivotal in meeting and maintaining our clean power needs and electricity demand grows. LDES will also diversify our technology mix, giving us greater resilience. And by using renewable energy that can be stored, LDES can help the UK move towards energy independence. Analysis commissioned by government found that in central scenario 20GW of LDES resulted in electricity system savings of £24bn by 2050. This represents a saving to consumers of 3.5% of the total system costs.

However, despite the clear benefits of LDES and the potential for significant expansion, it has been almost forty years since any meaningful new sites were commissioned. This is partly due to uncertainty faced by investors in committing to these complex, long-term projects that have high upfront costs despite having low operating costs. In January 2024, under the previous government, a consultation was published exploring the introduction of an LDES cap and floor investment mechanism. Today I am announcing the publication of the government response to this consultation, in which we set out our decision to introduce a cap and floor investment mechanism.

A cap and floor mechanism is an established way to provide investor confidence and enable investment decisions to be made by project developers. It does this by providing revenue protection (via the revenue floor which is set at a low level) whilst offering benefits to consumers in return by regulating revenue (via the revenue cap). A similar approach has been used successfully to deliver several critical electricity interconnector projects – cables that allow us to trade electricity with overseas markets – without a revenue floor ever being triggered. We are also announcing that Ofgem has also agreed to expand its role in regulating LDES assets, by becoming the investment framework delivery body for LDES, building on their existing role and expertise in already delivering the cap and floor mechanism for electricity interconnection projects.

I would like to thank stakeholders who have taken the time to respond to the previous consultation. My officials will continue working at pace alongside Ofgem to

facilitate Ofgem implementing the investment framework as soon as possible. Following this response, we expect the publication of a technical decision document this winter, along with documents by Ofgem as the LDES regulator and investment framework delivery body. We intend for Ofgem to be able to open the investment support scheme to applications from LDES developers in 2025.

Office of Trade Sanctions Implementation

[HLWS117]

Baroness Jones of Whitchurch: My Right Hon Friend the Secretary of State for Business and Trade (Jonathan Reynolds MP) has today made the following statement:

Today (10th October 2024), the Department for Business and Trade (DBT) launches the Office of Trade Sanctions Implementation (OTSI). OTSI is a new unit, equipped with enhanced powers, to strengthen the implementation and enforcement of trade sanctions.

Following Russia's full-scale invasion of Ukraine, the UK imposed sanctions against Russia on an unprecedented scale. These sanctions have deprived Russia of more than \$400bn since February 2022. By one estimate, that's equivalent to four more years of funding for the invasion. The creation of OTSI will help ensure that the UK's trade sanctions regimes have maximum impact.

The Trade, Aircraft and Shipping Sanctions (Civil Enforcement) Regulations 2024, which come into force on 10th October 2024, grant OTSI new civil enforcement powers, which complement HMRC's existing powers to enforce trade sanctions. While HMRC continues to be responsible for enforcement in relation to goods and technology that cross the UK border, OTSI will lead on the enforcement of:

- the provision or procurement of sanctioned services;
- moving, making available, or acquiring sanctioned goods outside the UK (where a UK person is involved);
- transferring, making available or acquiring sanctioned technology outside the UK (where a UK person is involved);
- providing ancillary services to the movement, making available or acquisition of sanctioned goods outside the UK (where a UK person is involved); and
- providing ancillary services to the transfer, making available or acquisition of sanctioned technology outside the UK (where a UK person is involved).

The Office of Financial Sanctions Implementation in HM Treasury remains responsible for enforcement of the oil price cap, alongside its implementation of financial sanctions.

With this new enforcement toolkit, OTSI can impose Civil Monetary Penalties and has powers to request, share, and publish information about sanctions breaches. There are also new reporting obligations for financial services, money services businesses and legal service

providers. These will help OTSI to detect and investigate suspected breaches.

A key part of ensuring UK sanctions are effective is improving compliance. As well as tackling breaches when they occur, OTSI is being established to help UK businesses comply with their obligations under UK trade sanctions, through engagement with industry and by providing information and guidance. OTSI will also deliver the sanctions licensing function for standalone services, including professional and business services.

The Department for Transport (DfT) will lead on civil enforcement in relation to aircraft and shipping sanctions. The Trade, Aircraft and Shipping Sanctions (Civil Enforcement) Regulations 2024 also confer powers on the Secretary of State for Transport to request and share information, impose a civil monetary penalty, and to publish information about a breach of aircraft or shipping sanctions where a penalty has, or could have been, imposed. The legislation also places obligations on certain persons to report known or suspected breaches to DfT.

The UK's sanctions framework was severely tested by the unprecedented scale and scope of the sanctions we have imposed on Russia since 2022. This step change in how we use sanctions revealed areas which required further strengthening, including the need for civil enforcement powers for certain trade sanctions breaches. This government is committed to maximising the effectiveness of UK sanctions, including through significantly strengthening our sanctions enforcement tools. Launching OTSI and equipping it, and DfT, with an enhanced enforcement toolkit demonstrates that commitment.

Plan to Make Work Pay and Employment Rights Bill

[HLWS116]

Baroness Jones of Whitchurch: My Rt Hon Friend the Secretary of State for Business and Trade (Jonathan Reynolds MP) has today made the following statement:

The Plan to Make Work Pay sets out a significant and ambitious agenda to ensure workplace rights are fit for a modern economy, empower working people, and contribute to economic growth. Today, the Government is fulfilling the Manifesto commitment to bring forward legislation within 100 days of entering office by introducing the Employment Rights Bill.

Upgrading the UK labour market so it is fit for our modern economy is a key step to kickstarting economic growth, alongside other planks of our modern supply side approach, including planning reform, kickstarting a skills revolution, a modern industrial strategy and a plan to tackle inactivity. The Bill will support the Government's mission to increase productivity and create the right conditions for long-term sustainable, inclusive, and secure economic growth by giving the British public the work, wages, prosperity, security, dignity, and the living standards that everyone in Britain needs and deserves. This is a comprehensive Bill which, once implemented,

will represent the biggest upgrade in employment rights for a generation. It will raise the minimum floor of employment rights, raise living standards across the country and provide better support for those businesses who are engaged in good practices.

Benefits of the Employment Rights Bill

This is a pro-worker, pro-business plan. The Government will tackle head-on the issues within the UK labour market that are holding Britain back. The Plan to Make Work Pay sets out a vision for modern and fair employment protections that will set the country up for the future.

Supporting families

Many businesses already provide good, family-friendly conditions for their workers because they know that doing so improves productivity, morale, and retention. This Bill will increase the baseline set of rights for employees with parental or other caring responsibilities, enabling more working parents to get on at work, and achieve a better work life balance – whether that's raising children, improving their own wellbeing, or looking after a loved one with a long-term health condition. Businesses will gain too where this boosts increased workforce participation, helping employers fill vacancies. Measures will increase the likelihood of a request for flexible working arrangements to be granted, introduce day one entitlement to paternity leave and unpaid parental leave, and introduce a statutory entitlement to Bereavement Leave.

Despite existing protections, we know it isn't always a level playing field, and too many women are being held back at work. By expanding Gender Pay Gap reporting requirements, requiring large employers to produce action plans on how to address their gender pay gaps and support employees through the menopause, and strengthening rights for pregnant workers and new mothers, this Bill will put gender equality front and centre of our employment legislation. These measures will support women's employment participation and tackle the gender pay gap.

Improving rights and addressing one-sided flexibility

Too many workers experience low paid, insecure and poor-quality work. This Government believes that all workers should be able to enjoy fair rights, benefits and security in the workplace, no matter who they work for. The Government intends to support businesses so they are no longer undercut by those with low standards. By introducing day one protection from Unfair Dismissal (while allowing employers to operate probation periods), increasing protection from sexual harassment in the workplace, ending unscrupulous fire and rehire and fire and replace practices, strengthening rights and requirements for collective redundancy consultation, and banning exploitative zero hours contracts, we will raise the bar for workers and provide a baseline of security in work. The Plan to Make Work Pay sets out a vision for better, modernised, and fairer employment protections that will set the country up for the future.

Improving take home pay and conditions at work

We have already made progress in championing fair pay by changing the Low Pay Commission's remit to take into account the cost of living for the first time. The Bill will go further, introducing powers to create a Fair Pay Agreement in the adult social care sector, and reinstating the School Support Staff Negotiating Body. We will also be reinstating and strengthening the two-tier code for public sector contracts, helping ensure that employees working on outsourced contracts will be offered terms and conditions no less favourable to those transferred from the public sector. We will strengthen Statutory Sick Pay, removing the Lower Earnings Limit to make it available to all employees, and removing the waiting period so that SSP is paid from the first day of sickness absence.

A better enforcement system

Whilst the vast majority of employers champion the spirit of good business and workers' rights, some fall short. By bringing together the various agencies and enforcement bodies that enforce employment rights into the new Fair Work Agency, we will ensure that where employers are not doing what is right, a simplified and strengthened enforcement system will protect workers and ensure justice in the workplace.

Voice at work

This Government believes that workers should have a voice at work, and trade unions are essential for tackling insecurity, inequality, and low pay. That is why this Bill will focus on strengthening the rights of trade union representatives and bring archaic and prohibitive trade union legislation into the 21st century. We are bringing forward multiple measures to protect workers from dismissal and blacklisting for trade union activity, ensure workers understand their right to join a trade union, to simplify the statutory recognition process, and to bring in a new right of access for union officials to meet, represent, recruit, and organise members in workplaces. As previously announced, we will repeal the Strikes (Minimum Service Levels) Act 2023 and the Trade Union Act 2016.

The Plan to Make Work Pay was developed through close engagement with business and trade unions, and we are committed to continuing with this approach through full and comprehensive consultation on the implementation of the plan.

Next Steps to Make Work Pay

The Government is committed to implementing its Plan to Make Work Pay in full. Not all of the commitments within Make Work Pay require primary legislation to implement; in many areas the Government has existing powers to deliver on commitments through secondary legislation and non-legislative means. In addition, the Government has been clear that some parts of the plan will take longer to review and implement. In order to provide Parliament, workers and business clarity on how Government intends on delivering on the plan, it is today publishing the *Next Steps to Make Work Pay* paper. This sets direction and gives businesses and workers

confidence in our long-term programme of work. Work is already under way to prepare consultations on several aspects of the plan.

As is typical with employment legislation, further detail on many of the policies in the Bill will be provided through regulations after Royal Assent. We expect to begin consulting on these reforms in 2025, seeking significant input from all stakeholders, and anticipate this meaning that the majority of reforms will take effect no

earlier than 2026. Reforms of unfair dismissal will take effect no sooner than Autumn 2026. We will continue working with partners right up to implementation. Advice and support will be available to businesses to support this.

The Government will continue to work hand in hand on these changes with business, trade unions and civil society in a spirit of partnership to get Britain moving again.

Written Answers

Thursday, 10 October 2024

Gastrointestinal System: Health

*Asked by **Baroness Ritchie of Downpatrick***

To ask His Majesty's Government what assessment they have made of the impact of prohibiting the use of the term probiotic in promotional material on public awareness of how to maintain good gut health. [HL899]

Baroness Merron: Probiotic is a term commonly used to describe the effect of one or more strains of live bacteria used in food and food supplements. The Department has not made any assessment of the impact of prohibiting the use of the term probiotic.

The Department's view is that the term probiotic would be considered a health claim. A health claim is any claim

that states, suggests, or implies that health benefits can result from consuming a given food. Regulations governing the use of nutrition and health claims on foods require health claims to be authorised before they can be used on food or in a commercial context. The authorisation process involves scientific assessment of substantiating evidence. These regulations are in place to protect consumers from being misled by ensuring any health claims made are backed by robust scientific evidence.

The term probiotic would only be permitted as a health claim if a health claim is authorised for a specific strain of live bacteria. There are currently no such authorised health claims. The established process for authorising health claims allows industry to submit an application for a new health claim, and should they be authorised for a strain of live bacteria, then it could be possible to use the term probiotic.

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