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HOUSE OF COMMONS
OFFICIAL REPORT

PARLIAMENTARY DEBATES

(HANSARD)

Tuesday 11 March 2025

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The House met at half-past Eleven o'clock

PRAYERS

[Mr Speaker *in the Chair*]

Oral Answers to Questions

JUSTICE

The Secretary of State was asked—

Criminal Justice System Efficiency: Technology

1. **Shaun Davies** (Telford) (Lab): What steps her Department is taking to use technology to improve the efficiency of the criminal justice system. [903108]

The Lord Chancellor and Secretary of State for Justice (Shabana Mahmood): This Government inherited an analogue justice system that has not kept pace with a digital world. Technology can and must transform the justice system. Since taking office, we have expanded the use of tagging; we are piloting new technology to automate manual work in the justice system; and I have launched a new unit, Justice AI, to further develop the use of artificial intelligence.

Shaun Davies: The recent announcement of 110,000 sitting days is welcome, but we need to use technology to streamline our justice system. Between 2016 and 2022, we saw a 25% reduction in cases being concluded. What plans do the Government have to use emerging new tech to enhance court processing, get faster justice for victims, and help manage offenders in the community, including through ankle tagging to enforce exclusion zones, and drug and alcohol testing?

Shabana Mahmood: My hon. Friend raises an incredibly important point. We need to make sure that the whole justice system, including what happens in our criminal courts, is as efficient as it can be. That is why I have commissioned Sir Brian Leveson to conduct an independent review of the criminal courts. He will consider how to improve the courts' efficiency, and we will report on that later in the year. There will be, I believe, a wider role for technology to play in tagging and monitoring of exclusion zones and curfews. I want to make sure that the justice system is in the best possible position to make use of emerging technology, so that we can keep our country safe.

Sir Jeremy Wright (Kenilworth and Southam) (Con): The Lord Chancellor will accept that the effective use of electronic tags will not only make the criminal justice system more efficient, but mitigate the need for expensive prison places. Does she agree that two things are necessary for that effective use? First, the tags must be technically reliable; secondly, officials in her Department must have the commercial capacity to manage the contracts efficiently. If she agrees, what can be done to improve both those things?

Shabana Mahmood: The right hon. and learned Gentleman raises two incredibly important points. There will be a bigger role for current, new and emerging technologies in the future of our justice system, particularly in expanding the range of punishment available to us outside of prison. I want to make sure that we are at the forefront of getting the best use of our current technology and emerging tech. He is absolutely right about making sure that any commercial contracts are value for money and maintain public confidence. I am ensuring that, across the Department, we have expertise available to us, which is why the new unit that I have set up, Justice AI, will be so crucial to our efforts.

Mr Speaker: I call the shadow Secretary of State.

Robert Jenrick (Newark) (Con): Under the Justice Secretary's leadership, her Department let out dozens of dangerous prisoners by mistake last year. Now we have uncovered that criminals who were let out early by her Department were not monitored for up to eight weeks, as they were not fitted with electronic tags. It is another glaring error. Will the Justice Secretary clear up some confusion? How many criminals did her Department fail to tag? Were any offences committed while these criminals went unmonitored, and who has been held accountable for this gross incompetence?

Shabana Mahmood: I am really concerned for the health of the shadow Justice Secretary, because he appears to have amnesia; he has forgotten who was in government just a few short months ago. He appears to have entirely forgotten that it was the previous Government who let the tagging contract to Serco, which I have inherited. I have made it clear that the delays that we have seen are totally unacceptable. Although the backlog has been significantly reduced, Serco's performance is still not good enough, and although last year's backlog of outstanding visits has been substantially reduced—it is down to normal levels—I will continue to hold it to account and will not hesitate to impose further financial penalties where necessary.

Robert Jenrick: We can all see that the Justice Secretary had no answers to my questions. If her Department cannot even tag prisoners properly, why should the public have any confidence in her plan to use tags in place of short prison sentences? The threshold for a prison sentence is already high. Often, criminals have committed multiple offences before they are first considered for prison, which is why scrapping short sentences will endanger the public and will serve as a green light for criminality. Will the Justice Secretary take this opportunity to reassure the public and rule out reducing sentences for burglary, theft or shoplifting? It is a simple question—yes or no?

Shabana Mahmood: The public will know that when the right hon. Gentleman's Government left office, prisons were on the point of collapse. They can have confidence that this Government will fix the mess that his party left behind. We will ensure that prison places are always available for everyone who needs to be locked up to keep the public safe. We will expand the range of

punishment outside prison and, crucially, we will ensure that those who enter the prison system can be helped to turn their back on crime. That is the best strategy for cutting crime, and one that his party never chose.

Justice Estate: Springhill Road

2. **Greg Smith** (Mid Buckinghamshire) (Con): Whether she plans to release land owned by her Department at Springhill Road to the Springhill Road Residents Association. [903109]

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): As the hon. Member will know from his meeting with the Minster for Prisons in the other place, currently there are no plans to release land at Springhill Road. The Ministry of Justice is working closely with local representatives to ensure that we bring benefits to the local community as part of the new prison build.

Greg Smith: I am grateful for the Minister's answer, and for the Prisons Minister's time last summer. Notwithstanding our local opposition to a new prison, it is an absurdity that has been going on for years that the MOJ owns the greens, the lampposts and the public lighting on the Springhill Road estate adjacent to HMP Spring Hill, even though they are of no use to the MOJ and there is no benefit to the prison estate. The residents' association is willing to take those greens and care for them, so that kids can play on them and residents can use them. Will the Minister look again at getting the land transferred, because it is of no benefit to him or his Department?

Sir Nicholas Dakin: Under the last Government, only 500 prison places were created. By contrast, the last Labour Government delivered 27,830. The Lord Chancellor has set out her ambition to deliver 14,000 new places by 2031. Almost 1,500 of those will be provided by the new prison in the hon. Gentleman's constituency. If he writes to me about the specific concerns of the residents' association, I will be happy to respond.

Defendants Absconding before Trial

3. **Robbie Moore** (Keighley and Ilkley) (Con): What steps she is taking through the criminal justice system to help prevent defendants absconding before their trial. [903110]

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): The decision to remand or bail an individual is solely a matter for the independent judiciary. Courts are required to considered the likelihood of absconding as part of that decision. The courts have the power to impose a broad range of robust bail conditions in the bail package, including electronic monitoring, exclusion zones and curfews. This Government are committed to ensuring that criminals face justice and victims have peace of mind and closure.

Robbie Moore: After the conviction of eight men for a string of horrendous child rapes in my constituency, I would like to be able to inform the Secretary of State that all those men were now serving their just punishment. However, two of them absconded from their trial and are believed to be abroad. Their exact whereabouts are an open secret in Keighley. It is a shocking failure of the justice system that those men are still walking free. Does the Minister agree that if a dual or foreign national is charged with disgusting child rape crimes, courts should be required to put terms on their bail that prevent them from leaving the country during their trial, so that they cannot walk free after their horrendous, heinous crimes?

Sir Nicholas Dakin: I understand that the case to which the hon. Gentleman refers took place under the last Government, and the men he referred to were tried in absentia. The Home Secretary set out the steps that the Government are taking to tackle the terrible crimes of child sexual exploitation and abuse, including group-based child sexual exploitation. Through the Crime and Policing Bill, we are legislating to make grooming an aggravating factor in the sentencing of child sexual offences, to ensure that it is properly reflected in the sentencing of perpetrators.

Court Transcript Costs

4. **Liz Jarvis** (Eastleigh) (LD): What steps she is taking to reduce the cost of court transcripts for victims. [903111]

The Minister of State, Ministry of Justice (Sarah Sackman): The Government recognise just how important accessing transcripts can be for certain victims. That is why transcripts of sentencing remarks are available free of charge to the families of victims of fatal road offences, murder and manslaughter. It is also why this Government are running a one-year pilot that offers free sentencing remarks to victims of rape and sexual offences. That is due to conclude in May. We are also looking in the round at how we lower the cost of obtaining a court transcript through increased use of technology.

Liz Jarvis: The previous Government launched a pilot scheme to provide free sentencing remarks to victims of sexual violence. However, thousands of eligible survivors only found out about it months after it started. Poor communication meant that victims missed out on the opportunity for some closure. Will the Justice Secretary confirm whether the pilot has been properly evaluated, whether its findings will be made public, and what steps will be taken to improve awareness and accessibility for those who need to use the scheme?

Sarah Sackman: The hon. Member is absolutely right that initially there was not enough uptake. The Government acted to drum up awareness of the scheme precisely because we want to test its effectiveness for victims of rape and serious sexual offences. I reassure her that application numbers are up. We are conducting the evaluation, and once we have the results, we will be able to test whether we can implement the scheme in the future.

Knife Crime: Victims

5. **Richard Baker** (Glenrothes and Mid Fife) (Lab): What steps her Department is taking to help support victims of knife crime through the criminal justice system. [903112]

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): The Ministry of Justice provides funding for victim support services to help victims recover from the impact of crime, including knife crime. The Government have committed to the creation of a new programme, Young Futures, which will offer support to children who are at risk of being drawn into crime in a more systemic way.

Richard Baker: Does the Minister agree that the support she has outlined for the victims of knife crime will continue to be essential in our justice system, and that it is essential to work alongside devolved Administrations to raise awareness of the tragic impact of knife crime on communities across the UK? Communities in Glenrothes and Mid Fife feel particularly strongly about knife crime, and about the sale of knives online, following deeply concerning knife offences involving young people.

Alex Davies-Jones: I thank my hon. Friend for that really important question. As a Member of Parliament representing a devolved nation, I wholly agree. It is important that we work across the board to tackle this issue, which is not solely about England; all of us must do better. The Government are taking firm action and putting in place stronger consequences for carrying a knife. They are also cracking down on the sale of dangerous knives, and have announced Ronan's law, a range of measures that will include stricter rules for online retailers selling knives.

Ben Obese-Jecty (Huntingdon) (Con): I welcome the steps that the Government are taking to address knife crime, and anything that can be done to reduce the number of young people who are drawn into this type of violence. How will the new offence of possessing a knife with violent intent differ from existing legislation relating to possession of an article with a blade or point, or possession of an offensive weapon? How far will the law go when it comes to proving intent? Will it refer only to the posture of the individual when arrested—for example, they may have been caught in the act of a machete-style fight—or will it have regard to other factors, such as someone appearing in a scoreboard video on social media?

Alex Davies-Jones: I welcome that question. My understanding is that the hon. Member is a member of the Crime and Policing Bill Committee that will be scrutinising the legislation.

Ben Obese-Jecty *indicated dissent.*

Alex Davies-Jones: Is he not? I will welcome engagement with him, though, and his scrutiny as the legislation progresses through the House. The Government are increasing penalties for illegal sales of knives, and are funding a new online police co-ordination hub, which will take action against illegal knife and weapon content online. We also intend to consult later this year on the registration scheme for the online selling of knives. A lot of work is being done in this space, and I look forward to engaging with him further on it.

Violence against Women and Girls

6. **Katie White** (Leeds North West) (Lab): What steps her Department is taking to help tackle violence against women and girls. [903113]

11. **Adam Thompson** (Erewash) (Lab): What steps her Department is taking to help tackle violence against women and girls. [903118]

14. **Patrick Hurley** (Southport) (Lab): What steps her Department is taking to help tackle violence against women and girls. [903121]

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): First, I want to acknowledge something horrific that happened in my constituency over the weekend. In Talbot Green, my constituent Joanne Penney was tragically shot and killed on Sunday night. I pay tribute to the police, who took swift action, and my thoughts are of course with the victim, her friends and her family. She will be mourned by our whole community. Her loss has been deeply felt.

The Government have made an unprecedented commitment to halving violence against women and girls in a decade. That is underpinned by our new strategy, which will be published shortly. We have introduced new offences of creating deepfake intimate images and taking intimate images without consent. We have also launched a new domestic abuse protection order in selected areas, including in Cleveland just last week, and we are determined to do more.

Katie White: I am sure that the thoughts of the whole House are with the Minister's constituent Joanne, and I am sorry for that loss. The scale of violence against women and girls in my constituency of Leeds North West and across the country is intolerable. Our manifesto commitment to halve violence against women and girls by the end of the decade, which the Minister mentioned, is much needed and ambitious. How will her Department contribute to delivering this critical commitment? Specifically, what steps does her Department plan to take to reduce the backlog of domestic violence cases, and to support victims of domestic abuse?

Alex Davies-Jones: The Government are determined to meet our ambitious target of halving violence against women and girls over the course of a decade. I proudly co-chair our cross-Government working group with the Under-Secretary of State for the Home Department, my hon. Friend the Member for Birmingham Yardley (Jess Phillips), to look at how we can bring every Government Department to the table. This issue is not just for the Ministry of Justice or Home Office to tackle; the onus is on all of us—every Department and all of society—to do better if we are to reach the target.

We have funded a record number of Crown court sitting days to hit the backlog and tackle it head-on. The majority of domestic abuse cases are heard in the magistrates court, and we are determined to do more to reach vulnerable victims.

Adam Thompson: May I thank the Minister for her answer, and also extend my thoughts to Joanne's family and friends?

In recent years, women and girls have increasingly expressed distrust in the ability of the justice system to resolve cases of violence and sexual harassment, as so few of those events result in prosecution. What steps is the Minister taking to restore trust in the justice system, so that my constituents in Erewash know that they have somewhere to turn when they are targeted by such hate crimes?

Alex Davies-Jones: As part of this Government's safer streets mission, we have committed to improving confidence in the police and the criminal justice system. We will introduce specialist rape and sexual offence teams in every police force, as well as domestic abuse experts in 999 control rooms. We will also give victims of adult rape access to an independent legal adviser to help them understand and uphold their rights from day one. I want every victim, whether in Erewash or in Pontypridd, to know that they are heard, and that this Government support them.

Patrick Hurley: May I associate myself with colleagues' comments about the tragic events in the Minister's constituency?

Back in 2021, a young woman in my constituency was the victim of an alleged assault. Even now, in 2025, she advises that there has been no trial, and she worries that she could run into the accused around town. What can be done to expedite such cases in which violence is alleged, to better protect our citizens and ensure that our streets are safe from crime?

Alex Davies-Jones: The Government are committed to bearing down on the caseload and bringing waiting times down for victims. Since July, we have put more funding into Crown courts, so that they will have their greatest capacity ever, and we have doubled magistrates' sentencing powers to free up time for the Crown courts, so that they can hear the most serious cases. We have also commissioned Sir Brian Leveson to recommend once-in-a-generation reforms to our criminal courts, and we look forward to receiving his report in the spring.

Munira Wilson (Twickenham) (LD): I recently met a distressed constituent who escaped a very abusive marriage, only for the courts to order a financial settlement that allows her ex-husband to still exert financial control over her. I was shocked to discover that the financial remedies court relies on outdated legislation—the Matrimonial Causes Act 1973, which does not allow domestic abuse to be taken into consideration in a settlement. What consideration has the Minister given to the Law Commission's recent scoping report on the issue, which recommends significant reform?

Alex Davies-Jones: This Government are determined to tackle all forms of abuse, including financial abuse. I am aware of the report that the hon. Lady mentions. We are considering the findings closely, and will report back soon.

Lee Anderson (Ashfield) (Reform): I went to visit a lady in Ashfield who had been beaten black and blue and then locked in a cupboard by her boyfriend. He was arrested and she made a statement, but because of his controlling behaviour in the relationship—he was in control of the finances and was also her employer—she had him back. When she finally had the courage to kick him out, the police would not prosecute the man. What can this Government do to ensure that women who are victims of these animals can go to the police at any time, even when their partner has gone?

Alex Davies-Jones: I apologise for the horrific circumstances that the hon. Gentleman's constituent found herself in; that is intolerable, and no victim in our country—no woman or girl—should ever feel that way. If he wants to write to me with the specifics of the case, I will gladly look into it more closely. This Government are determined to restore faith and justice in the criminal justice system as a whole: in policing, our courts, our probation service—every element of it, from the bottom up and the top down. I look forward to hearing more from the hon. Gentleman on that case.

Clive Jones (Wokingham) (LD): The impact of Crown court delays on victims, victims' services and the wider criminal justice system is troubling to many. One of many affected Wokingham residents is a survivor of domestic violence and sexual assault that began three decades ago. She has had numerous court hearings adjourned. Will the Minister tell my constituents how these injustices will be ended?

Alex Davies-Jones: This Government inherited a justice system in crisis, with record Crown court caseloads that continue to rise. That has had an impact on far too many victims, including the hon. Gentleman's constituent. Since July, we have put more funding into Crown courts, so that they will have their greatest capacity ever, and we have doubled magistrates' sentencing powers, so that Crown courts can focus specifically on serious crimes. We are committed to bearing down on that caseload and bringing waiting times down, while also protecting victims' funding and introducing domestic abuse protection orders to protect victims in pilot areas.

Mr Speaker: I call the Liberal Democrat spokesperson.

Josh Babarinde (Eastbourne) (LD): On behalf of the Liberal Democrats, I start by associating myself with the comments made at the beginning in relation to Joanne. So many victims and survivors rely on the victim contact scheme to know when their abuser is being released from prison or moved to an open prison and to have input into the kind of conditions that should exist when they are released. However, the system that we have inherited from the last Government is such that only survivors whose abusers have been convicted for more than 12 months qualify for the scheme. In the upcoming Victims, Courts and Public Protection Bill, will the Minister commit to scrapping that threshold so that all victims and survivors can qualify for the scheme?

Alex Davies-Jones: We are looking carefully at the victim notification scheme as part of any forthcoming legislation, to ensure that victims' rights are taken into full consideration and that victims are aware of the situation if that is deemed appropriate. I look forward to working with them closely, and I have no doubts about how we should develop the best and strongest possible laws to support the victims of all crimes in our country.

Prison Leavers: Resettlement

7. **Bobby Dean** (Carshalton and Wallington) (LD): If she will make an assessment of the potential merits of ensuring that all prison leavers receive resettlement support from mentors. [903114]

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): The Ministry of Justice recognises the benefits of mentoring in resettlement and is currently reviewing our approach to peer mentoring to make sure it is consistent and effective. There are many excellent organisations delivering a range of peer-led rehabilitation support, including Ingeus, Wizer and the Wise Group.

Bobby Dean: At my surgery a couple of weeks ago, I had two fantastic volunteers show up from Sutton Night Watch, a local homeless charity. They had been working with prisoners, both before and after they left their cells, to help them reintegrate into the community. They are doing fantastic work, but they now need to expand. They need more space and more people. Can the Minister explain what support is available to volunteers like them to help them to do their work with prisoners?

Sir Nicholas Dakin: I applaud the work that the hon. Member describes. It is certainly the sort of work that needs to continue. Overall, the levels of homelessness and rough sleeping that we have inherited are far too high. We are working closely with the Ministry of Housing, Communities and Local Government to develop a long-term strategy to put us back on track to end homelessness. If he wishes to write to me about that particular case, I will follow it up.

Mr Speaker: I call the Chair of the Select Committee.

Andy Slaughter (Hammersmith and Chiswick) (Lab): As part of the Justice Committee's work on rehabilitation, I have come across some excellent projects on preventing reoffending, such as Revolving Doors, Peer Support and Key4Life, that use reformed ex-offenders as mentors. On a visit to Wormwood Scrubs prison last month, I saw the Right Course restaurant, which gets almost 60% of its trainees into employment on release. What are the Government doing to support and expand successful rehabilitation projects like these?

Sir Nicholas Dakin: I thank the Chair of the Select Committee for his identification of these very good actions that are going on within the prison estate. The Prison Service is keen to encourage all this sort of activity, and I will follow this up with my hon. Friend directly.

Mr Speaker: I call the shadow Minister.

Dr Kieran Mullan (Bexhill and Battle) (Con): I welcome the efforts to help prison leavers to reintegrate, but I am concerned that this Government will soon be keeping people out of prison who should be there as part of their proper punishment for offending. The Government commissioned a sentencing review running on that very premise, and that review recently released its interim report. Can the Minister point to anywhere in that entire 65-page report that has anything to say about the evidence of what victims want?

Sir Nicholas Dakin: The sentencing review's interim report describes the situation at the moment, and it is the first stage of that independent review's addressing this long-standing issue. Frankly, this is something that the Conservatives spent the last 14 years avoiding tackling. That is—*[Interruption.]* I will leave it there.

Dr Mullan: The House will have heard very starkly that the Minister did not offer me any clarity. I can help him by telling him that there is not one word anywhere on the expectations of victims of crime and their families—*[Interruption.]* Not one word. Worse than that, it cherry-picks evidence from reports to support a narrative that an ill-informed public do not know what they want and do not understand. Does the Minister agree that for that review to have any credibility whatsoever, it must engage seriously with what victims and the public want when it comes to the use of prison for the punishment of serious offenders?

Sir Nicholas Dakin: We heard fully the commitment from the Under-Secretary of State for Justice, my hon. Friend the Member for Pontypridd (Alex Davies-Jones), and the Lord Chancellor that victims are front and centre of our approach to fixing the mess that the Conservatives left us. There is a victims representative on the panel, as the hon. Member well knows. Victims were fully involved and engaged in this. I have sadly met too many victims in this role, and I have encouraged all of them to contribute to the report and committed to them that they will be fully involved in the implementation of the report. Instead of carping from the sidelines trying to get cheap soundbites, it is about time the Conservatives rolled their sleeves up and tried to help us sort out their mess.

Domestic Violence Court Cases: Backlog

8. **Paula Barker** (Liverpool Wavertree) (Lab): What steps her Department plans to take to reduce the backlog of domestic violence cases. [903115]

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): The judiciary prioritises cases involving vulnerable victims and witnesses, which includes those involving domestic abuse. Most domestic abuse cases are heard in magistrates courts, where cases tend to be heard more quickly. As I have already stated, the Government have taken action to address the outstanding caseload in the Crown court, funding record levels of sitting days in the upcoming financial year.

Paula Barker: The backlog in the court system harms efforts to instil confidence in women persisting with domestic violence charges against their abusers. Violence against women and girls is a national scandal, and femicide is ongoing, with countless women losing their lives to male violence. Sadly, my region of Merseyside is now the second highest region in the country for femicide. Does the Department agree that any moves to fast-track cases via the criminal or civil courts to remove abusers from our streets must involve appropriately severe sentences, irrespective of the prison places crisis?

Alex Davies-Jones: I thank my hon. Friend for that important and timely question. We take all forms of homicide extremely seriously, and our strategy, which will be published later this week, looking at tackling violence against women and girls will cover all forms of

violence and abuse that disproportionately impact women, including femicide. We will of course prioritise tackling violence against women and girls, which is why we have funded record numbers of Crown court sitting days. We are extending the powers of the Victims' Commissioner and strengthening the victims code. We have protected funding for victims services looking at domestic abuse, rape and sexual offences to ensure that victims are listened to and are put at the heart of the criminal justice system.

Jim Shannon (Strangford) (DUP): For last week's International Women's Day, the Under-Secretary of State for the Home Department, the hon. Member for Birmingham Yardley (Jess Phillips) read out the names of the 96 women who were killed in the last year. I am always conscious of the loss of life, as I know the Minister is. If domestic violence today is the violence against women and murder tomorrow, what can be done to support women and their children?

Alex Davies-Jones: We are doing everything we can to support women and their children. We have declared this a national emergency, and we have that ambition of targeting and halving violence against women and girls over the course of a decade. My personal ambition is that the names read out at this Dispatch Box next year are far fewer than the ones read out this year.

Prisons: Illegal Drug Use

10. **Dr Luke Evans** (Hinckley and Bosworth) (Con): What assessment she has made of the potential implications for her policies of trends in the level of illegal drug use in prisons. [903117]

The Lord Chancellor and Secretary of State for Justice (Shabana Mahmood): This Government inherited prisons in crisis: overcrowded, violent and rife with drugs. If we are to have regimes that reduce reoffending and cut crime, we have to crack down on drugs in prison. To do so, we must address the supply of drugs, and prisons use a range of tactics, including X-ray body scanners and baggage scanners. We must also tackle demand. Over 80 of our prisons now have drug-free wings.

Dr Evans: Before 2021, less than 1% of seized substances contained anabolic steroids. In 2023, it was 10%, with anabolic steroids being the third most prevalent drug class detected in Scottish prisons. Will the Lord Chancellor meet me and Dr Jayasena and Dr Grant, who are national leads on the topic from Imperial College, to look at conducting research into the impact of steroids on offending and the prison population?

Shabana Mahmood: I pay tribute to the hon. Member for his long record of campaigning on this particular issue. It is an important point, and I will ensure that he can meet the Prisons Minister and look at what further research might be needed in this area.

Female Offenders

12. **Liz Twist** (Blaydon and Consett) (Lab): What steps her Department is taking to support female offenders. [903119]

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): The Government's plan to support women offenders is clear and ambitious. To reduce the number of women going to prison, our new women's justice board will support the implementation of the plan. This Government have taken immediate action to ensure that girls will never again be held in youth offender institutions following the publication last week of Susannah Hancock's review into girls in the youth estate.

Liz Twist: Self-harm in prisons is now at the highest rate ever recorded. In women's prisons, the rates are eight times higher than in men's prisons—shockingly, one in three female prisoners has self-harmed. Does my hon. Friend share my deep concern about those figures, and what is the Department doing to tackle that issue effectively?

Sir Nicholas Dakin: I certainly share my hon. Friend's deep concern about that issue, which she is right to raise. Good relationships between staff and prisoners are essential in our efforts to identify and manage the risks of suicide and self-harm. We are providing specialist support to establishments rolling out tailored investments, including specialised training for new officers, recruiting psychologists to support women, and piloting a compassion-focused therapy group designed for women.

Independent Sentencing Review: Interim Report

13. **Joe Robertson** (Isle of Wight East) (Con): What assessment she has made of the potential implications for her policies of the independent sentencing review's interim report, published on 18 February 2025. [903120]

The Lord Chancellor and Secretary of State for Justice (Shabana Mahmood): I will not pre-empt the final report of the sentencing review, but let us remember the crisis that we are dealing with. The previous Government ramped up sentences but added just 500 cells throughout the entire time they were in office. Just today, we have heard examples of Members who do not want any prison building in their areas. This Government will build 14,000 new prison places, but even that will not be enough to get us out of the mess left by the previous Administration. That is why I have asked the independent sentencing review to recommend sentencing policies that will ensure that we never again run out of space.

Joe Robertson: The Government will consider alternatives to prison and early release, but how are the public to have any confidence whatsoever when the Government released prisoners early and left them to roam the streets for eight weeks before fixing tags?

Shabana Mahmood: As I said in answer to an earlier question, we are holding Serco to account, and we ensured that the tagging backlog from the changes to SDS40—standard determinate sentences—was cleared as quickly as possible. We have levied financial penalties against that company. We continue to monitor performance and will not hesitate to take further action if we need to. Conservative Members have to wake up to the reality of their own track record in government: they failed to build the prison places that we needed to keep up with the sentences that they kept imposing, which has left us with an almighty mess to clear up. We are getting on with the job.

Mr Speaker: I call the Liberal Democrat spokesperson.

Josh Babarinde (Eastbourne) (LD): The independent sentencing review and the Justice Secretary have been taking inspiration from Texas when it comes to reforming our criminal justice system. She might be aware that Texas has a dedicated set of domestic abuse aggravated offences to help protect and respect survivors. Will she support me and Liberal Democrat colleagues in introducing proposals to the Crime and Policing Bill in order to make similar changes to the law in England and Wales?

Shabana Mahmood: I have not yet seen the hon. Gentleman's proposals, which may be on their way, but I will look at them carefully. He will know that the picture is complex. Even jurisdictions with a catch-all domestic abuse offence face issues ensuring that it keeps up with the type of behaviour that they are trying to stamp out, and that other offences do not fall off, so there are technical issues in how such law works in practice. I would be happy to have further such conversations with him. I know this matter is of great interest to him and to Members across the House.

Intimate Image Abuse

15. **Joe Morris** (Hexham) (Lab): What steps her Department is taking to help tackle intimate image abuse. [903122]

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): We are determined to keep victims safe both offline and online. In the Crime and Policing Bill, we have introduced offences to tackle the taking or recording of intimate images without consent, and in the Data (Use and Access) Bill we are criminalising creating or asking someone to create deepfake intimate images without consent. Together with existing offences on sharing intimate images, those measures give law enforcement a comprehensive package to tackle all aspects of that degrading and abusive behaviour.

Joe Morris: I pay tribute to the Minister for the work being done. Although that work is welcome, we need to direct our attention towards ensuring that police have the necessary technical tools to investigate reports. Will she meet me to discuss what further action can be taken to address and prevent intimate image abuse in all our communities?

Alex Davies-Jones: I will happily meet my hon. Friend, but let me reassure him: we are launching within policing our national centre for violence against women and girls and public protection—that includes a £2 million funding settlement to target violence against women and girls better, including online—and in November, we launched our domestic abuse protection orders in selected areas to improve protection for victims of all kinds of domestic abuse, including online. The police are also able to use stalking protection orders to protect victims of online abuse.

Prison Capacity

16. **Lewis Atkinson** (Sunderland Central) (Lab): What steps her Department is taking to increase prison capacity. [903123]

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): This Government inherited a prison system on the verge of collapse. Under the last Government, in 14 years only 500 prison places were produced. Under the last Labour Government, there was a net increase of 27,830 prison places in 13 years. We are redoubling our efforts to match that number.

Lewis Atkinson: The prison capacity crisis that this Government inherited has resulted in persistent offenders not feeling the deterrent effect of a custody option being realistically available. Can the Minister tell us how this Government's prison building plans will restore a level of deterrence to the system and ensure that capacity is available in time to remove active offenders from the streets?

Sir Nicholas Dakin: Where they were blocking, we are building, building, building. HMP Millsike, the UK's first all-electric prison, will open in just a few weeks and deliver 1,500 places. Just last week, the Prisons Minister in the other place attended a groundbreaking at HMP Highpoint, and we have already secured full planning permission for a new prison in Leicestershire and outline planning permission for a new prison in Buckinghamshire. We are getting on with the job.

Gavin Robinson (Belfast East) (DUP): The Minister will know that the increase in prisoner numbers is often because of the logjam within the Crown court system, and there are too many on remand who are then convicted and released with time served, with no opportunity for rehabilitation or mentoring. Will he confirm that that forms part of the sentencing review or the Leveson review?

Sir Nicholas Dakin: That is why we are doing this big system relook. The right hon. Member is right to draw attention to this. We are going to tackle it and sort it out.

Prisons: Urgent Notifications

17. **Rebecca Paul** (Reigate) (Con): What support she has provided to prisons that have received an urgent notification since July 2024. [903124]

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): I thank the hon. Member for drawing attention to the terrible legacy we inherited from the previous Government. The Prisons Minister in the other place has personally visited three of the prisons that have recently received urgent notifications—Wandsworth, Winchester and Manchester—and plans to visit the fourth as soon as possible. He has strengthened the UN process and meets regularly with governors and senior officials to challenge them and assure himself that sufficient progress is being made.

Rebecca Paul: I thank the Minister for that answer. Prison officers do an important job, and I thank every officer at Downview Prison in Banstead. It is extremely concerning that the number of assaults on staff at Downview more than doubled between 2023 and 2024. What steps is he taking to ensure that officers are protected in their day-to-day jobs?

Sir Nicholas Dakin: As the hon. Member rightly says, prison officers do an outstanding job. The work of the Prison Service is to make sure they are properly supported and protected in that role, and that is what is going on.

Court Backlogs

18. **Mr Lee Dillon** (Newbury) (LD): What steps she is taking to tackle backlogs in the courts. [903125]

The Minister of State, Ministry of Justice (Sarah Sackman): The last Government left a mess in every single corner of our justice system—our criminal courts and our civil courts. In the process, they let down not just victims of crime but businesses, employees, employers and children in care; every part of our system was left in a complete mess. That is what we are sorting out, with record Crown court sitting days—a commitment of 110,000 sitting days—and running almost to a maximum across all jurisdictions to bring down the backlog. We are sorting out the mess that we were left with.

Mr Dillon: I agree with the Minister's assessment of the previous Conservative Government. However, with more than 382,000 cases still in the backlog for magistrates, have the Government done an assessment of whether that will increase, given the doubled sentencing powers that have been passed down to those courts?

Sarah Sackman: The magistrates court is being run in a sustainable way. We extended the sentencing powers in order to free up capacity in the Crown court, and that has been sustainable, and we are increasing capacity in our magistracy by recruiting an additional 2,000 magistrates from diverse backgrounds every year. But that is why we are looking at system reform, whether in the magistrates court or the Crown courts. We are going to need once-in-a-generation reform, and when Sir Brian Leveson reports back, that is what we will get.

Baggy Shanker (Derby South) (Lab/Co-op): Shockingly, just 4% of rape and sexual offences reported to Derbyshire police in the last year resulted in a charge. When offenders are not prosecuted, victims understandably lose faith in our justice system. What steps has the Minister taken to reduce backlogs in Derbyshire courts so that justice can be served for these despicable crimes?

Sarah Sackman: I am sorry to hear how long victims in my hon. Friend's constituency are waiting. That is why we are taking urgent action to bear down on the Crown court backlog, not only by increasing sitting days this year, but by committing to record numbers of sitting days next year. Of course that will not be sufficient to bring down the backlog and deliver swifter justice for victims, and that is why we need to hear from Sir Brian Leveson and implement reform in due course.

Crown Court Backlog

19. **Mrs Sarah Russell** (Congleton) (Lab): What steps her Department is taking to reduce the Crown court backlog. [903126]

The Lord Chancellor and Secretary of State for Justice (Shabana Mahmood): This Government are funding a record 110,000 Crown court sitting days, which is 4,000 more than the previous Government funded. To bring down the backlog we must embrace reform, and that is why I have launched an independent review into the efficiency of the criminal courts, led by Sir Brian Leveson. This Government will deliver swifter justice for victims.

Mrs Russell: In 2016, 120,000 cases were disposed of—concluded—in the Crown courts. That figure was never achieved again by the Conservative party, and by 2022 the figure was 17% lower. Conservative Members like to blame covid for everything, but there were problems in the system well before that. There has been a systematic failure to modernise processes in our courts for years, as we on the Justice Committee hear far too often. What more can we do to use technology to make our courts more efficient and, most importantly, ensure faster outcomes for victims?

Shabana Mahmood: My hon. Friend is right to note the issue of falling disposals—in layman's terms, the number of cases that are completed. The rate of disposals has indeed fallen in recent years, which why I have asked Sir Brian Leveson, as part of his review, to consider how we improve the efficiency of our courts, including further technical or AI-related reform that might assist cases to move more quickly through the system. We will need a three-pronged approach: more funding, which I have already delivered; once-in-a-generation reform, which Sir Brian Leveson is looking at; and going further and faster on productivity and efficiency in the system. That is how we will get swifter justice for victims.

Alison Bennett (Mid Sussex) (LD): The backlog in our criminal justice system means that offenders in my constituency are free to commit crime while waiting for the judicial process. I met Sussex police and residents last week and heard how the backlogs are making the already hard job of the police even harder, and residents' lives a misery. How does the Secretary of State plan on tackling those backlogs, which are leading to offenders roaming free and more crimes being committed?

Shabana Mahmood: We are already tackling those issues, and as soon I came into office I increased the number of sitting days by 2,500 on what I inherited from the previous Administration. I have increased the sentencing powers of magistrates courts, and increased funding for legal aid. Criminal legal aid underpins the whole system, and for the next financial year we are funding a record 110,000 Crown court sitting days. That, combined with once-in-a-generation reform of the courts to deal with the demand coming into the system, and going further on productivity and efficiency, is how we will deal with the problems that the hon. Member rightly notes.

Topical Questions

T1. [903133] **Mr Gregory Campbell** (East Londonderry) (DUP): If she will make a statement on her departmental responsibilities.

The Lord Chancellor and Secretary of State for Justice (Shabana Mahmood): The Government inherited prisons on the point of collapse and a record and rising backlog in our courts. Eight months into office, the work of restoring justice in this country is well under way. Since the last Justice questions, I have announced record

investment in our courts, and next year Crown courts will sit for up to 110,000 days, which is the highest allocation in recorded history. I have also announced vital reforms to the probation service, increasing its focus on medium and high-risk offenders, alongside recruiting 1,300 new probation officers.

I also visited Texas, where a tough and smart approach has reduced reoffending, cut crime to its lowest levels in the US since the 1960s, and brought its prison population under control. There is much that we will learn from that law and order state, particularly how we get offenders to turn their backs on a life of crime. Through our plan for change, the Government are delivering swifter justice, using punishment to cut crime, and making our streets safer.

Mr Campbell: On average, more than 130 people every week across the UK die from drug-related causes. That is more than 6,500 families and homes devasted each year by that tragic loss of life, including more than 200 in Northern Ireland alone. Will the Secretary of State commit to working with each of the devolved Administrations to prioritise prevention and review enforcement against the use of all illegal substances?

Shabana Mahmood: The hon. Gentleman makes an incredibly important point. Fixing the problems that he notes requires work by not just the Ministry of Justice, but the devolved Administrations and the Home Office. I will ensure that he can engage with the relevant Ministers on the issues he raises.

T3. [903135] **Ian Lavery** (Blyth and Ashington) (Lab): Last year, assaults on prison staff were up by 19% and serious assaults were up by 22%, yet the pensionable age of prison officers is still 68—it is simply too late. Can the Minister update the House on any discussions he may have had with officials regarding that industrial injustice and say when these loyal public servants might expect to see this long-standing issue corrected?

The Parliamentary Under-Secretary of State for Justice (Sir Nicholas Dakin): We recognise the unique and challenging role that prison officers play in protecting the public and reducing reoffending. The Lord Chancellor has requested advice from officials on the pension age of prison officers, and we will continue to engage with trade unions as we work through this complex issue while considering the wider fiscal context. I am meeting the hon. Member for Aberdeenshire North and Moray East (Seamus Logan) to discuss this important issue next week, and I am very happy for my hon. Friend to join that meeting if he wishes.

Mr Speaker: I call the shadow Secretary of State.

Robert Jenrick (Newark) (Con): Yesterday, the Sentencing Council issued a letter correcting the Justice Secretary. It made it clear that the new sentencing guidelines were not the same as the draft guidance under the last Government and explained that her Department supported the new two-tier guidance—her representative was at the meeting—and it was approved on 24 January. Her officials were even given a walkthrough on 3 March—a dummy's guide to two-tier justice. After I brought that to her attention last Wednesday, her team briefed the papers that she was "incandescent". Was she incandescent at her officials or at her own failure to read her papers and do her job properly?

Shabana Mahmood: The shadow Lord Chancellor's amnesia continues, because he clearly has not done his homework; he has forgotten that his Government were consulted extensively on this guidance. It also appears that he cannot read, because the letter states very clearly all the consultation that took place under his Government. It shows that they were consulted numerous times on the new guidance and welcomed it—I notice that he did not refer to that. He knows full well that the change he refers to is a minor change, because the reference to race, ethnicity and cultural backgrounds has been retained in the time his Government seeing it and the changes that occurred, so he cannot hide behind that. The last few days have therefore been an expert lesson from the right hon. Gentleman: he has taught us all how to throw the shadow Transport Secretary under a bus.

Robert Jenrick: As a lawyer herself, I would have thought that the Justice Secretary would know the difference between the last set of guidance and the new one. I say "as a lawyer," but in this Cabinet we never really know who is a real lawyer and who is just pretending to be one. In 21 days' time, by the Justice Secretary's own admission, we will have two-tier justice. Her plan to fix that will not come into effect for a year, and that is unacceptable. As she has been too lazy to do her job, I will do it for her. Today I am presenting a Bill to block these two-tier sentencing guidelines and fix her mess; it is here and ready to go. Will she support it? Will she stand with us on the Conservative Benches for equality under the law, or will it be two-tier justice with her and two-tier Keir?

Shabana Mahmood: The whole House can see that the only pretence at a job is the one that the shadow Lord Chancellor is making, because he is pretending to be the Leader of the Opposition. We all know exactly what he is about. My reaction to what has happened in relation to the Sentencing Council's guidelines was very clear when I made the oral statement last week in this House: we will never stand for a two-tier approach to sentencing. I am actually getting on with fixing the problem, rather than looking for a bandwagon to jump on, which is why I have already written to the Sentencing Council. I will be meeting it later this week, and I have made it very clear that I will consider its role and its powers. If I need to legislate, I will do so, but I will ensure that whatever changes I bring forward are workable and deliver the fair justice system that we all need and deserve—one that his Government did not deliver.

T4. [903136] **Liz Twist** (Blaydon and Consett) (Lab): The principle of equality before the law is integral to our justice system, but the new guidelines from the Sentencing Council—which were welcomed by the previous Government—have put that principle at risk. Does the Lord Chancellor agree that Conservative Members have a lot of explaining to do?

Shabana Mahmood: I notice that in all his references to letters, the shadow Lord Chancellor did not refer to the letter from the previous sentencing Minister, now the shadow Transport Secretary, who welcomed those

guidelines. He knows full well that that was a reference to the guidelines around race, ethnicity and cultural background.

T2. [903134] **Vikki Slade** (Mid Dorset and North Poole) (LD): The Government's statistics on women in the criminal justice system show that women are more often prosecuted for much more minor offences and suffer from short prison sentences, which have huge social and emotional effects on their children and increase their likelihood of being taken into care. What steps is the Department taking to continue delivering the female offender strategy delivery plan for 2022 to 2025 and to reach beyond it, thinking about the negative impacts on the children of offenders?

Shabana Mahmood: The hon. Lady raises an important point. That is why I set up the Women's Justice Board specifically to make recommendations—I believe that these are policy choices that are properly made by directly elected politicians. We will make progress on the situation of women in our prisons, particularly those who are mothers, because we know that the harm passes down generations, and we are determined to stop it.

T5. [903137] **Jessica Toale** (Bournemouth West) (Lab): Victims of rape have been consistently failed by our justice system. Under the Tories, 60% of victims dropped out of their cases due to long waiting times, and in my own area of Bournemouth, the charging rate is only 5.8%. Given the outrage we have heard from Conservative Members about the court backlog and the state of our system, which was left to us by their own Government, can the Lord Chancellor please tell us what we are doing to fix the problem and put victims first?

The Parliamentary Under-Secretary of State for Justice (Alex Davies-Jones): I thank my hon. Friend for that very important question. As part of our manifesto, we committed to fast-tracking rape cases through the system. We are carefully considering the best way to do so, and we will be able to say more about our plans shortly. We are also creating independent legal advisers for adult rape victims, who will be able to access that support at any point from report to trial, so that they know their rights and their rights are protected.

T7. [903139] **Lewis Cocking** (Broxbourne) (Con): The Government say that foreign national offenders make up 12% of the prison population. Can the Secretary of State tell me when that number will be zero?

Shabana Mahmood: What I can tell the hon. Gentleman is that this Government have made faster progress than the previous Government on the deportation of foreign national offenders from our prisons, with numbers that are over 20% higher than the same time last year, and we will keep moving forward.

T6. [903138] **Darren Paffey** (Southampton Itchen) (Lab): A constituent of mine, aged just 21, tragically died after accessing pro-suicide online forums that not only encouraged self-harm, but advertised how to get lethal drugs and how to exploit loopholes that allowed this. The substance used in her death can still be bought on Amazon today. What steps will the Minister take to close those loopholes for those who enable criminality and ensure that the law is actively keeping our young people safe?

The Minister of State, Ministry of Justice (Sarah Sackman): I am sorry to hear about that tragic case in my hon. Friend's constituency. Encouraging or assisting suicide is an offence under the Suicide Act 1961, and sending communications that encourage or assist serious self-harm is an offence under the Online Safety Act 2023, but we are going to tighten up the law to address the situation that my hon. Friend has described. Of course, this is about not just the law, but the enforcement of the law as well.

T9. [903142] **Sarah Bool** (South Northamptonshire) (Con): We all agree that the court backlogs must be cleared, as justice for victims is essential. However, are the Government heeding the Law Society's advice to not waste precious time and resources on an intermediate court, and what engagement have they had with the Law Society on that?

Sarah Sackman: As the Lord Chancellor has said, our priority is delivering swifter justice for victims and bearing down on the Crown court backlog. That is why we have asked Sir Brian Leveson to consider all options, which have to include reclassification of offences and the intermediate court. We have to have a whole-system reform, but I fear that if we were to exclude those options, we would not be gripping the problem.

T8. [903140] **Paula Barker** (Liverpool Wavertree) (Lab): A significant proportion of those who experience homelessness are ex-offenders. I have previously raised concerns that the drive to alleviate the prison places crisis must not add to the homelessness emergency. The Deputy Prime Minister is in the process of establishing an inter-ministerial group on tackling homelessness. Will my right hon. Friend's Department play a full and active role in that inter-ministerial group, and ensure that Ministers and officials from the Ministry of Justice are adequately represented?

Sir Nicholas Dakin: My hon. Friend makes a very good point, and the Ministry of Justice will play a full part in the inter-ministerial group.

Esther McVey (Tatton) (Con): I welcome the Secretary of State's attempts to prevent the Sentencing Council from changing the sentencing process, which would lead to a two-tier justice system. If, however, the council will not budge—as appears to be the case—a two-tier justice system will arrive in just 21 days, contradicting the key principle of the legal system that everyone should be equal before the law without discrimination. Will the Secretary of State introduce legislation immediately to ensure that that two-tier justice system does not come about?

Shabana Mahmood: I have already set out exactly what I am going to do. I have written to the Sentencing Council, using the powers that I have to do so, and I will be meeting it later this week. I have made it very clear that I will consider its role and powers, and if I need to legislate, I will not hesitate to do so.

Luke Murphy (Basingstoke) (Lab): One of my constituents has endured prolonged financial abuse due to drawn-out divorce financial order proceedings, which largely ignore domestic abuse except in rare cases. Will the Minister commit to reviewing financial settlement proceedings guidance to ensure that the impact of domestic abuse is properly considered, and to prevent the legal system from being used as a tool of continued coercion and control?

Alex Davies-Jones: I thank my hon. Friend for his important question, and my thoughts are with his constituent as she navigates this difficulty. The Government will consider carefully the 2024 report on financial provision on divorce, in which the Law Commission looked into the specific issue of domestic abuse as a factor. Later this year the Government will consult on the delivery of our manifesto commitment to strengthen the rights and protections of cohabiting couples, because all abuse is abuse, financial or otherwise.

Sir Julian Lewis (New Forest East) (Con): When someone enters this country illegally from another country to which we are not allowed to deport them, and when they have previously expressed support for terrorism and terrorist organisations, but not in this jurisdiction, is the Secretary of State content that the Government have enough powers to protect the community from such a person walking free in our society?

Shabana Mahmood: The right hon. Gentleman raises an incredibly important point. I am discussing with the Home Secretary the full range of powers that we need to have at our disposal, and she has already made it clear that we will not hesitate to act further if we need to. However, it is important that we are able to deport offenders who pose a risk to our country.

Warinder Juss (Wolverhampton West) (Lab): Last week, at a Justice Committee hearing, it was confirmed that an effective probation service is essential to the rehabilitation of offenders and to prevent reoffending. However, over the years the service has been under immense strain owing to increased demand. What steps is the Secretary of State taking to ensure that probation officers have manageable caseloads, and that support is provided for their mental health and wellbeing to avoid high levels of stress and burnout, and also to help with the recruitment and retention of staff?

Sir Nicholas Dakin: Let me take this opportunity to pay tribute to the probation service. My hon. Friend is right to draw attention to the chaotic running of the service under the last Government. We are actively monitoring the effectiveness of the probation reset policy and assessing its impact on workload capacity, the time saved, and the increased focus on individuals posing the highest risk to public safety. We recognise the significant pressure that probation officers have been under, which is why comprehensive wellbeing support models have been put in place across our services, including dedicated wellbeing leads for both prison and probation services.

Mr Joshua Reynolds (Maidenhead) (LD): What work is the Secretary of State doing with the Victims' Commissioner to ensure that the families of British citizens who are murdered abroad have the same rights as the families of homicide victims in the United Kingdom?

Alex Davies-Jones: I regularly meet both the Victims' Commissioner for England and Wales and the London Victims' Commissioner to consider all issues affecting victims and their families. We are strengthening the powers of the Victims' Commissioner through legislation, we will be strengthening the victims code, and we will of course consider any other measures that are needed to protect victims and their families wherever they may be.

Mr Paul Foster (South Ribble) (Lab): On several occasions I have met my constituent Beverley, whose son suffered a horrific murder. He was stabbed more than 140 times. She has been desperately attempting to get hold of the court transcripts, but to no avail. Will Ministers please meet me to help this still grieving mum?

Sarah Sackman: I am really horrified to hear of that case. Of course, as I mentioned earlier, the transcript of sentencing remarks should have been made available free of charge, but I am happy to meet my hon. Friend to discuss how transcripts of trials more broadly can be made available.

Siân Berry (Brighton Pavilion) (Green): On Radio 4's "Today" programme last week, Matthew Ryder KC, who sits as a judge, praised the extreme helpfulness of pre-sentencing reports for passing effective sentences. Will the Secretary of State do as he asks and endorse the importance, value and independence of the Sentencing Council?

Shabana Mahmood: We all agree across the House, I hope, that pre-sentencing reports play a vital role in ensuring that whoever is passing a sentence has all the relevant facts at their disposal. I do not believe that access to such reports, or whether a sentencer asks for them, should be dictated by race or ethnic background. They should be made available, and I would like to see more use of pre-sentencing reports across the board for every type of offender.

Kim Johnson (Liverpool Riverside) (Lab): Manchester Metropolitan University estimates that over 1,000 people are convicted under joint enterprise each year, costing the taxpayer £1.2 billion. Does the Minister agree that we need to amend the law on joint enterprise to free up spaces in our prisons?

Shabana Mahmood: The law on joint enterprise has already developed somewhat since the previous Court of Appeal decision. I know that the Director of Public Prosecutions is keeping under review how prosecuting decisions are made. At this point we have no plans to go further, but I am happy to ensure that my hon. Friend can meet the relevant Minister.

Jim Allister (North Antrim) (TUV): Across the United Kingdom, inquests are defined as being for the purpose of finding out who the deceased was, and how, when and where they died; they are not trials and they are not about assigning blame, even when they are extended into article 2 investigations. Yet in Northern Ireland we have had findings of blame in respect of SAS soldiers killing active terrorists. Does the Minister agree that the Crime and Policing Bill affords an opportunity, through suitable amendment, to bring uniformity to the operation of inquests across the United Kingdom?

Alex Davies-Jones: The hon. and learned Gentleman is right to confirm that an inquest should be an inquisitorial process. It should not be adversarial either. I will raise the issue that he has mentioned with the Secretary of State for Northern Ireland, but what is deemed to be in scope of legislation is a matter for the House authorities and the Leader of the House.

Brian Leishman (Alloa and Grangemouth) (Lab): Prison maintenance privatisation has been a complete and utter disaster. When will it be taken back in-house?

Sir Nicholas Dakin: We are investing approximately £500 million over two years in prison and probation service maintenance to improve conditions across our estate, but it is fair to say we have inherited a system in serious need of repair. The estimated cost of bringing the prison estate to a fair condition and maintaining it till the end of the decade is £2.8 billion. The programme is now under way, and we hope that we will make as much progress as possible.

Several hon. Members *rose—*

Mr Speaker: If Members keep standing, it makes it easier for me.

Ayoub Khan (Birmingham Perry Barr) (Ind): One of the key objectives of the Sentencing Council is to ensure that there is parity of sentence up and down the country. It is a known fact that people from ethnic minorities sometimes get tougher custodial sentences than their white counterparts for similar offences. Given that, does the Lord Chancellor regret her attempt to discredit the considered and evidence-based conclusions of some of the most esteemed members of our judiciary when they published the guidelines on pre-sentencing reports?

Shabana Mahmood: What I am shocked about is that we can see a disparity in the overall cohort sentencing outcomes. Everybody accepts that we are not quite sure why it is happening, and there has not been sufficient curiosity over the last few years to work out why that is the case. My view is that if we can see a problem or think we have one, we need to get to the bottom of what is actually going on before we start coming up with broad policy solutions to fix that problem. I also think that some of these broad policy decisions are better made by Ministers, because we are directly elected individuals who will pay the price for the consequences of our choices. That is a conversation that I will pick up with the Sentencing Council when we meet later this week.

Steve Race (Exeter) (Lab): In 2020, Lorraine Cox was brutally murdered in Exeter. Her murderer dismembered her body, and as a result her family have never been able to fully lay Lorraine to rest. Her father, Tony Cox, has been campaigning for the implementation of Helen's law 2, meaning that desecrating or concealing a body would become a separate criminal offence. Will the Minister meet me to discuss whether the implementation of Helen's law 2 is possible?

Alex Davies-Jones: I will happily meet my hon. Friend to discuss that further.

Blake Stephenson (Mid Bedfordshire) (Con): What are this Government doing to crack down on unqualified people representing themselves as solicitors?

Sarah Sackman: As the hon. Member well knows, the solicitors profession is highly regulated. We have the Solicitors Regulation Authority, which itself is regulated by the Legal Services Board. All our professionals, whether they are practising in criminal or civil law, are highly respected and highly regulated, and we are indebted to them.

Jonathan Hinder (Pendle and Clitheroe) (Lab): I was shocked to read the Sentencing Council's response to the Secretary of State last night, with its arrogant tone. As she has said, this Parliament is sovereign, and the fact is that we have given too much power away to these unelected bodies in recent years. Can I reassure her of my support, and can she reassure me that she will not rest until we retain equality before the law?

Shabana Mahmood: I thank my hon. Friend. I am very much looking forward to my meeting with the Sentencing Council later this week. As I have made clear, I am looking into the roles and powers of the council, and I will not hesitate to legislate if I need to do so.

Sir Ashley Fox (Bridgwater) (Con): The two-tier sentencing guidelines take effect on 1 April. If the Lord Chancellor is sincere about having a justice system that treats everyone equally, will she not support our Bill to block the guidelines?

Shabana Mahmood: I have already made my position clear. I have written to the Sentencing Council, and I will be meeting it later this week. I am reviewing the roles and powers of the council, and I will not hesitate to legislate if I need to do so.

Mr Speaker: I call the Chair of the Select Committee.

Andy Slaughter (Hammersmith and Chiswick) (Lab): Last month, the Justice Committee heard evidence from governors of prisons with some of the highest drug use rates in the country. From detecting drones to body scanners and physical barriers, they all felt under-resourced in technology and investment. What is the Secretary of State doing to better equip prison staff to keep drugs out of prisons?

Shabana Mahmood: We have already pressed ahead with further measures on X-ray and baggage scanners, and we are taking action to deal with the problem of drones. My hon. Friend will be aware that, for security considerations, I am not going to give the detail of some of those mitigations and of our proposals for tackling drones, because they are used by those involved in serious organised crime. However, I can assure him that I, Ministers and all officials, including those working across the prison estate, are seized of this matter, and we are determined to crack down on drones bringing drugs into our prisons.

North Sea Vessel Collision

12.43 pm

The Parliamentary Under-Secretary of State for Transport (Mike Kane): With permission, Mr Speaker, I will make a statement on the collision that occurred between two vessels off the east coast of Yorkshire yesterday. I want to begin by offering my sincere thanks to all those who are responding on the frontline, from His Majesty's Coastguard to local emergency services. This is a challenging situation, and I know that I speak for everyone in this House when I say that the responders' ongoing efforts are both brave and hugely appreciated. I also want to thank our international partners for their many offers of assistance to the UK and for the support from the maritime community.

This is a fast-moving situation, so let me set out the facts as I currently have them. At 9.47 am on Monday 10 March, the vessel MV Solong, sailing under the flag of Madeira, collided in the North sea with the anchored vessel MV Stena Immaculate, a fuel tanker sailing under the flag of the United States and operated by the US navy. The collision occurred approximately 13 nautical miles off the coast. Fire immediately broke out on both vessels and, after initial firefighting attempts were overwhelmed by the size and nature of the fire, both crews abandoned ship. Firefighting and search and rescue operations, co-ordinated by His Majesty's Coastguard, continued throughout the day yesterday, pausing in the evening once darkness fell. Firefighting activity restarted this morning and I am pleased to say the fire on the Stena Immaculate appears to be extinguished, but the Solong continues to burn.

Although they became attached to each other during the collision, the Solong broke free of the Stena Immaculate late last night and began drifting southwards. Modelling suggests that, should the Solong remain afloat, it will remain clear of land for the next few hours. The assessment of HM Coastguard is, however, that it is unlikely the vessel will remain afloat. Tugboats are in the vicinity to ensure that the Solong remains away from the coast and to respond as the situation develops. I want to be clear that, while 1,000-metre temporary exclusion zones have been established around both vessels, maritime traffic through the Humber estuary is continuing.

The full crew of 23 on the MV Stena Immaculate are accounted for and on shore. One sailor was treated at the scene, but declined any further medical assistance. Thirteen of the 14 sailors of the MV Solong are accounted for. Search and rescue operations for the missing sailor continued throughout yesterday, but were called off yesterday evening at the point at which the chances of their survival had unfortunately significantly diminished. Our working assumption is, very sadly, that the sailor is deceased. The coastguard has informed the company, and it has been advised to inform the next of kin. Our thoughts are with the sailor's loved ones at this time.

Regarding the cargo on the vessels, the MV Stena was carrying 220,000 barrels of jet fuel, which was the source of the fire. The Maritime and Coastguard Agency is working at pace to determine exactly what cargo the Solong is carrying. I am aware of media reporting about potential hazardous materials on board, but we are unable to confirm that at this time. However, counter-pollution measures and assets are already in place, and both vessels are being closely monitored for structural integrity.

A tactical co-ordination group has been established through the Humber and Lincolnshire local resilience forum. The marine accident investigation branch has deployed to the site and begun its investigation. The MCA is rapidly developing a plan to salvage the vessels, once it is safe to do so. The Department for Transport will continue working closely with the Cabinet Office, other Government agencies and the resilience forum on the response.

Colleagues across the House will appreciate that the situation is still unfolding as I speak. I will try to answer questions from hon. Members with as much detail as possible and with the latest information I have at my disposal. I commend this statement to the House.

Mr Speaker: I call the shadow Minister.

12.47 pm

Jerome Mayhew (Broadland and Fakenham) (Con): I thank the Minister for advance sight of his statement.

Yesterday morning, shortly before 10 am, the container ship MV Solong collided with the oil tanker MV Stena Immaculate, which was at anchor in the North sea off the coast of Yorkshire. The Stena Immaculate was on a short-term charter to the US navy's military sealift command and was carrying 220,000 barrels of jet fuel. The Minister has not formally confirmed the cargo of the Solong, a Madeira-flagged vessel, but it has been widely reported that it was carrying 15 containers of toxic sodium cyanide. I listened to the statement carefully, but can the Minister confirm that that is now not his understanding?

The collision and the resulting spill are deeply concerning. However, before questioning the Minister on the Government's response, I join him in paying tribute to HM Coastguard, the Royal National Lifeboat Institution, the emergency services, and all others who helped to respond to the incident. As the Minister noted, the emergency services were on the scene swiftly and their actions saved many lives. Approaching fiercely burning vessels with a risk of explosion takes enormous bravery and we all commend them.

I am grateful for the confirmation that all mariners from the Stena Immaculate have been recovered without injury, and that 13 of the 14 crew members from the Solong have been brought safely ashore. Our thoughts and prayers are with the family and colleagues of the missing member of that crew. I understand that the search for life has concluded, but can the Minister update the House on the efforts being made to recover that mariner?

Turning to the collision itself, the Minister confirmed that early investigations do not point to foul play, but will he commit to remaining vigilant to ensure that any indications of foul play are carefully investigated? Additionally, will he inform the House of the impact on the investigative process of the involvement of ships registered in both the US and Madeira? Have the Government contacted the respective Governments to ensure their close co-operation?

The Minister will be aware of the deep concern over the effect of the oil spill on the surrounding marine environment. Environmental organisations have warned of potentially devastating impacts of pollution from the tankers on the habitats and species in the area, including threatened seabird colonies, grey seals and fish, and

[Jerome Mayhew]

nature-rich sites such as the Humber estuary, where conservationists have been restoring seagrass and oysters, could be devastated by this emergency. Has he been briefed by the Environment Agency on its response, and could he give us more details on it?

The Minister made reference to the drift of the Solong and the risk of it running aground without intervention. Can he update the House on the steps that will be taken to ensure that that does not happen? I understand that the marine accident investigation branch has begun a preliminary investigation into the emergency, and I am pleased that the Minister is working closely with the Maritime and Coastguard Agency as it conducts an assessment on the counter-pollution response that may be required over the coming days. However, I seek assurances that the Government will engage closely with local communities, who will be concerned about the impact of the collision on their environment.

The incident involves multiple Departments spanning emergency response, environmental protection, maritime safety, defence and chemical transport regulation, and effective cross-Government co-ordination is therefore crucial. Will the Minister assure the House that such co-ordination is taking place and that Parliament will receive regular updates? It is, of course, too early to draw significant conclusions at this stage, but it is clear that something went terribly wrong in the handling of these two vessels. We will support the Minister in whatever action is needed to ensure the highest standards of safety on the high seas.

Mike Kane: The shadow Minister is exactly right: something did go terribly wrong. My thoughts and prayers are with the missing sailor's family. The company has been informed, and his next of kin are being informed.

In response to the series of questions the shadow Minister asked, we know for sure that the Immaculate was carrying 220,000 barrels of Jet A-1 fuel, but we are yet to establish the cargo of the Solong; as soon as I know, I will make that information available to the House.

We will do everything to recover the body of the mariner. In a recent debate on emergency response services, we heard that though lives are lost at sea, some succour and comfort is given by the rescue services, who often bring people's loved ones back to them for a proper funeral and burial.

Whether there was foul play is, I think, speculation; there is no evidence to suggest that at the moment. Through the MCA, we are in contact with our American and Portuguese counterparts and have liaised with them. On the counter-pollution measures that the shadow Minister mentioned, the MCA is standing by with marine and aerial counter-pollution measures, which it will use at the necessary time. However, the immediate concern is to put out the fire on the Solong.

The shadow Minister mentioned the issue of drift. The Immaculate remains anchored, so we are safe there; it is the Solong that is drifting at 2 nautical miles per hour. It is currently being shadowed by two tugboats, and the order will be given by SOSREP or the MCA to intervene as and when necessary to protect life onshore.

The shadow Minister is right about the marine accident investigation branch. We have deployed those assets to the scene. They are currently working with the local resilience forum, and I want to pass on my thanks to the Humberside resilience forum at this time. I can assure him that Government agencies are working together effectively and have been giving Ministers and the Secretary of State regular updates through situation reports as the night went on and the day continues.

Mr Speaker: I call the Chair of the Transport Committee.

Ruth Cadbury (Brentford and Isleworth) (Lab): I endorse the Minister's thanks to the frontline workers who have been involved, and his concern for and condolences to the missing mariner's family. While we wait for the reports on how this appalling tragedy happened, which will have to be done, will the Minister confirm how routes are being managed while the Solong is drifting, and whether further protection of routes will be needed because of pollution in order not to delay further movement of shipping in these busy waters and to protect the welfare of seafarers in other ships?

Mike Kane: I thank the Chair of the Transport Committee for that question. It is an incredibly busy sea highway, as we all know. I had the great honour of visiting the command and control post of the Humber estuary on what was almost my last visit as shadow Maritime Minister just before the general election, and I pay tribute to the workers there for their hard work in dealing with this situation. I want to assure the Chair of the Transport Committee that the Immaculate was anchored; it is the Solong that is drifting. There is a 1,000-metre exclusion zone around both vessels. Other assets are currently allowed to traverse the Humber estuary. If that changes, I will make that information available during the day.

Mr Speaker: I call the Liberal Democrat spokesperson.

Mr Paul Kohler (Wimbledon) (LD): I thank the Minister for advance sight of his statement. The scenes we have all witnessed in news reports are very concerning, and our thoughts are with all those affected and with the family of the crew member who remains unaccounted for.

This event reminds us of the risks and dangers faced by those who work in the maritime sector. These men and women often work long, challenging hours, keeping our country and economy going with little—if any—recognition, and we are hugely grateful to them. We are also indebted to the emergency services, the Royal National Lifeboat Institution and the coastguard for their tireless work through the night. I know they are doing all they can to limit the damage and the environmental impact, and have done so much to minimise the loss of life. While it will take time to establish what has taken place, it is clear that the Government need to take urgent steps to limit the damage and reassure local communities. I welcome the Government's formation of the tactical co-ordination group and the work it is doing with other agencies.

I appreciate that the situation is still unfolding and that many questions cannot be answered at this stage. However, will the Minister say first what immediate steps the Government are taking to protect the environment along the east coast? Secondly, what is he doing to keep

shipping routes open and safe? Thirdly, what is the Government's plan to support fishing and other businesses that rely on waters that might now be contaminated?

Mike Kane: I join the hon. Gentleman in paying tribute to maritime workers. Just as they kept us fed, fuelled and supplied all the way through covid, they keep our nation fed, fuelled and supplied every day of every week. I cannot commend them highly enough.

I also join with him in paying tribute to the emergency services. This is difficult, hard work and they are doing an exceptional job in the circumstances. As I have said, the MCA is standing by with marine and aerial counter-pollution measures in place. Once we get the fire on the Solong out, we will begin to assess the situation and deploy them. It is vital that we keep shipping lanes in the Humber estuary open as best we can as this continues, which is why we have placed a 1,000-metre exclusion zone around both ships. Outside that, maritime vessels can operate normally—as normally as is possible in this circumstance.

Melanie Onn (Great Grimsby and Cleethorpes) (Lab): I thank the Minister for his communication with me through this unfolding situation and everybody who has been involved in it. The situation is evolving minute by minute, and I pay tribute to the local RNLI, coastguard and emergency services for their rapid rescue response, and to the local community, who have been heavily involved in readying themselves for any potential ecological or environmental fallout from this incident.

As the Minister may be aware, Ernst Russ, which owns the Solong, has now put out a statement saying that it has been "misreported" that the hazardous chemical was on board the Solong, and that

> "There are four empty containers that have previously contained the hazardous chemical,"

which it will continue to monitor. I wonder whether the Minister has had any success in tracking down the manifest for the Solong so that we can reassure my constituents and put their minds at ease as to exactly what was on that vessel. I would also like to know when the Minister is expecting the initial report from the marine accident investigation branch so that we can understand what on earth happened in this most extraordinary of events.

Mike Kane: I thank my hon. Friend for keeping in contact with me throughout the night and this morning. Just before the election, we both visited the command and control centre in her constituency to see the excellent facilities in place. I pay tribute to the Humberside local resilience forum, which is made up of the police, the fire and rescue team, local authorities, the Red Cross, the NHS, the Ministry of Housing, Communities and Local Government, the clinical commissioning group, the Royal Navy, police and crime commissioners, the ambulance service, Border Force, environmental agencies, the Ministry of Defence, ABP Humber Ports, the Met Office and the UK Health Security Agency. Those teams are all working at pace to assess any risks to local people that may occur.

There have been many press reports on the manifest, but the facts are the facts. There were 220,000 barrels of A1 jet fuel on the Immaculate, and the MCA is working at pace to establish the cargo on the Solong, which sailed from Grangemouth. Hopefully, as soon as we have that information from the manifest, we will make it available to the House.

Graham Stuart (Beverley and Holderness) (Con): I join the Minister in saluting the heroic rescuers and mourning the loss of the seaman. Mr Speaker, you may share some of my frustration at the lack of communication with Members of this House regarding yesterday's maritime disaster off the Holderness coast in my constituency. Apart from a brief phone call following my reaching out to the Secretary of State for Transport, I spoke to the leader of East Riding of Yorkshire council, the police and crime commissioner and local councillors. All were struggling to get information as to what was going on just miles off the coast. My constituents from Kilsney, Easington, Withernsea, Aldborough and beyond deserve better.

I must ask the Minister why it took so long for the local resilience forum to be set up. Is he confident that we have the proper structures of governance in place when a disaster such as this happens? How can we ensure that communications are improved? What work is being done to protect the puffins, wildlife and beaches in our area? And how can we ensure that the agencies responsible are held to account? Perhaps the Minister can comment on why he was missing in action yesterday. We would have loved to have heard not just from 24-hour rolling media but from a member of our own elected Government about what was happening with this terrible disaster.

Mike Kane: Mr Speaker, I was dealing with the situation—[Hon. Members: "Hear, hear!"] The Secretary of State made a statement. We stood up the Maritime and Coastguard Agency and, within minutes, a response was ongoing. The right hon. Member had a call from a member of staff of the Secretary of State within an hour or two of the incident. He was kept fully informed. The local Humberside resilience forum was established. We deployed assets for marine protection at the site. I am not sure what he is asking for, but I am very proud of our agencies—both local and national—that have worked at pace to get us to where we are currently.

Alison Hume (Scarborough and Whitby) (Lab): I welcome the Minister's timely statement and would like to associate myself with his praise for the swift response of the emergency services and the RNLI volunteers. Over recent years, fishermen along the east coast of Yorkshire, including Scarborough and Whitby, have battled to keep going against the background of the effects of the crustacean die-off. They are naturally extremely concerned by reports of jet fuel possibly leaking into the sea. I do appreciate that this is a fast-moving situation, but can my hon. Friend tell the House more about the counter-pollution measures that are in place and also how predicted weather conditions will affect the ongoing operation?

Mike Kane: I thank my hon. Friend for her question. Yes, I know that Members on the north-east coast from both sides of this House have been worried over a number of years about the crustacean die-off. There is a concern that jet oil could well be leaking into the sea, but every resource is being deployed by the MCA and other agencies to assess the extent of the pollution, and every resource will be deployed to clean up that pollution.

[Mike Kane]

I happen to be meeting fishermen organisations later in the week for separate reasons, so I hope to be able to update them with further information about their valuable trade at that time.

Tom Gordon (Harrogate and Knaresborough) (LD): I have been in communication with Liberal Democrat councillors in the East Riding of Yorkshire and also the Liberal Democrat administration in Hull. Yesterday, the leader of the council, Mike Ross, raised the call for a rapid response from Government, and I really push the Minister to provide clarity on what exactly we should be seeing from a tactical co-ordination group and whether there is Government commitment to cover any environmental or economic impact. Moreover, what more support will we see down the line if there are long-term consequences as a result of the pollution?

Mike Kane: It is standard procedure to bring on board local resilience forums in any situation such as this. That has been done: the forum is up and running. I am grateful to all elected Members across the parties and hard-working councillors who will be involved in making sure that the best interests of the people of the Humber region are protected. We have currently deployed on site all the resources that are needed to contain the fire and to assess the environmental damage of any spillage. We will continue to make decisions in conjunction with the local resilience forum through the day and, I believe, for the rest of the week.

Luke Myer (Middlesbrough South and East Cleveland) (Lab): I wish to add my voice to the call made by my hon. Friend the Member for Scarborough and Whitby (Alison Hume) given the very perilous position of the Teesside and North Yorkshire marine ecosystem following the environmental disaster we suffered in 2021. I ask the Minister to ensure that the response is not only around the Humber estuary, but that he reviews the environmental impact for the entire east coast as well.

Mike Kane: As I have said, the MCA's counter-pollution assets are being deployed at the scene. The RNLI, search and rescue and aviation have all been on site, although search and rescue has been stood down. Both vessels were also carrying marine heavy fuel oil. That is a present pollution risk should either vessel sink or break apart.

Charlie Dewhirst (Bridlington and The Wolds) (Con): I thank the Minister for his statement today and echo his comments about the missing sailor. I also add my thanks to all those who have been involved in the rescue operation, particularly those at the RNLI station in Bridlington. My constituents are rightly concerned about the potential environmental and ecological impact, not least because we have the biggest bird colony in mainland Britain, Bempton and Flamborough in Bridlington have the largest shellfish landing port in the UK, and we have around 5 million visitors to the area every year, enjoying the beaches from Bridlington down to Hornsea. Has the Minister yet had any assessment of the direction of any potential pollution and the role that currents and wind direction will play in where that pollution might eventually end up?

Mike Kane: The hon. Member is right to raise that. I had a conversation late last night on that subject with the Minister responsible for nature, my hon. Friend the Member for Coventry East (Mary Creagh). The Met Office has told us that theoretical models are used to plot potential movement of the smoke plume, which is similar to the way that it forecasts weather. Air quality monitoring can be done by onshore monitoring stations, such as the one at Immingham, which is closest to the site. The immediate concern is to stop the fire so that we can assess the pollution. As soon as the fire is out, inspectors can move nearer or move in to assess the extent of the spill—if there is a spill—and then we can begin to deploy the relevant resources to tackle that spill.

Ian Lavery (Blyth and Ashington) (Lab): My constituency is on the north-east coast, probably about 150 miles from this horrendous disaster. Can the Minister say whether there has been an initial assessment on how it happened and where the pollution might move to? Is there a potential threat to the coastline of the north-east of England?

Mike Kane: I thank my hon. Friend for his question. As I have said, the Met Office is modelling the wind situation at the moment. We need to get the fire out on the Solong. Once that is done, we can make a further assessment of what is required and in which direction any pollution—if there is any—is moving, and we will deploy our assets to tackle that when we know that for sure.

Mr Alistair Carmichael (Orkney and Shetland) (LD): It is just over 32 years now since the MV Braer was grounded off Shetland, but for us the memories are still very fresh. We know exactly how those communities on the east coast of England who are braced for what may be coming will feel. We might not know what happened, but we can be pretty certain that at some time, somewhere, something of this sort was going to happen, such is the nature of shipping and how it is regulated and owned across the world.

In Shetland we have been warning for years of the dangers of tankers anchored right by our shoreline and of others entering areas that are marked on the chart as to be avoided, but it is next to impossible to get any agency to take ownership of that. I know that the Minister is concerned about this, so can we use this moment to take a serious look at how we protect our coastal and island communities?

Mike Kane: I thank the right hon. Gentleman for his expertise in this area. He has raised with me the issue of tankers moored off Shetland and Orkney. I understand that the 1972 collision regulations state that there has to be proper sight and sound lookout and all other methods, so something has gone wrong. As difficult as it is to say, accidents always provide an opportunity to see how we can do things better. I hope that when the marine accident investigation branch comes back with both its initial and its substantive findings, which will come to my desk, we can learn the lessons of this accident.

Martin Vickers (Brigg and Immingham) (Con): I join others in praising the emergency services, and I also praise Martyn Boyers and his colleagues from Port of Grimsby East, who supported the emergency services.

Obviously, the concern at the moment is extinguishing the fire, but there will be a potential longer-term impact on the local community, inasmuch as there will be pollution and the like on the beaches. Will the Minister and other Departments work closely with the council and other agencies to ensure that any support that is needed will be available?

Mike Kane: The hon. Member has the Port of Immingham in his constituency, where the Immaculate was waiting to unload its cargo when a berth came available. I can assure him that the MCA is on stand-by. It has marine and aerial logistics in place to assess any potential pollution spill. If there is one, we will tackle it, but as I said, the priority is to extinguish the fire on the Solong .

Richard Tice (Boston and Skegness) (Reform): I thank the Minister for his statement. We congratulate everyone involved. It is worth remembering the voluntary nature of so many of the emergency services and the RNLI. The volunteers from the RNLI Skegness rushed out of their homes and businesses to man the lifeboat, which was away for almost 11 hours, putting themselves in harm's way with extraordinary bravery. We should never forget that.

Mike Kane: The hon. Member should brace himself for what I am about to say: he acted with honour this weekend, relating to my circumstances, with his former party member, and I am grateful to him. He is exactly right. Our emergency services are second to none, as are our volunteers who help His Majesty's Coastguard and the RNLI. These men and women risked their lives braving the seas, the winds, the temperature and the fog, to go and do what they could at the scene yesterday. I have nothing but the highest praise for them.

James Wild (North West Norfolk) (Con): My constituency has the Norfolk coast area of outstanding natural beauty and other vital habitats, including the Wash, as well as a fishing fleet. Given the location of the collision, there is local concern about the potential impact. When will a risk assessment be done on the potential risk of pollution down the east coast to Norfolk? What action is being taken to contain it? Will the Minister commit to keeping the public informed?

Mike Kane: MCA assets are being deployed currently to assess and monitor any potential environmental impacts of this accident. The hon. Gentleman is right that the area is richly biodiverse. The priority remains extinguishing the fire on the Solong, so that we can properly evaluate the situation. Once we get that done, we will use every resource possible to ascertain the extent of the pollution, and to clear it up.

Steff Aquarone (North Norfolk) (LD): Let me put on record my thanks and appreciation to the resilience team at North Norfolk district council and its staff, and the port of Wells for its response and preparedness. It is not instantly clear what areas will be affected, and with changing winds and weather conditions, pollution can change course. North Norfolk is 50 nautical miles away from the incident and is currently predicted to be unaffected, but we are keeping a close eye on what happens. Will the Minister confirm that he will keep all MPs along the North sea coastline updated on developments? Will he also confirm that if pollution is set to reach North Norfolk, my fishing communities will get as much notice as possible? They have well-rehearsed plans in place, but they need good notice in order to deploy them.

Mike Kane: The hon. Member makes an important point about how interconnected our coastal communities are when it comes to this type of incident. Our officials are monitoring where the pollution is going; we are looking at wind direction. I am grateful for the fact that his local resilience team is stood up, and I am happy to keep all Members informed of the ongoing situation, when required.

Dr Andrew Murrison (South West Wiltshire) (Con): Automatic identification systems and radar should mean that these sorts of things do not happen, even in dense fog, which is why many of us thought initially that this could well be a maritime 9/11-type event, or that a malign state actor could be involved. Fortunately, that appears not to be the case, but the event has exposed a vulnerability, and ships like the Stena Immaculate could be said to be sitting ducks. What audit will the Minister do of that vulnerability? Will he put in place what is practically necessary to prevent such occurrences?

Mike Kane: The right hon. Gentleman asks a very good question. In addition to having maritime responsibilities, I am the security Minister for the Department of Transport. We will learn any maritime security lessons from this incident, in terms of malign actors, and we will implement any recommendations.

Graham Leadbitter (Moray West, Nairn and Strathspey) (SNP): Has the Minister been in contact with the Scottish Government, notably about the Solong's port of origin? Clearly, it is in significant danger of sinking, and has containers on board. If any of those containers break loose and get washed up on shore, widespread and firm public information about the dangers of approaching any containers will be vital, given the hazardous substances in some of them.

Mike Kane: Responsibility for the Maritime and Coastguard Agency is reserved to me, and it covers the United Kingdom. I hope that that answers the hon. Gentleman's first question. On his second question, I do not want to speculate on the cargo of the Solong until I have the facts confirmed by officials, and I will then let the House know appropriately.

Sir Julian Lewis (New Forest East) (Con): I thank the Minister for the clarity of his statement and his answers. Is it not extraordinary that there is such uncertainty about whether so deadly a cargo as sodium cyanide was being carried on one of the vessels? He said that tugs might have to intervene to prevent the vessel running aground on the shores of this country. Has he considered that if the fire is too dangerous for the tugs to approach, then in those extreme circumstances, the Royal Navy's involvement might be necessary?

Mike Kane: We are a proud maritime nation, and we have the maritime skills to transport all sorts of hazardous substances, if need be, to our island nation. We have the skills, the people, the ports, and the shipping lines to do that. I ask the right hon. Member not to speculate on what was on the Solong, because that has not been established. There have been multiple press reports, and

[Mike Kane]

once I know for sure, I will inform the House appropriately. I remind the whole House that the United Kingdom is a world leader in maritime insurance. This is what we do. We trade, bringing goods and services across the world, and we insure those goods and services. We should all be proud of both our maritime sector and the insurance sector.

Ellie Chowns (North Herefordshire) (Green): I too pay tribute to everyone involved in the emergency response. Does the Minister share my deep concern that more than 24 hours after this collision, we still do not know what the cargo was on the MV Solong? Surely the insurance industry ought to know that, at the very least.

On the pollution, I understand that this incident may have taken place in or close to two marine protected areas. Are those areas affected? What is the plan for cleaning them up? The Minister mentioned that pollution measures are in waiting, but have not been implemented, because the priority is reducing the fire, but I understand that the Stena Immaculate—the one with hundreds of thousands of tonnes of fuel oil—is no longer burning. What measures are being taken to tackle the pollution now? Speed is of the essence.

Mike Kane: I think the incident started at about 10 minutes to 10 yesterday, so we are only about 27 hours in. Within minutes, assets were stood up and the crews were brought safely home, except for one member of the Solong. We have assets in place to measure the pollution now, and those assets are being deployed where that is safe, but the priority remains getting the fire out on the Solong.

Wendy Chamberlain (North East Fife) (LD): Several hon. Members have mentioned the effects on the marine environment, including endangered bird species such as puffins and kittiwakes, which are returning to colonies right now in places like the Isle of May in my constituency. What engagement is the Minister having with the charities and organisations who run those colonies? Secondly, following the question from the hon. Member for Moray West, Nairn and Strathspey (Graham Leadbitter) about the Scottish Government, if, as we fear, we see the worst-case scenario of pollution extending extensively, are there any plans for engagement between the Environment Agency and Scottish Environment Protection Agency?

Mike Kane: The environment is absolutely at the front of our mind. Once we get the fire out, we will make those impact assessments and take the appropriate measures to clean up pollution, if there is any. The Department is working across Government and with the local resilience forums. In the days ahead, once we have the impact assessments, we will liaise with partner agencies on the best way forward on bird, marine and fish protection and the environment.

Robin Swann (South Antrim) (UUP): I join the Minister in paying tribute to all those emergency services that responded, but the unknown—the cargo of the Solong—is a major concern to many in the Chamber, and many who are working to deal with the incident. What engagement on this issue has the Minister had with the UN's International Maritime Organisation, which has responsibility for the safety and security of shipping, and the prevention of marine and atmospheric pollution by shipping? What steps will be taken to learn from it? Will we engage with the IMO to ensure that all cargo at sea is known by someone?

Mike Kane: We are in discussions with the owners of both vessels. We know that the Solong was sailing from Grangemouth, and that it had a mixed cargo of containers. That is the only information available to me, and that information is being analysed. We are trying to ascertain more. I do not have information for the House at the moment, but as soon as I do, we will make it known. As I said, the Stena Immaculate was carrying 220,000 barrels of A-1 jet fuel. We can begin to prepare contingency plans with the information that we already have about the vessel.

Calum Miller (Bicester and Woodstock) (LD): I thank the Minister for his full statement, and I associate myself with remarks made about the potential loss of life and the communities affected. I understand that the priority is dealing with the immediate incident, and that there will be a full investigation by the Maritime Accident Investigation Branch in due course. Given that the Royal Navy has deployed vessels to the North sea to monitor hostile states' activities on and under the sea, will the Minister assure us that the Government and their agencies will undertake an assessment, so that we can be clear that there has been no foreign interference in this terrible accident?

Mike Kane: The answer is yes. The Ministry of Defence contacted me last night to say that it was ready and willing to be deployed, if required. So far, that has not been required, because we feel that there was no malign intent in this incident. However, as the hon. Member said, the Marine Accident Investigation Branch will investigate and give me its initial findings as soon as humanly possible. I will read its final report—it is my duty to do so as maritime Minister—and we will take the matter from there. The hon. Member was right to raise that point.

Jim Shannon (Strangford) (DUP): I thank all those who have responded; we owe them a debt. I also thank the Minister for his endeavours. I spoke to him yesterday about this. He has been assiduous and focused, and we in the House should put on record our thanks to him for all that he has done. Will he outline the steps that will be taken to investigate whether failings in visual observation, radar or the automated identification system led to this unexpected collision? How can we ensure that the long-term environmental effects of this devastating collision are dealt with in a co-ordinated manner?

Mike Kane: I thank the hon. Member. May I update the House? No sign of pollution from the vessels is observed at this time. Monitoring is in place, and should the situation change, the assets in place will be used as needed. That is the latest information relayed to me. The hon. Gentleman's question is a matter for the Marine Accident Investigation Branch. We have extraordinarily dedicated officials on site; they were deployed yesterday. They will survey the two vessels and report back to me with initial findings when they can. There will be a final report for sign-off on my desk at some stage. I am grateful for his support.

Point of Order

1.27 pm

David Simmonds (Ruislip, Northwood and Pinner) (Con): On a point of order, Madam Deputy Speaker. Earlier today, David Lawrence, a former Labour parliamentary candidate, put out a public statement saying that he was pleased to be

"invited to No. 10 for a preview of the Planning and Infrastructure Bill",

a landmark piece of legislation yet to see the light of day in this House, despite a number of statements from Ministers about how significant and important it would be. May I seek your guidance on how we can ensure that important legislation deserving the scrutiny of Parliament is first seen in this House, not shared offline with Labour parliamentary candidates?

Madam Deputy Speaker (Caroline Nokes): I thank the hon. Member for his point of order. I am sure that his comments have been heard by those on the Treasury Bench.

The Secretary of State for Housing, Communities and Local Government (Angela Rayner): Further to that point of order, Madam Deputy Speaker. Can I assure the House that no one has had a preview? The Planning and Infrastructure Bill is coming to the House. Of course, we regularly consult stakeholders, but no one has had a preview before the House.

Madam Deputy Speaker: I thank the Secretary of State for that point of clarification.

BILLS PRESENTED

Planning and Infrastructure Bill

Presentation and First Reading (Standing Order No. 57

Secretary Angela Rayner, supported by the Prime Minister, the Chancellor of the Exchequer, Secretary Ed Miliband, Secretary Heidi Alexander, Secretary Steve Reed, Secretary Jo Stevens and Secretary Ian Murray, presented a Bill to make provision about infrastructure; to make provision about town and country planning; to make provision for a scheme, administered by Natural England, for a nature restoration levy payable by developers; to make provision about development corporations; to make provision about the compulsory purchase of land; to make provision about environmental outcomes reports; and for connected purposes.

Bill read the First time; to be read a Second time tomorrow, and to be printed (Bill 196) with explanatory notes (Bill 196—EN).

Sentencing Council (Powers of Secretary of State) Bill

Presentation and First Reading (Standing Order No. 57)

Robert Jenrick, supported by Mrs Kemi Badenoch, Rebecca Harris, Dr Kieran Mullan and Helen Grant, presented a Bill to provide that the Sentencing Council may not issue sentencing guidelines without the consent of the Secretary of State; to give the Secretary of State the power to amend sentencing guidelines prepared by the Sentencing Council before they are issued; and for connected purposes.

Bill read the First time; to be read a Second time on Friday 14 March, and to be printed (Bill 197).

Financial Education

Motion for leave to bring in a Bill (Standing Order No. 23)

1.29 pm

Mr Peter Bedford (Mid Leicestershire) (Con): I beg to move,

That leave be given to bring in a Bill to make provision about financial education; and for connected purposes.

Without that education, we are collectively creating the greatest financial crisis of our time. The problem, quite simply, is that we as a nation are not living within our means. There was once a sense that people had certain financial responsibilities: to save for a house, to save for retirement, to save for holidays or for a rainy day—but no more.

Two fifths of Brits have less than £1,000 in savings and, as a result, money has become synonymous with anxiety. How will we pay our bills, our mortgage, our tuition fees and even our meals? We have also ignored people's anxieties about money for far too long, whether they be university students, apprentices or parents not eating to ensure that their children can. We have high expectations but low means.

An extraordinary and deeply depressing statistic is that 96% of young people worry about money every single day—yet we continue to spend, not least because it is so easy. Offers pop up on our screens every day, created by marketing wizards who know exactly where we are most vulnerable. They use our search history to whet our appetite for new books, video games, appliances and overseas trips. In a single click, we are committed and plunged further into the red.

Around 20 million people effectively pay on account, not to local shop owners who know them and live locally but through impersonal buy now, pay later schemes that bring with them all-too-easy extortionate rates of interest. The debt just keeps on growing. There is a solution, which is to treat the problem at source, through education. Young people need to understand how money works, the principle of saving and the dangers and opportunities of compound interest.

This is not a new idea. The coalition Government brought in financial education for secondary schools, and this Bill aims to consolidate that learning and extend provision to primary schools and tertiary education. Money habits are formed at an early age—indeed, from the age of seven—yet many school leavers remain in the dark. Fifty-five per cent of those employing apprentices are aware that many of their workers face financial difficulties.

The situation does not require extra resource, just extra creativity. In fact, it can bring the curriculum to life. In Finland, for example, money is incorporated into the teaching of all subjects. In maths lessons problems link to savings and debt, geography lessons explain the cost of deforestation on goods in the supermarket, and IT lessons explain the financial consequences of buying extra credit for a favourite video game.

This is not a party political matter. The Bill will reduce inequality and help explain the importance of property, the benefits of home ownership and a comfortable retirement, and what it takes to provide for one's own family. I have spoken to bankers, teachers, children, parents, police, employers, councillors, accountants, magistrates and lawyers. Whatever their political persuasion, they all agree that money is the root of many of society's problems, not least because people are increasingly unaware of how to manage it or what is possible through careful budgeting.

Schools should prepare young people for the adult world. Yet for all the focus on balancing an equation, there is no attention given to balancing one's bank account, and for the many hours spent generating interest in past events, none is focused on meeting interest payments on a future loan or mortgage. We are sending our young people out into the world and putting them into the game of life without even teaching them the rules first.

Fifty per cent of the British public would fail an OECD financial literacy test. We rank alongside Thailand and Albania despite being one of the world's wealthiest countries. It is no wonder that only 1% of teachers believe their pupils possess adequate financial skills, or that 67% of young people do not feel confident planning for their financial future.

In my maiden speech, I focused on the importance of social mobility. We did not have much—I could not always attend school trips and we could not always have the heating on—but I found ways to save for the things that I wanted in life. In an age when many believe that the responsibility of toothbrushing should be handed to teachers, we cannot leave our entire financial future to materialise like magic and our economy to decay even faster than those young teeth.

As a country, we have to balance the books, and that starts by understanding the principles of money. That is why I and the sponsors of this Bill urge the House to give future generations the tools and the knowledge to avoid walking into financial ruin and to lead successful and prosperous lives, irrespective of their background.

Question put and agreed to.

Ordered,

That Mr Peter Bedford, Jerome Mayhew, Blake Stephenson, Josh Newbury, Mr Jonathan Brash, Sir Roger Gale, Shockat Adam, Wera Hobhouse, Ian Roome, Siân Berry, Lewis Cocking and Martin Vickers present the Bill.

Mr Peter Bedford accordingly presented the Bill.

Bill read the First time; to be read a Second time on Friday 25 April, and to be printed (Bill 195).

EMPLOYMENT RIGHTS BILL: PROGRAMME (NO. 2)

Ordered,

That the Order of 21 October 2024 (Employment Rights Bill: Programme) be varied as follows:

1. Paragraphs 4 and 5 of the Order shall be omitted.

2. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.

3. Proceedings on Consideration—

(a) shall be taken on each of those days in the order shown in the first column of the following Table, and

(b) shall (so far as not previously concluded) be brought to a conclusion at the times specified in the second column of the Table.

Proceedings	Time for conclusion of proceedings
First day	
New Clauses and new Schedules relating to the subject matter of, and amendments to, Part 1, Part 2 and Part 3.	Six hours after the commencement of proceedings on the motion for this Order.
Second day	
New Clauses and new Schedules relating to the subject matter of, and amendments to, Part 4, Part 5 and Part 6; remaining new Clauses and new Schedules; remaining proceedings on Consideration.	Five hours after the commencement of proceedings on Consideration on the second day.

4. Proceedings on Third Reading shall be taken on the second day and shall (so far as not previously concluded) be brought to a conclusion six hours after the commencement of proceedings on Consideration on the second day.—*(Justin Madders.)*

Employment Rights Bill

[1ST ALLOCATED DAY]

Consideration of Bill, as amended in the Public Bill Committee

[Relevant documents: Third Report of the Business and Trade Committee, Make Work Pay: Employment Rights Bill, HC 370; Second Report of the Women and Equalities Committee, Equality at work: Miscarriage and bereavement leave, HC 335; Fourth Report of the Work and Pensions Committee of Session 2023-24, Statutory Sick Pay, HC 148; and written evidence to the Work and Pensions Committee, on Statutory Sick Pay, reported to the House on 10 March 2025, HC 787.]

New Clause 32

AGENCY WORKERS: GUARANTEED HOURS AND RIGHTS RELATING TO SHIFTS

"(1) After section 27BU of the Employment Rights Act 1996 (inserted by section 3) insert—

"CHAPTER 4A

AGENCY WORKERS: GUARANTEED HOURS AND RIGHTS RELATING TO SHIFTS

27BUA Agency workers

(1) In this Part, "agency worker" means an individual—

(a) who has a worker's contract or an arrangement with a work-finding agency by virtue of which the individual is (or is to be) supplied to work for and under the supervision and direction of another person,

(b) who does not do (or is not to do) the work under a worker's contract with the other person, and

(c) who is not (or is not to be) a party to a contract under which the individual undertakes to do the work for another party to the contract whose status is, by virtue of the contract, that of a client or customer of any profession or business undertaking carried on by the individual.

(2) In this Part—

(a) references to an agency worker include, where the context requires, a former agency worker, and

(b) where that is the case, references in relation to the agency worker to a work-finding agency, and references (however expressed) to a person for and under the supervision and direction of whom the agency worker works, are to be read accordingly.

(3) An individual is an "agency worker" for the purposes of this Part—

(a) whether the individual is (or is to be) supplied to work for and under the supervision and direction of another person—

(i) by the work-finding agency referred to in subsection (1)(a), or

(ii) by a person other than the work-finding agency;

(b) whether the individual is (or is to be) paid, for work done for and under the supervision and direction of another person—

(i) by the work-finding agency referred to in subsection (1)(a), or

(ii) by a person other than the work-finding agency.

(4) In this Part, "work-finding agency" means a person carrying on the business (whether or not with a view to profit and whether or not in conjunction with any other business) of finding, or seeking to find, work

for individuals to do for and under the supervision and direction of other persons (but not in the employment of those other persons).

(5) Part 1 of Schedule A1 contains provision about guaranteed hours and agency workers.

(6) Part 2 of Schedule A1 contains provision about rights of agency workers to reasonable notice in relation to shifts.

(7) Part 3 of Schedule A1 contains provision about rights of agency workers to payment for shifts that are cancelled, moved or curtailed at short notice."

(2) Schedule (Agency workers: guaranteed hours and rights relating to shifts) inserts Schedule A1 into the Employment Rights Act 1996."—*(Justin Madders.)*

This new clause adds a new clause (intended to go after clause 3) which provides a new definition of "agency worker" for the purposes of Part 2A of the Employment Rights Act 1996 and introduces the new Schedule inserted by NS1 which inserts a new Schedule A1 into the 1996 Act. Schedule A1 is to take the place of the regulation-making power in proposed new section 27BW of the 1996 Act which is removed by amendment 48.

Brought up, and read the First time.

1.36 pm

The Parliamentary Under-Secretary of State for Business and Trade (Justin Madders): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Caroline Nokes): With this it will be convenient to discuss the following:

Government new clause 33—*Collective agreements: contracting out.*

Government new clause 34—*Collective redundancy consultation: protected period.*

Government new clause 35—*Duty to keep records relating to annual leave.*

Government new clause 36—*Extension of regulation of employment businesses.*

Government new clause 37—*Power to establish Social Care Negotiating Body.*

Government new clause 38—*Agency workers who are not otherwise "workers".*

New clause 1—*Domestic abuse victims' leave—*

"(1) Within twelve months of the passage of this Act, the Secretary of State must make regulations entitling a worker who is a victim of domestic abuse to be absent from work on leave under this section.

(2) For the purposes of this section, "domestic abuse" is defined in accordance with sections 1 and 2 of the Domestic Abuse Act 2021.

(3) The regulations must include provision for determining—

(a) the extent of a worker's entitlement to leave under this section; and

(b) when leave under this section may be taken.

(4) Provision under subsection (3)(a) must secure that, where a worker is entitled to take leave under this section, that worker is entitled to

(a) at least ten working days' leave; and

(b) the benefit of the terms and conditions of employment which would have applied but for the absence.

(5) The regulations may

(a) make provision about how leave under this section is to be taken;

(b) make different provision for different cases or circumstances; and

(c) make consequential provision."

This new clause would require the Secretary of State to provide for statutory leave for victims of domestic abuse, with regulations providing for a minimum of ten days' leave.

New clause 2—*Domestic abuse: right not to suffer detriment—*

"In Part V of the Employment Rights Act 1996 (Rights not to suffer detriment), after section 47G, insert new section 47H—

'Domestic abuse

(1) A worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by their employer done on the ground that the worker has been, or is suspected to have been

(a) a victim of domestic abuse; or

(b) affected directly by domestic abuse.

(2) For the purposes of this section, "domestic abuse" is defined in accordance with sections 1 and 2 of the Domestic Abuse Act 2021.'"

This new clause would amend the Employment Rights Act 1996 to protect workers from adverse treatment on the grounds that they are, or are suspected to be, a person affected by domestic abuse.

New clause 3—*Dismissal for reasons related to domestic abuse—*

"In Part 10 of the Employment Rights Act 1996, after section 99, insert—

'99B Domestic abuse

(1) A worker who is dismissed shall be regarded for the purposes of this Part as having been unfairly dismissed if the reason for the dismissal is that the worker has been, or is suspected to have been

(a) a victim of domestic abuse; or

(b) affected directly by domestic abuse.

(2) For the purposes of this section, "domestic abuse" is defined in accordance with sections 1 and 2 of the Domestic Abuse Act 2021.'"

This new clause would amend the Employment Rights Act 1996 to protect workers from dismissal on the grounds that they are, or are suspected to be, a victim or a person affected by domestic abuse.

New clause 4—*Employers to take all reasonable steps to prevent domestic abuse—*

"After section 40A of the Equality Act 2010 (employer duty to prevent sexual harassment of workers), insert—

'40B Employer duty to prevent workers from experiencing domestic abuse

(1) An employer (A) must take all reasonable steps to prevent their workers from experiencing domestic abuse in the course of their employment.

(2) For the purposes of this section, "domestic abuse" is defined in accordance with sections 1 and 2 of the Domestic Abuse Act 2021.'"

This new clause would require employers to take all reasonable steps to prevent their workers from experiencing domestic abuse.

New clause 5—*Employers to take all reasonable steps to prevent domestic abuse (contract workers)—*

"After section 41 of the Equality Act 2010 (contract workers), insert—

'41A Employer duty to prevent workers from experiencing domestic abuse

(1) An employer (A) must take all reasonable steps to prevent a contract worker working for or on behalf of (A) from experiencing domestic abuse in the course of their engagement.

(2) For the purposes of this section, "domestic abuse" is defined in accordance with sections 1 and 2 of the Domestic Abuse Act 2021.'"

This new clause would require employers to take all reasonable steps to prevent contract workers from experiencing domestic abuse.

New clause 6—*Workplace contravention of Equality Act: obtaining information—*

"(1) In this section—

(a) P is a worker who thinks that a contravention of the Equality Act 2010 has occurred in relation to P's employment or working practices;

(b) R is P's employer and P thinks that R is responsible for the contravention mentioned in paragraph (a).

(2) A Minister of the Crown must by order prescribe—

(a) forms by which P may question R on any matter which is or may be relevant to subsection (1);

(b) forms by which R may answer questions by P.

(3) A question by P or an answer by R is admissible as evidence in proceedings under this Act (whether or not the question or answer is contained in a prescribed form).

(4) A court or tribunal may draw an inference from—

(a) a failure by R to answer a question by P before the end of the period of 8 weeks beginning with the day on which the question is served;

(b) an evasive or equivocal answer.

(5) Subsection (4) does not apply if—

(a) R reasonably asserts that to have answered differently or at all might have prejudiced a criminal matter;

(b) R reasonably asserts that to have answered differently or at all would have revealed the reason for not commencing or not continuing criminal proceedings;

(c) R's answer is of a kind specified for the purposes of this paragraph by order of a Minister of the Crown;

(d) R's answer is given in circumstances specified for the purposes of this paragraph by order of a Minister of the Crown;

(e) R's failure to answer occurs in circumstances specified for the purposes of this paragraph by order of a Minister of the Crown.

(6) The reference to a contravention of the Equality Act 2010 includes a reference to a breach of an equality clause or rule, insofar as it relates to employment or working practices.

(7) A Minister of the Crown may by order—

(a) prescribe the period within which a question must be served to be admissible under subsection (3);

(b) prescribe the manner in which a question by P, or an answer by R, may be served.

(8) This section—

(a) does not affect any other enactment or rule of law relating to interim or preliminary matters in proceedings before a county court, the sheriff or an employment tribunal, and

(b) has effect subject to any enactment or rule of law regulating the admissibility of evidence in such proceedings."

This new clause would reintroduce, for workers in relation to employers, the right to statutory Discrimination Questionnaires pursuant to the Equality Act 2010 regarding age, disability, sex, race, sexual orientation, pregnancy and maternity, gender reassignment, religion or belief and marriage and civil partnership discrimination.

New clause 7—*Protected paternity or parental partner leave—*

"(1) Within six months of the passage of this Act, the Secretary of State must consult on the introduction of protected paternity or parental partner leave for all employees.

(2) A consultation under subsection (1) must consider

(a) the minimum duration for a period of protected paternity or parental partner leave;

(b) how best to ensure that protected paternity or parental partner leave is protected, non-transferable and does not result in discrimination against the employee taking that leave;

(c) how best to ensure that protected paternity or parental partner leave reduces the risk of employees experiencing discrimination as a result of being eligible for ordinary maternity leave; and

(d) the extent to which the costs to employers of protected paternity or parental partner leave should be reimbursed, in full or in part, and the manner in which this should be achieved.

(3) Following a consultation under subsection (2), within twelve months of commencing the consultation, the Secretary of State must by regulations

(a) introduce protected paternity or parental partner leave, ensuring that it is paid, protected and non-transferable;

(b) define the length of any period of protected paternity or parental partner leave under subsection (3)(a); and

(c) make provision for any other matters the Secretary of State considers relevant to the matters under subsections (3)(a) and (3)(b).

(4) For the purposes of this section—

(a) "protected" leave means leave during which an employer must not permit an employee who satisfies prescribed conditions to work; and

(b) "parental partner leave" means leave taken for the purposes of caring for a child, with the exception of maternity leave taken under sections 71 to 73 of the Employment Rights Act 1996.

(5) For the purposes of subsections (2)(b) and (2)(c), "discrimination" is defined according to sections 13 to 19 of the Equality Act 2010."

This new clause would require the Secretary of State to consult on a period of protected paternity or parental partner leave, and require them to introduce protected paternity or parental partner leave by regulations at a subsequent date.

New clause 10—*Carer's leave: remuneration—*

"(1) In section 80K of the Employment Rights Act 1996, omit subsection (3) and insert—

"(3) In subsection (1)(a), "terms and conditions of employment" includes—

(a) matters connected with an employee's employment whether or not they arise under the contract of employment, and

(b) terms and conditions about remuneration.""

This new clause would make Carer's Leave a paid entitlement.

New clause 12—*Rates of statutory maternity pay, etc—*

"(1) In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986 (prescribed rate of statutory maternity pay) for "£184.03" substitute "£368.06".

(2) In the Statutory Paternity Pay and Statutory Adoption Pay (Weekly Rates) Regulations 2002—

(a) in regulation 2(a) (weekly rate of payment of statutory paternity pay) for "£184.03" substitute "£368.06"; and

(b) in regulation 3(a) (weekly rate of payment of statutory adoption pay) for "£184.03" substitute "£368.06".

(3) In regulation 40(1)(a) of the Statutory Shared Parental Pay (General) Regulations 2014 (weekly rate of payment of statutory shared parental pay) for "£184.03" substitute "£368.06".

(4) In regulation 20(1)(a) of the Statutory Parental Bereavement Pay (General) Regulations 2020 (weekly rate of payment) for "£184.03" substitute "£368.06"."

This new clause sets out rates of Statutory Maternity Pay, Statutory Paternity Pay, Statutory Adoption Pay, Statutory Shared Parental Pay and Statutory Parental Bereavement Pay.

New clause 13—*Publication of information about parental leave policies: regulations*—

"(1) The Secretary of State must make regulations to require any employer with more than 250 employees to publish information on the internet about the employer's policies on parental leave and pay for parental leave.

(2) Regulations under subsection (1) must be published within one year of this Act being passed.

(3) Regulations under this section are subject to the affirmative regulation procedure."

This new clause would require companies with more than 250 employees to publish information about their parental leave and pay policies.

New clause 14—*Entitlement to paternity leave*—

"(1) The Employment Rights Act 1996 is amended as follows.

(2) In section 80A (entitlement to paternity leave: birth)—

(a) in subsection (3), for "two" substitute "six",

(b) in subsection (4), for "56 days" substitute "52 weeks".

(3) In section 80B (entitlement to paternity leave: adoption)—

(a) in subsection (3), for "two" substitute "six"

(b) in subsection (4), for "56 days" substitute "52 weeks"."

This new clause sets out an entitlement to paternity leave.

New clause 15—*Whistleblowers: protected disclosures*—

"In Part X of the Employment Rights Act 1996, for section 103A, substitute—

"103A Protected disclosure

An employee who is dismissed shall be regarded for the purposes of this Part as unfairly dismissed if the reason (or one of the reasons) for the dismissal is that the employee made a protected disclosure.""

This new clause would slightly extend the circumstances in which an employee is considered as unfairly dismissed after making a protected disclosure.

New clause 16—*Adoption pay: self-employed persons*—

"(1) Within six months of the passage of this Act, the Secretary of State must by regulations enable statutory adoption pay to be payable to persons who are—

(a) self-employed, or

(b) contractors.

(2) For the purposes of subsection (1), the meaning of "self-employed" and "contractors" shall be set out in regulations under this section."

This new clause extends statutory adoption pay to the self-employed and contractors.

New clause 17—*Meaning of "kinship care"*—

"(1) This section defines "kinship care" for the purposes of sections 80EF to 80EI of the Employment Rights Act 1996 (inserted by section (Kinship care leave) of this Act).

(2) Kinship care describes an arrangement where a child is raised by a friend, relative or extended family member other than a parent.

(3) Subsections (4) to (9) set out the arrangements that are recognised as being types of kinship care.

(4) An arrangement where a child is adopted (within the meaning of Chapter 4 of the Adoption and Children Act 2002) by a friend, relative or extended family member ("kinship adoption").

(5) An arrangement where—

(a) a child is looked after by a local authority (within the meaning of section 22 of the Children Act 1989), and

(b) a friend, relative or extended family member of that child is approved by the local authority to be a foster carer for that child ("kinship foster care").

(6) An arrangement created by a special guardianship order pursuant to section 14A of the Children Act 1989 ("special guardianship").

(7) An arrangement created by a child arrangements order pursuant to section 8 of the Children Act 1989 where the court orders that a child is to live predominantly with a friend, relative or extended family member of that child ("kinship child arrangement").

(8) An arrangement where a child is fostered privately (within the meaning of section 66 of the Children Act 1989) by a friend or extended family member ("private fostering arrangement").

(9) Any other arrangement where a child is cared for, and provided with accommodation in their own home—

(a) by a relative of the child, other than—

(i) a parent of the child; or

(ii) a person who is not a parent of the child but who has parental responsibility for the child; and

(b) where the arrangement has lasted, or is intended to last, for at least 28 days ("private family arrangement")."

This new clause is subsequent to the new clause about kinship care leave.

New clause 18—*Kinship care leave*—

"(1) The Employment Rights Act 1996 is amended as follows.

(2) After section 80EE insert—

"Chapter 5

Kinship care leave

80EF Kinship care leave

(1) The Secretary of State must make regulations entitling an employee to be absent from work on leave under this section if the employee satisfies conditions specified in the regulations as to an eligible kinship care arrangement with a child.

(2) The regulations must include provision for determining—

(a) the extent of an employee's entitlement to leave under this section in respect of a child;

(b) when leave under this section may be taken.

(3) Provision under subsection (2)(a) must secure that—

(a) where only one employee is entitled to leave under this section in respect of a given child, the employee is entitled to at least 52 weeks' leave;

(b) where more than one employee is entitled to leave under this section in respect of the same child, those employees are entitled to share at least 52 weeks' leave between them.

(4) An employee is entitled to leave under this section only if the eligible kinship care arrangement is intended to last—

(a) at least one year, and

(b) until the child being cared for attains the age of 18.

(5) For the purposes of this Chapter, "eligible kinship care arrangement" means—

(a) special guardianship,

(b) a kinship child arrangement,

(c) a private fostering arrangement, or

(d) a private family arrangement

within the meaning given by section [Meaning of 'kinship care'] of the Employment Rights Act 2024.

(6) The regulations may make provision about how leave under this section is to be taken.

(7) In this section—

(a) "special guardianship", "kinship child arrangement", "private fostering arrangement" and "private family arrangement" have the same meanings as in section [Meaning of 'kinship care'] of the Employment Rights Act 2024.

(b) "week" means any period of seven days.

80EG Rights during and after kinship care leave

(1) Regulations under section 80EF must provide—

(a) that an employee who is absent on leave under that section is entitled, for such purposes and to such extent as the regulations may prescribe, to the benefit of the terms and conditions of employment which would have applied but for the absence,

(b) that an employee who is absent on leave under that section is bound, for such purposes and to such extent as the regulations may prescribe, by obligations arising under those terms and conditions (except in so far as they are inconsistent with subsection (1) of that section), and

(c) that an employee who is absent on leave under that section is entitled to return from leave to a job of a kind prescribed by regulations, subject to section 80EH.

(2) The reference in subsection (1)(c) to absence on leave under section 80EF includes, where appropriate, a reference to a continuous period of absence attributable partly to leave under that section and partly to any one or more of the following—

(a) maternity leave,

(b) paternity leave,

(c) adoption leave,

(d) shared parental leave,

(e) parental leave,

(f) parental bereavement leave.

(3) In subsection (1)(a), "terms and conditions of employment"—

(a) includes matters connected with an employee's employment whether or not they arise under the contract of employment, but

(b) does not include terms and conditions about remuneration.

(4) Regulations under section 80EF may specify matters which are, or are not, to be treated as remuneration for the purposes of this section.

(5) Regulations under section 80EF may make provision, in relation to the right to return mentioned in subsection (1)(c), about—

(a) seniority, pension rights and similar rights;

(b) terms and conditions of employment on return.

80EH Special cases

(1) Regulations under section 80EF may make provision about—

(a) redundancy during or after a period of leave under that section, or

(b) dismissal (other than by reason of redundancy) during a period of leave under that section.

(2) Provision by virtue of subsection (1) may include—

(a) provision requiring an employer to offer alternative employment;

(b) provision for the consequences of failure to comply with the regulations (which may include provision for a dismissal to be treated as unfair for the purposes of Part 10).

80EI Chapter 5: supplemental

(1) Regulations under section 80EF may—

(a) make provision about notices to be given, evidence to be produced and other procedures to be followed by employees and employers;

(b) make provision requiring employers or employees to keep records;

(c) make provision for the consequences of failure to give notices, to produce evidence, to keep records or to comply with other procedural requirements;

(d) make provision for the consequences of failure to act in accordance with a notice given by virtue of paragraph (a);

(e) make special provision for cases where an employee has a right which corresponds to a right under section80EF and which arises under the person's contract of employment or otherwise;

(f) make provision modifying the effect of Chapter 2 of Part 14 (calculation of a week's pay) in relation to an employee who is or has been absent from work on leave under section 80EF;

(g) make provision applying, modifying or excluding an enactment, in such circumstances as may be specified and subject to any conditions which may be specified, in relation to a person entitled to take leave under section 80EF;

(h) make different provision for different cases or circumstances;

(i) make consequential provision.

(2) The cases or circumstances mentioned in subsection (1)(h) include—

(a) more than one child being subject to the same eligible kinship care arrangement, and

(b) a child being subject to an eligible kinship care arrangement on two or more separate occasions, and regulations may, in particular, make special provision regarding the applicability and extent of the entitlement to leave in such circumstances.

(3) The Secretary of State may by regulations make provision for some or all of a period of kinship care leave to be paid.""

This new clause sets out an entitlement to kinship care leave.

New clause 20—*Duty to prevent violence and harassment in the workplace—*

"(1) Section 2 of the Health and Safety at Work etc. Act 1974 is amended as follows.

(2) After subsection (2)(e) insert—

'(f) the adoption of proactive and preventative measures to protect all persons working in their workplace from violence and harassment, including—

(i) gender-based violence;

(ii) sexual harassment;

(iii) psychological and emotional abuse;

(iv) physical and sexual abuse;

(v) stalking and harassment, including online harassment;

(vi) threats of violence.'

(3) After subsection (3) insert—

'(3A) It shall be the duty of every employer to prepare, and as often as may be appropriate revise, an assessment to identify potential risks of violence and harassment in the workplace and implement policies and procedures to eliminate these risks so far as is reasonably practicable.

(3B) It shall be the duty of every employer to provide training to all employees on recognising and preventing violence and harassment in the workplace, with a focus on gender-responsive approaches.

(3C) In subsection (3B) a "gender-responsive approach" means taking into account the various needs, interests, and experiences of people of different gender identities, including women and girls, when designing and implementing policies and procedures.

(3D) In this section, "persons working in the workplace" includes—

(a) employees;

(b) full-time, part-time, and temporary workers; and

(c) interns and apprentices.

(3E) In subsection (2)(f) and subsections (3A) and (3B), a reference to the workplace includes remote and hybrid work environments.'"

This new clause will amend the Health and Safety at Work etc. Act 1974 to place a duty on employers to protect all those working in their workplace from gender-based violence and harassment.

New clause 21—*Expanded duties of the Health and Safety Executive*—

"In the Health and Safety at Work etc. Act 1974, after section 11 (functions of the Executive) insert—

'11ZA Duties of the Executive: health and safety framework on violence and harassment

(1) It shall be the duty of the Executive to develop, publish and as often as may be appropriate revise a health and safety framework on violence and harassment in the workplace.

(2) This framework shall include specific provisions relating to—

(a) the prevention of gender-based violence and harassment of those in the workplace including the prevention of physical, emotional, and psychological abuse;

(b) the duty of employers to create safe and inclusive workplaces and the preventative measures they must adopt; and

(c) the use of monitoring and enforcement mechanisms to ensure compliance with the duty of the employer in relation to violence and harassment (see section 2(2)(f)).

(3) The Executive shall work with other relevant bodies, including the Equality and Human Rights Commission and law enforcement agencies, to develop and revise this framework.

11ZB Duties of the Executive: guidance for employers

The Executive shall, in consultation with such other persons as it considers to be relevant, issue guidance for employers about the protection of those facing violence and harassment on the basis of gender in the workplace by—

(a) implementing workplace policies to prevent violence and harassment;

(b) establishing confidential reporting mechanisms to allow victims to report incidents;

(c) conducting risk assessments and ensuring compliance with the health and safety framework (see section 11ZA);

(d) reporting and addressing incidents of violence and harassment; and

(e) supporting victims of violence and harassment, including making accommodations in the workplace to support such victims.'"

This new clause will create a duty on the Health and Safety Executive to develop a health and safety framework on violence and harassment and to issue guidance for employers about the protection of those facing violence and harassment on the basis of gender in the workplace.

New clause 22—*Duty of employer to prepare domestic abuse policy*—

"(1) It is the duty of every employer to develop, publish and as often as may be appropriate revise a written statement of its general policy with respect to the support it provides to workers who are victims of domestic abuse.

(2) The Secretary of State must by regulations make provision for determining—

(a) the scope of a domestic abuse policy;

(b) the form and manner in which a domestic abuse policy is to be published;

(c) when and how frequently a domestic abuse policy is to be published or revised;

(d) requirements for senior approval before a domestic abuse policy is published.

(3) The regulations may make provision for a failure to comply with subsection (1)—

(a) to be an offence punishable on summary conviction—

(i) in England and Wales by a fine;

(ii) in Scotland or Northern Ireland by a fine not exceeding level 5 on the standard scale;

(b) to be enforced, otherwise than as an offence, by such means as may be prescribed.

(4) The regulations may not require an employer to revise the policy more frequently than at intervals of 24 months.

(5) For the purposes of this section, 'domestic abuse' is defined in accordance with sections 1 and 2 of the Domestic Abuse Act 2021.

(6) This section does not apply to an employer who has fewer than 5 employees.

(7) Regulations under this section must be made no later than twelve months after the passage of this Act."

This new clause would create a duty on employers with 5 or more employees to have a policy outlining the support they provide to workers who are victims of domestic abuse.

New clause 23—*Prescribed rate of statutory maternity pay*—

"In regulation 6 of the Statutory Maternity Pay (General) Regulations 1986, delete 'is a weekly rate of £184.03' and insert 'is a rate of £12.60 per hour in the UK and £13.85 per hour in London'."

This new clause would increase the current rate of statutory maternity pay, bringing it in line with the "real Living Wage".

New clause 25—*Working Time Council*—

"(1) The Secretary of State must, within six months of the passage of this Act, establish a Working Time Council ('the Council') to provide advice and make recommendations to the Secretary of State on the matters specified in subsection (4).

(2) The members of the Council—

(a) are to be appointed by the Secretary of State, and

(b) must include representatives of—

(i) trade unions;

(ii) businesses;

(iii) government departments; and

(iv) experts on matters relating to employment.

(3) Each member of the Council must hold and vacate office in accordance with the terms and conditions of the member's appointment.

(4) The Council must provide advice and make recommendations on how a transition could be made from a five-day working week to a four-day working week with no impact on pay, including—

(a) how such a transition would affect employers and employees, and

(b) how businesses, public bodies and other organisations should approach such a transition.

(5) The Secretary of State may pay such remuneration or allowances to members of the Council as the Secretary of State may determine."

This new clause would require the Secretary of State to establish a Working Time Council to provide advice and recommendations on the transition from a five-day working week to a four-day working week.

New clause 27—*Flexible working duties: reports on compliance*—

"(1) The Secretary of State must, once every six months, report on compliance with the duties under section 80G of the Employment Rights Act 1996 (employer's duties in relation to application for change to working hours, etc).

(2) The first report must be published and laid before Parliament within six months of this Act being passed.

(3) Each further report must be published and laid before Parliament within six months of the last such report being published."

This new clause would require the Government to report on employers' compliance with the flexible working duties set out in this Bill.

New clause 30—*Special constables: right to time off for public duties*—

"(1) The Employment Rights Act 1996 is amended is follows.

(2) In section 50 (Right to time off for public duties), after subsection (1) insert—

'(1A) An employer shall permit an employee who is a special constable, appointed in accordance with section 27 of the Police Act 1996, section 9 of the Police and Fire Reform (Scotland) Act 2012 or section 25 of the Railways and Transport Safety Act 2003, to take time off during the employee's working hours for the purpose of performing their duties.

(1B) In section (1A), "duties" means any activity under the direction of a chief officer of police.'"

This new clause gives employees who are special constables the right to time off to carry out their police duties.

New clause 61—*Status of Workers*—

"(1) The Trade Union and Labour Relations (Consolidation) Act 1992 is amended as follows.

(2) Omit section 145F(3).

(3) Omit section 151(1B).

(4) Omit sections 295 (meaning of employee and related expressions) and 296 (meaning of worker and related expressions) and insert—

'295 Meaning of worker and related expressions

(1) In this Act—

(a) "worker" and "employee" both mean an individual who—

(i) seeks to be engaged by another to provide labour,

(ii) is engaged by another to provide labour, or

(iii) where the employment has ceased, was engaged by another to provide labour, and is not, in the provision of that labour, operating a business on the employee or worker's own account;

(b) an "employer" in relation to a worker or employee is

(i) every person or entity who engages or engaged the worker or employee, and

(ii) every person or entity who substantially determines terms on which the worker or employee is engaged at any material time;

(c) "employed" and "employment mean engaged as an "employee" or as a "worker" under subsection (1)(a);

(d) "contract of employment" means a contract or employment relationship, however described, whereby an individual undertakes to do or perform any labour, work or services for another party to the contract or employment relationship whose status is not by virtue of the contract or employment relationship that of a client or customer of any profession or business undertaking carried on by the individual, and any reference to the contract or employment relationship of an employee or a worker shall be construed accordingly;

(e) The ascertainment of the existence of a contract of employment or employment relationship shall be guided primarily by the facts relating to the performance of work, irrespective of how the contract or employment relationship is designated in any contractual or other arrangement by one or more of the parties involved;

(f) In ascertaining the existence of a contract of employment or employment relationship, all relevant facts may be taken into consideration but the following facts, if found, may be considered indicative of the existence of a contract of employment and the presence of any such fact shall raise the rebuttable presumption that the arrangement is a contract of employment—

(i) the use, by a person other than the putative worker, of automated monitoring systems or automated decision-making systems in the organisation of work;

(ii) the work is carried out according to the instructions and under the control of another entity;

(iii) the work involves the integration of the worker in the organisation of another entity;

(iv) the work is performed solely or mainly for the benefit of another entity;

(v) the work is to be done, or is in fact done, predominantly by the worker personally;

(vi) the work involves the provision of tools, materials and equipment by an entity other than the worker;

(vii) the worker is to a significant extent subordinated to and economically dependent on the entity for which the work is done;

(viii) the determination of the worker's rate of remuneration and other significant terms and conditions is wholly or mainly that of an entity other than the worker and, in any event, significantly outweighs the power of the worker to determine his or her rate of remuneration and other significant terms and conditions;

(ix) the worker's remuneration and other terms and conditions are not determined by collective bargaining;

(x) the financial risks of the entity for which the work is done are not to any significant extent those of the worker beyond his or her interest in securing further remunerated work;

(xi) the worker has no significant capital investment in the entity for which the work is done beyond the provision of tools and equipment necessary for the worker to perform the work;

(xii) the remuneration for the work done constitutes the worker's sole or one of their principal sources of income;

(xiii) part of the remuneration is in kind, such as food, lodging or transport.

(2) It is for a person who is claimed to be the employer and contests that claim to demonstrate in any legal proceedings that—

(a) they are not the employer, or

(b) the person providing the work is not an employee or a worker.

(3) Subsections (1) and (2) apply to all employment of a government department, except for members of the armed forces.

(4) A person undertaking the work of a foster carer shall be treated as a 'worker' for the purposes of this Act.

(5) An entitlement on the part of a person to substitute the labour of another for his or her own labour shall be ignored in determining whether he or she is a worker or employee.

(6) Where a worker or employee provides labour through a personal service company the employer is the third party for whom the labour is performed.

(7) A "personal service company" means a company—

(a) in which the worker or employee is a director, or a substantial shareholding is held by the worker or employee, by themself or by or with a member of the family of the worker or employee, or by or with a third party for whom the labour is or was performed, or a nominee or nominees of such a third party; and

(b) which has contracted with the worker or employee to provide their labour to a third party or parties nominated by the company; and

(c) in relation to which the terms and conditions on which the worker or employee is or was engaged to perform the labour are or were substantially determined by any third party for whom the labour is or was to be performed, by itself or jointly with another person or entity; and

(d) in which the status of any third party for whom the labour is or was to be performed is not in practice that of a client or customer of the profession or business undertaking carried on by the worker or employee.

(8) An employer that employs, or proposes to engage, an individual to carry out work must not represent to the individual that the contract under which the individual is, or would be, engaged by the employer is a contract for services under which the individual performs, or would perform, work as an independent contractor if that is not the case.

(9) Subsection (8) does not apply if the employer demonstrates that, when the representation was made, the employer reasonably believed that the contract was a contract for services.

(10) In determining, for the purpose of subsection (9), whether the employer's belief was reasonable, regard must be had to all relevant circumstances including the size and nature of the employer's enterprise.

(11) The Secretary of State may by regulations designate as "workers" other persons engaged in work, and designate as "employers" other entities engaged in the provision of work, after consultation with organisations which appear to the Secretary of State to represent such persons and entities and any such regulations must be made by statutory instrument,

(12) A statutory instrument containing regulations under sub-paragraph (11) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.(12) This section has effect subject to sections 68(4), 116B(10) and 235.'"

New clause 62—*Procedure for handling dismissal and re-engagement—*

"(1) The Trade Union and Labour Relations (Consolidation) Act 1992 is amended as follows.

(2) After Chapter I (collective bargaining), insert—

"Chapter 1A

Procedure For Handling Dismissal and Re-Engagement

187A Duty of employer to consult representatives

(1) This section applies to an employer where, in an undertaking or establishment with 50 or more employees, in the light of recent events or information and the economic situation affecting the employer, there is a threat to continued employment within the undertaking, and one or both of the following matters apply—

(a) decisions may have to be taken to terminate the contracts of or more employees for reasons other than conduct or capability, or

(b) anticipatory measures are envisaged which are likely to lead to substantial changes in work organisation or in contractual relations affecting or more employees.

(2) The employer shall consult with a view to reaching an agreement to avoid decisions being taken to terminate contracts of employment, or to introduce changes in work organisation or in contractual relations.

(3) The consultations under subsection (2) shall take place with all the persons who are appropriate representatives of any of the employees who are or may be affected by those matters that apply.

(4) The consultation shall begin as soon as is reasonably practicable and in good time for any agreement to be reached so as to avoid decisions being taken to terminate contracts of employment or introduce changes in work organisation or in contractual relations.

(5) The employer shall allow the appropriate representatives access to the affected employees and shall afford to those representatives such accommodation and other facilities as may be appropriate.

(6) In this section, "appropriate representatives" has the same meaning as in section 188(1B) (and the requirements for the election of employee representatives in section 188A apply).

(7) If there are special circumstances which render it not reasonably practicable for the employer to comply with a requirement of this section, the employer shall take all such steps towards compliance with that requirement as are reasonably practicable in those circumstances.

(8) Where the threat to continued employment emanates from a person controlling the employer (directly or indirectly), or a decision leading to the termination of the contract of an employee for reasons other than conduct or capability or a decision leading to substantial changes in work organisation or in contractual relations is that of a person controlling the employer (directly or indirectly), a failure on the part of that person to provide information to the employer shall not constitute special circumstances rendering it not reasonably practicable for the employer to comply with such a requirement.

187B Duty of employers to disclose information

(1) An employer to which section 187A applies shall, for the purposes of the consultation provided for in section 187A, disclose to the appropriate representatives, on request, the information required by this section.

(2) The information to be disclosed is all information relating to the employer's undertaking (including information relating to use of agency workers in that undertaking) which is in the employer's possession, or that of an associated employer, and is information—

(a) without which the appropriate representatives would be to a material extent impeded in carrying on consultation with the employer, and

(b) which it would be in accordance with good industrial relations practice that the employer should disclose for the purposes of the consultation.

(3) A request by appropriate representatives for information under this section shall, if the employer so requests, be in writing or be confirmed in writing.

(4) In determining what would be in accordance with good industrial relations practice, regard shall be had to the relevant provisions of any Code of Practice issued by ACAS, but not so as to exclude any other evidence of what that practice is.

(5) Information which an employer is required by virtue of this section to disclose to appropriate representatives shall, if they so request, be disclosed or confirmed in writing.

(6) The employer is not required to disclose any information or document to a person for the purposes of this section where the nature of the information or document is such that, according to objective criteria, the disclosure of the information or document would seriously harm the functioning of, or would be prejudicial to, the undertaking.

(7) If there is a dispute between the employer and an employee or an appropriate representative as to whether the nature of the information or document which the employer has failed to provide is such as is described in subsection (6), the employer, employee or appropriate representative may apply to the Central Arbitration Committee for a declaration as to whether the information or document is of such a nature.

(8) If the Committee makes a declaration that the disclosure of the information or document in question would not, according to objective criteria, be seriously harmful or prejudicial as mentioned in subsection (5) the Committee shall order the employer to disclose the information or document.

(9) An order under subsection (8) shall specify—

(a) the information or document to be disclosed;

(b) the person or persons to whom the information or document is to be disclosed;

(c) any terms on which the information or document is to be disclosed; and

(d) the date before which the information or document is to be disclosed.

187C Complaint to Central Arbitration Committee

(1) An appropriate representative may present a complaint to the Central Arbitration Committee that an employer has failed to comply with a requirement of section 187A or section 187B. The complaint must be in writing and in such form as the Committee may require.

(2) If on receipt of a complaint the Committee is of the opinion that it is reasonably likely to be settled by conciliation, it shall refer the complaint to ACAS and shall notify the appropriate representative and employer accordingly, whereupon ACAS shall seek to promote a settlement of the matter. If a complaint so referred is not settled or withdrawn and ACAS is of the opinion that further attempts at conciliation are unlikely to result in a settlement, it shall inform the Committee of its opinion.

(3) If the complaint is not referred to ACAS or, if it is so referred, on ACAS informing the Committee of its opinion that further attempts at conciliation are unlikely to result in a settlement, the Committee shall proceed to hear and determine the complaint and shall make a declaration stating whether it finds the complaint well-founded, wholly or in part, and stating the reasons for its findings.

(4) On the hearing of a complaint any person who the Committee considers has an interest in the complaint may be heard by the Committee, but a failure to accord a hearing to a person other than the appropriate representative and employer directly concerned does not affect the validity of any decision of the Committee in those proceedings.

(5) If the Committee finds the complaint wholly or partly well-founded, the declaration shall specify

(a) each failure in respect of which the Committee finds that the complaint is well-founded

(b) the steps that should be taken by the employer to rectify each such failure, and

(c) a period or periods (not being less than one week from the date of the declaration) within which the employer ought to take those steps.

(6) On a hearing of a complaint under this section a certificate signed by or on behalf of a Minister of the Crown and certifying that particular information could not be provided except by disclosing information the disclosure of which would have been against the interests of national security shall be conclusive evidence of that fact. A document which purports to be such a certificate shall be taken to be such a certificate unless the contrary is proved.

187D Application for injunction pending rectification of failure

(1) This section applies if a declaration of the Central Arbitration Committee under section 187C finds a complaint wholly or partly well-founded.

(2) An appropriate representative may apply to the Court for an injunction to subsist until the employer can satisfy the Committee that the steps under section 187C(5)(b) have been completed within the specified period or periods under section 187C(5)(c)—

(a) to compel the employer to take those steps within the period or periods, or

(b) to render void any dismissal or changes in work organisation or in contractual relations.

187E Complaint to employment tribunal

(1) This section applies where an employer—

(a) offers or proposes to offer re-engagement on different terms to an employee—

(i) it has dismissed or proposes to dismiss for reasons other than conduct or capability, or

(ii) in relation to whom it has made or proposes to make substantial changes in work organisation or in contractual relations; or

(b) has failed to comply with any of the obligations set out in sections 187A or 187B.

(2) Any affected employee or their appropriate representative may make a complaint to the employment tribunal.

(3) If the tribunal finds the complaint well-founded it shall make a declaration to that effect.

187F Award of compensation

(1) An employee, or the appropriate representative of an employee, whose complaint under section 187E has been declared to be well-founded may make an application to an employment tribunal for an award of compensation to be paid by the employer.

(2) The amount of compensation awarded shall, subject to the following provisions, be such as the employment tribunal considers just and equitable in all the circumstances having regard any loss sustained by the complainant which is attributable to the dismissal or substantial changes in work organisation or in contractual relations to which the complaint related.

187G Duty of employer to notify Secretary of State in certain circumstances

(1) This section applies to an employer to which section 187A applies in relation to 50 or more employees at one establishment or undertaking.

(2) The employer shall notify the Secretary of State, in writing, of the matters under section 187A(1) that apply and any related proposals not later than the end of whichever is the longer of—

(a) 45 days, or

(b) the notice period necessary to terminate lawfully the employment of all those employees who may be affected by any such matter before any decision to put into effect that matter is reached.

(3) A notice under this section shall—

(a) be given to the Secretary of State by delivery or by sending it by post, at such address as the Secretary of State may direct in relation to the establishment where employees who may be affected are employed,

(b) where there are representatives to be consulted under section 187A(2), identify them and state the date when consultation with them under that section began or will begin, and

(c) be in such form and contain such particulars, in addition to those required by paragraph (b), as the Secretary of State may direct.

(4) After receiving a notice under this section from an employer the Secretary of State may by written notice require the employer to give them such further information as may be specified in the notice.

(5) Where there are representatives to be consulted under section 187A(2) the employer shall give to each of them a copy of any notice given under subsection (3). The copy shall be delivered to them or sent by post to an address notified by them to the employer, or (in the case of representatives of a trade union) sent by post to the union at the address of its head or main office.

(6) If in any case there are special circumstances rendering it not reasonably practicable for the employer to comply with any of the requirements of subsections (1) to (5), the employer shall take all such steps towards compliance with that requirement as are reasonably practicable in the circumstances. Where the decision regarding the matters is that of a person controlling the employer (directly or indirectly), a failure on the part of that person to provide information to the employer shall not constitute special circumstances rendering it not reasonably practicable for the employer to comply with any of those requirements.

187H Failure to notify

(1) An employer who fails to give notice to the Secretary of State in accordance with section 187G commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) Proceedings in England or Wales for such an offence shall be instituted only by or with the consent of the Secretary of State or by an officer authorised for that purpose by special or general directions of the Secretary of State. An officer so authorised may prosecute or conduct proceedings for such an offence before a magistrates' court.

(3) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, that person as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(4) Where the affairs of a body corporate are managed by its members, subsection (3) applies in relation to the acts and defaults of a member in connection with their functions of management as if they were a director of the body corporate."

New clause 63—*Protection of contracts of employment*—

"(1) The Employment Rights Act 1996 is amended as follows.

(2) After Part IIA (zero hours workers) insert—

"Part 2AA

Protection of Contracts of Employment

27BA

(1) Any variation to an employment contract is void if it—

(a) was obtained under the threat of dismissal, and

(b) is less favourable to the employee than the pre-existing provision, unless the employer has complied with all its obligations under, and arising from, sections 187A to 187G of the Trade Union and Labour Relations (Consolidation) Act 1992 in relation to any person employed under the contract.

(2) In subsection (1)(b), the definition of "less favourable" shall be determined by the perception of a reasonable employee in the position of the affected employee.

27BB Unilateral variation of employment contracts

(1) Any provision in an agreement (whether an employment contract or not) is void in so far as it purports to permit the employer to vary unilaterally one or more terms within an employment contract where the variation is less favourable to the employee that the pre-existing provision.

(2) In subsection (1), the definition of "less favourable" shall be determined by the perception of a reasonable employee in the position of the affected employee.

(3) In Chapter I (right not to be unfairly dismissed), after section 104G insert—

(3) In Chapter I (right not to be unfairly dismissed), after section 104G insert—

"104H Refusal of variation of contractual terms

(1) In relation to an employee who claims to have been unfairly dismissed in circumstances in which the reason (or, if more than one, the principal reason) for the dismissal is that the employee has refused to agree to a variation of contractual terms—

(a) section 98(1)(b) shall not apply save that it shall be for the employer to show that the reason for the dismissal fell within section 98(2);

(b) section 108(1) shall not apply.

104I Matters for consultation under section 187C of the Trade Union and Labour Relations (Consolidation) Act 1992

(2) An employee who is dismissed shall be regarded for the purposes of this Part as unfairly dismissed if—

(a) the Central Arbitration Committee has made a declaration under section 187C of the Trade Union and Labour Relations (Consolidation) Act 1992 in respect of the employer and employee, and the employer has not complied with the steps in that declaration, or

(b) the employer has failed, in respect of the employee, to comply with a provision of a collective agreement applicable to a matter for consultation under section 187A of the Trade Union and Labour Relations (Consolidation) Act 1992."

(4) In section 116 (unfair dismissal: choice of order and its terms), after subsection (3) insert—

"(3A) If an employee has been unfairly dismissed and the reason (or, if more than one, the principal reason) the dismissal is unfair is one specified under section 104H or 104I, the tribunal may only find that it is not practicable for—

(a) the employer to comply with an order for reinstatement under subsection (1)(b), or

(b) the employer (or a successor or an associated employer) to comply with an order for re-engagement if the employer (or if appropriate a successor or an associated employer) would be likely to become insolvent within three months if such an order was made."

(5) In section 128(1)(a)(i) (interim relief pending determination of complaint), for "or 103A" substitute "103A, 104H or 104I".

(6) In section 129(1)(a)(i) (procedure on hearing of application and making of order), for "or 103A" substitute "103A, 104H or 104I"."

New clause 71—*Review of Statutory Sick Pay costs*—

"(1) Within three months of the passage of this Act, the Secretary of State must consult on how the Government can best support small employers with Statutory Sick Pay costs.

(2) The consultation under subsection (1) must consider the economic effects of increasing Statutory Sick Pay for small employers with 250 employees or less, including the effects on—

(a) productivity;

(b) long-term illness;

(c) benefit spending; and

(d) economic growth & tax revenue.

(3) Following a consultation under subsection (2), within twelve months of commencing the consultation, the Secretary of State must report to Parliament on actions taken to implement the findings of the report of the consultation."

This new clause would require the Government to consult on how best to support small employers with statutory sick pay costs while taking into account the wider economic effects of increasing it.

New clause 72—*Duty on employers to investigate protected disclosures*—

"(1) Part 4A of the Employment Rights Act 1996 (protected disclosures) is amended in accordance with subsections (2) to (4).

(2) In section 43C (Disclosure to employer or other responsible person), after subsection (2) insert

"(3) Employers must take reasonable steps to investigate any disclosure made to them under this section.

(4) Employers with

(a) 50 or more employees;

(b) an annual business turnover or annual balance sheet total of £10 million or more;

(c) operations in financial services; or

(d) vulnerabilities in other respects to money laundering or terrorist financing,

must establish internal channels and procedures for reporting and managing qualifying disclosures.

(5) The calculation of the number of employees under subsection (4)(a) includes employees of all franchises, subsidiaries and associated employers as defined under section 231 of this Act.

(6) The Secretary of State must, within six months of the commencement of this provision, set out in statutory guidance what "reasonable steps" under subsection (3) should include."

(3) In section 48 (Complaints to employment tribunals), after subsection (1B), insert

"(1C) A worker may present a complaint to an employment tribunal that the worker's employer has failed to comply with the duty in section 43C (Duty to investigate protected disclosures)."

(4) In section 49 (Remedies), after subsection (1A), insert

"(1B) Where an employment tribunal is satisfied that an employer has contravened the duty set out in section 43C (duty to investigate), the tribunal

(a) shall make a declaration to that effect, and

(b) may make an award of compensation to be paid by the employer to the complainant in respect of the failure and may increase any award payable to the complainant by no more than 25%.""

This new clause would create a duty on employers to investigate whistleblowing concerns, to establish internal channels for reporting and managing whistleblower disclosures, and enable tribunal claims with respect to contravention of those duties.

New clause 73—*Hourly statutory sick pay*—

"(1) Part 11 of the Social Security Contributions and Benefits Act 1992 (statutory sick pay) is amended as follows.

(2) After section 151 (Employer's liability), insert—

"151A Hourly statutory sick pay

(1) Where an employee has an hour of incapacity for work in relation to his contract of service with an employer, that employer shall, if the conditions set out in sections 153 and 154 are satisfied, be liable to make him, in accordance with the following provisions of this Part of this Act, a payment (to be known as "hourly statutory sick pay") in respect of that hour.

(2) For the purposes of this section an hour of incapacity for work in relation to a contract of service means an hour during which the employee concerned is, or is deemed in accordance with regulations to be, incapable by reason of some specific disease or bodily or mental disablement of doing work which he can reasonably be expected to do under that contract.

(3) The Secretary of State must by regulations make any amendment to this Part that is necessary to enable the operation of a system of hourly statutory sick pay.""

This new clause introduces a new defined term "hourly statutory sick pay", enabling pro rata payment of statutory sick pay by the hour. This will give employers greater flexibility in SSP payment, which can currently only be paid in whole days.

New clause 74—*Non-disclosure agreements: harassment*—

"(1) The Secretary of State must, within six months of the passing of this Act, make changes by regulation to ensure that an agreement to which this section applies is void insofar as it purports to preclude the worker from making a relevant disclosure.

(2) This section applies to any agreement between a worker and the worker's employer (whether a worker's contract or not), including—

(a) any proceedings for breach of contract;

(b) a non-disclosure agreement; or

(c) a non-disparagement agreement.

(3) Regulations made under this section

(a) must not prevent a worker from being granted confidentiality protections associated with a settlement agreement, if those protections are made at the worker's request; and

(b) must replicate or enhance the protections offered to workers by section 1 of the Higher Education (Freedom of Speech) Act 2023, with respect to non-disclosure agreements and harassment, but must apply those protections to all workers.

(4) For the purposes of this section—

(a) "relevant disclosure" means any disclosure of information which, in the reasonable belief of the worker making the disclosure, shows that harassment has been committed, is being committed or is likely to be committed, by a fellow worker or a client of the employer;

(b) "harassment" means any act of harassment as defined by section 26 of the Equality Act 2010."

This new clause would require the Secretary of State to make regulations to void any non-disclosure agreement insofar as it prevents the worker from making a disclosure about harassment (including sexual harassment), with relevant exceptions at the worker's request.

New clause 75—*Statutory sick pay: consultation on rate*—

"(1) Within three months of the passage of this Act, the Secretary of State must consult on the rate of Statutory Sick Pay.

(2) A consultation under subsection (1) must conclude within six months of its commencement.

(3) A consultation under subsection (1) must consider

(a) the rate at which Statutory Sick Pay should be set to ensure that employees are able to—

(i) cover their basic needs without falling into negative budgets;

(ii) recover from an illness; and

(iii) remain in work while managing their disability or long-term health condition;

(b) how best to phase in increases to Statutory Sick Pay over a five year period;

(c) the support that the Government could offer small businesses for longer-term absences or to improve the health of their workforce; and

(d) the support that the Government could offer to encourage better insurance protections for businesses to manage staff absences."

This new clause would require the Secretary of State to hold a consultation on the rate of Statutory Sick Pay.

New clause 76—*Statutory sick pay: gradual increases*—

"(1) The Secretary of State must, within six months of the passage of this Act, commence a five year period of annual increases to the rate of Statutory Sick Pay.

(2) At the end of the five year period under subsection (1), the rate of Statutory Sick Pay must be no less than 80% of the National Living Wage.

(3) The annual increases under subsection (1) must be incremental, with each annual increase representing at least 10% of the overall increase required over the five year period."

This new clause would gradually increase the rate of Statutory Sick Pay over the next five years, taking it to at least 80% of rate of the National Living Wage.

New clause 78—*Access to employment rights: workers on temporary visas*—

"(1) The Secretary of State must, within six months of this Act being passed, commission an independent report on the extent to which workers on temporary visas are able to assert their rights under employment law.

(2) In commissioning the report, the Secretary of State must arrange for the report to meet the requirements set out in subsections (3) to (5).

(3) The report must examine the extent to which workers on temporary visas feel unable to assert their employment rights because they are dependent on their employers to sponsor their visas.

(4) The report must make recommendations to the Secretary of State about how the Secretary of State can support workers on temporary visas in the assertion of their employment rights.

(5) The report must be completed within three months of being commissioned.

(6) The Secretary of State must, as soon as is practicable after receipt of the report, publish the report and lay it before both Houses of Parliament.

(7) The Secretary of State must, within three months of receipt of the report—

(a) respond to the recommendations in the report, and

(b) publish the response and lay it before both Houses of Parliament."

This new clause would require the Secretary of State to commission a report ensuring that workers on temporary visas are able to assert their rights under employment law in order to prevent abusive practices.

New clause 79—*Duty to prevent and monitor sexual harassment in the workplace—*

"(1) Section 2 of the Health and Safety at Work etc. Act 1974 is amended as follows.

(2) After subsection (2)(e) insert—

"(f) the adoption of proactive and preventative measures to protect all persons working in their workplace from sexual harassment; and

(g) the monitoring of sexual harassment in the workplace."

This new clause would require the Health and Safety Executive to prevent and monitor sexual harassment in the workplace.

New clause 80—*Single status of worker: review—*

"(1) The Secretary of State must conduct a review of Government policy on the single status of worker, and how it affects the ability to access the rights provided for by this Act.

(2) The review must be published and laid before Parliament within six months of this section coming into force."

This new clause calls on the Secretary of State to review the Government's policy on the single status of workers within 6 months of this section coming into force.

New clause 81—*Modern slavery in UK workplaces: review—*

"(1) The Secretary of State must conduct a review of—

(a) the extent to which employees in UK workplaces are subject to modern slavery as a result of the actions of their employer, and

(b) the effectiveness of employment rights in preventing modern slavery in UK workplaces.

(2) The review must be published and laid before Parliament within six months of this section coming into force."

This new clause asks the Secretary of State to conduct a review of modern slavery to ensure that the employment rights granted in the Act are effective in preventing modern slavery.

New clause 83—*Impact on employment tribunals: sections 1 to 6—*

"(1) The Secretary of State must conduct a review of—

(a) the impact of sections 1 to 6 on the operation of employment tribunals, and

(b) the ability of employment tribunals to manage any increase in applications resulting from those sections.

(2) The Secretary of State must lay the review made under subsection (1) and the Government's response to the review before Parliament."

This new clause would require the Secretary of State to conduct a review of the impact on the employment tribunals of the Bill's provisions on zero hours workers.

New clause 84—*Consultation and assessment on the right to request flexible working—*

"(1) The Secretary of State must carry out an assessment of the likely impact of the right to request flexible working provided for in section 7 of this Act.

(2) As part of the assessment, the Secretary of State must carry out a consultation on the proposed right to request flexible working.

(3) The assessment must—

(a) include labour market and broader macroeconomic analysis;

(b) examine the impact of the measures in section 7 on employment, wages and economic output;

(c) consider the likelihood of the costs of flexible working measures being passed on to employees through lower wages; and

(d) examine the likely effect of the right to request flexible working on—

(i) productivity

(ii) wage growth

(iii) equality of opportunity

(iv) job security

(v) economic activity, and

(vi) employment.

(4) A report setting out the findings of the assessment must be laid before each House of Parliament no sooner than 18 weeks after the consultation has been initiated."

This new clause requires the Secretary of State to assess the impact of the provisions of Clause 7.

New clause 85—*Employer duties on harassment: impact assessment—*

"(1) The Secretary of State must carry out an assessment of the likely impact of section 18 of this Act on employers.

(2) The assessment must—

(a) report on the extent to which the prevalence of third-party harassment makes the case for the measures in section 18;

(b) include an assessment of the impact of section 18 on free speech;

(c) include an assessment of the likely costs to employers of section 18;

(d) include—

(i) an assessment of which occupations might be at particular risk of third-party harassment through no fault of the employer, and

(ii) proposals for mitigations that can be put in place for employers employing people in such occupations.

(3) The Secretary of State must lay a report setting out the findings of the assessment before each House of Parliament."

This new clause requires the Secretary of State to assess the impact of the provisions in Clauses 18.

New clause 86—*Unfair dismissal: impact assessment—*

"(1) The Secretary of State must carry out an assessment of the likely impact of section 21 and Schedule 2 of this Act on—

(a) employers, and

(b) the economy.

(2) The assessment must—

(a) include labour market and broader macroeconomic analysis;

(b) examine the impact of the measures in section 21 and Schedule 2 of this Act on employment, wages and economic output;

(c) consider the likelihood the dismissal measures leading to lower employment, and greater use of temporary contracts; and

(d) examine the likely effect of section 21 and Schedule 2 of this Act on—

(i) productivity

(ii) wage growth

(iii) equality of opportunity

(iv) job security

(v) economic activity, and

(vi) employment, including levels of youth employment.

(3) The Secretary of State must lay a report setting out the findings of the assessment before each House of Parliament."

This new clause requires the Secretary of State to assess the impact of the provisions of Clause 21 and Schedule 2.

New clause 87—*Regulations under Part 1 and 2*—

"When making regulations under Parts 1 and 2 of this Act, the Secretary of State must have regard to the following objectives—

(a) the international competitiveness of the economy of the United Kingdom; and

(b) the economic growth of the United Kingdom in the medium to long term."

This new clause would require the Secretary of State, when making regulations under Part 1 and 2 of the Bill, to have regard to the objective of the international competitiveness of the economy and its growth in the medium to long term.

New clause 91—*Use of positive action in the workplace*—

"(1) In this section—

(a) "P" is a public sector worker who reasonably thinks that the application by P's employer, in relation to P's employment or a working practice, of sections 158 and 159 of the Equality Act 2010 has caused or risks causing detriment to P; and

(b) "R" is P's public sector employer; and

(c) P reasonably thinks that R is responsible for the detriment in subsection (1)(a).

(2) A Minister of the Crown must by regulations make provision for—

(a) forms through which P may anonymously question R on any matter relevant to subsection (1);

(b) forms through which R may answer questions by P; and

(c) such forms to be made publicly available.

(3) Within six months of the passing of this Act and every three months thereafter, R must publish a report to set out

(a) the number of forms received under subsection (2), and

(b) a summary of the nature of the complaints to which they relate.

(4) A Minister of the Crown may by regulations require R to report on the use of sections 158 and 159 of the Equality Act.

(5) This section does not apply to activities undertaken by R under paragraph 1 of Schedule 9 of the Equality Act."

New clause 92—*Rolled-up holiday pay for irregular hours workers and part-year workers*—

"In the Working Time Regulations 1998, omit regulation 16A (Rolled-up holiday pay for irregular hours workers and part-year workers)."

This new clause would remove regulation 16A from the Working Time Regulations, which gives employers the ability to pay irregular hours workers and part-year workers their holiday pay by way of 'rolled-up pay', i.e. an uplift to their weekly or monthly pay.

New clause 93—*Working Time Regulations 1998: records*—

"In Regulation 9 (Records) of the Working Time Regulations 1998, omit paragraphs (2) and (3) and substitute—

"(2) The records referred to in paragraph (1)(a) must be created, maintained and kept in such manner and format as the Secretary of State may prescribe.""

This new clause would remove the discretion given to employers in 2023 to keep records in any form they choose (or not at all) in relation to each worker's daily working hours.

New clause 94—*Annual report on application of changes to employment rights to seafarers*—

"(1) The Secretary of State must lay before each House of Parliament an annual report on the extent to which the relevant employment rights changes made by this Act apply to seafarers.

(2) Each annual report must describe—

(a) so far as appropriate, whether each relevant employment rights change applies or is intended to apply at the time of its commencement to seafarers on a relevant service within the meaning given by section 1 of the Seafarers (Wages and Working Conditions) Act 2023;

(b) any proposals by the Secretary of State to apply any relevant employment rights change to such seafarers subsequent to commencement;

(c) the extent to which the application of changes to employment rights to seafarers is affected by any change or prospective change to the Maritime Labour Convention, adopted on 23 February 2006 by the International Labour Organisation.

(3) The first annual report under this section must be laid before each House of Parliament within three months of the passing of this Act.

(4) In this section, "relevant employment rights changes made by this Act" means the provisions of—

(a) Part 1 of this Act,

(b) sections 25, 28 and 29."

This new clause requires the Secretary of State to produce an annual report on the application of employment rights provisions to seafarers.

New clause 95—*Annual report on provisions relating to seafarers*—

"(1) The Secretary of State must lay before each House of Parliament an annual report on the extent to which the provisions of sections 26, 47 and 48 of, and Schedule 3 to, this Act improve the working conditions and employment rights of seafarers.

(2) The first annual report under this section must be laid before each House of Parliament within three months of the passing of this Act."

New clause 97—*Rights of employer and employee to minimum notice*—

"(1) Section 86 of the Employment Rights Act 1996 (Rights of employer and employee to minimum notice) is amended as follows.

(2) In subsection (1)—

(a) omit "for one month or more";

(b) for both instances of "one week's notice", substitute "one month's notice"; and

(c) for "twelve weeks' notice", substitute "twelve months' notice"."

This new clause would change the minimum notice period for termination of contract to a day one right, and would increase the notice period to: one month for an employee who has been employed for up to twelve years; and twelve months for an employee who has been employed for over twelve years.

New clause 101—*Duty to establish a regulatory body for foster carers*—

"(1) The Secretary of State must, within six months of the passing of this Act, make a report to Parliament on progress made to date on establishing a regulatory body for the employment rights and remuneration of foster carers.

(2) Any regulatory body established pursuant to the Secretary of State's activities under subsection (1) must include—

(a) representatives of employers and foster care workers;

(b) independent members; and

(c) representatives of individuals with lived experience in foster care; and

(3) A regulatory body established pursuant to subsection (1) must consider—

(a) the establishment of a central registration system for foster carers;

(b) the expansion of employment rights for foster carers;

(c) remuneration rates for foster caring; and

(d) any other matters which the Secretary of State deems appropriate."

This new clause would require the Secretary of State to establish a regulatory body for foster carers for the purposes of consideration the remuneration and the expansion of employment rights for foster carers.

New clause 102—*Statutory sick pay: report to Parliament*—

"(1) The Secretary of State has a duty to ensure that any regulations made under section 157 (rates of payment) of the Social Security Contributions and Benefits Act 1992 do not result in an employee receiving a lower rate of statutory sick pay than the employee would have received prior to the passing of this Act.

(2) Within three months of the passing of this Act, the Secretary of State must report to Parliament on how the prescribed percentage of weekly earnings specified in section 9 of this Act will ensure that all employees receive an increase to their eligible rate of statutory sick pay."

This new clause would ensure that the Bill's changes to statutory sick pay do not result in any employees receiving a reduced rate, compared with current rates.

New clause 105—*Substitution clauses: duties of company directors*—

"(1) The director of a relevant company has a duty to ensure that the company keeps a register of all dependent contractors.

(2) The director must supply details of the register under subsection (1) with the Secretary of State within 12 months of the passing of this Act and every 12 months thereafter, subject to the provisions of the Data Protection Act 2018.

(3) The Secretary of State may by regulations make provision about what information must be supplied in the register of dependant contractors.

(4) For the purposes of this section

(a) a "relevant company" is a company that

(i) provides services in relation to postal and courier activities, food and beverage service activities or taxi operation;

(ii) has more than 250 employees in the UK and overseas; and

(iii) includes provision within the company's contracts with contractors which allow the contractor to send another qualified person (a ″substitute″) to complete the work in the contractor's place if the contractor is unable to complete the work;

(b) a "director" includes any person occupying the position of director, by whatever name called; and

(c) "dependent contractor" means a person who—

(i) performs work or services for the relevant company;

(ii) is paid according to tasks performed rather than hours of work;

(iii) depends partially or primarily on the relevant company for employment and income;

(iv) is not required to perform services for the relevant company; and

(v) is not specified as an employee or worker for the relevant company within a statement of employment particulars or a contract of employment."

This new clause requires certain company directors to keep a register of the people carrying out work for the company under so-called 'substitution clauses', which allow companies to permit their suppliers – including some delivery couriers – to appoint a substitute to supply services on their behalf.

Amendment 275, in clause 1, page 2, line 30, leave out from "period" to the end of line 32.

This amendment aims to take out reference to low hours.

Amendment 276, page 2, leave out lines 36 and 37.

This amendment is linked to amendment 275.

Government amendment 8.

Amendment 277, page 3, line 20 leave out "with the specified day" and insert "12 weeks after the commencement".

This amendment proposes that the reference period for offering guaranteed hours to workers previously on a zero-hours contract be 12 weeks.

Government amendment 9.

Amendment 264, page 3, line 39, at end insert—

"(11) In this section an agency worker is a qualifying worker".

Government amendments 10 to 15.

Amendment 265, page 5, line 4, leave out from "event" to the end of line 7.

Government amendment 16.

Amendment 266, page 5, line 14, leave out from "contract" to ", and" in line 15.

Government amendment 17.

Amendment 267, page 5, line 25, leave out lines 25 to 42.

Government amendment 18.

Amendment 328, page 8, leave out lines 10 and 11.

Amendment 269, page 11, line 24, at end insert—

"(c) the length of the response period which shall not be less than one week."

Government amendments 19 to 28.

Amendment 278, in clause 2, page 16, line 22, leave out "a specified amount of time" and insert "2 weeks and ideally one month".

This amendment, and amendments 279 to 281, aim to set time limits for workers to be given notice of shifts, when shifts are moved and when compensation should be paid.

Government amendment 29.

Amendment 279, page 17, line 16, leave out "a specified amount of time" and insert "2 weeks and ideally one month".

This amendment is linked to amendment 278.

Government amendments 30 to 37.

Amendment 280, in clause 3, page 21, line 29, at end insert "provided that the notice is at least 10 days in advance of the original planned shift".

This amendment is linked to amendment 278.

Amendment 281, page 21, line 39, leave out "a specified amount of time" and insert "a week".

This amendment is linked to amendment 278.

Government amendments 38 to 50 and 79.

Amendment 7, in clause 9, page 29, leave out from line 34 to line 3 on page 30 and insert—

"(1) The weekly rate of statutory sick pay that an employer must pay to an employee is the higher of—

(a) the National Living Wage; or

(b) the prescribed percentage of the employee's normal weekly earnings.

(1A) For the purposes of subsection (1)(a), the "National Living Wage" is defined in accordance with regulation 4 of the National Minimum Wage Regulations 2015."

This amendment brings the rate of Statutory Sick Pay into line with the National Living Wage.

Amendment 272, page 29, leave out from line 34 to line 3 on page 30 and insert—

"The weekly rate of statutory sick pay that an employer must pay to an employee is the higher of—

(a) £116.75; and

(b) 65% of the employee's normal weekly earnings."

This amendment would make the rate of statutory sick pay 65% of an employee's earnings or £116.75 a week, whichever is higher.

Government amendments 80 to 85.

Amendment 1, in clause 16, page 33, line 8, at end insert—

"( ) after subsection (2) insert—

"(2A) The conditions specified under subsection (2) must be framed so as to ensure that a "bereaved person" includes those bereaved by pregnancy loss.

(2B) In subsection (2A) "pregnancy loss" includes—

(a) a pregnancy that that ends as a result of—

(i) a miscarriage;

(ii) an ectopic pregnancy;

(iii) a molar pregnancy;

(iv) a medical termination conducted in accordance with section 1 of the Abortion Act 1967;

(b) an unsuccessful attempt at in vitro fertilisation due to embryo transfer loss.""

This amendment requires that any regulations made under section 80EA of the Employment Rights Act 1996 (as amended by the Bill) must include conditions framed by reference to those bereaved by pregnancy loss.

Amendment 2, page 33, line 11, at end insert—

"( ) in subsection (5), after "child" insert "or as a result of pregnancy loss."

This amendment amends section 80EA(5) of the Employment Rights Act 1996 to ensure that the two week leave period is made available to those bereaved as a result of pregnancy loss.

Amendment 3, page 34, line 8, at end insert—

"( ) In section 171ZZ6 of the Social Security Contributions and Benefits Act 1992 (entitlement to statutory pregnancy loss pay), after subsection (3) insert—

"(3A) The conditions specified under subsection (2) must be framed so as to ensure that a "bereaved parent" includes those bereaved by pregnancy loss.

(3B) In subsection (3A) "pregnancy loss" includes—

(a) a pregnancy that that ends as a result of—

(i) a miscarriage;

(ii) an ectopic pregnancy;

(iii) a molar pregnancy;

(iv) a medical termination conducted in accordance with section 1 of the Abortion Act 1967;

(b) an unsuccessful attempt at in vitro fertilisation due to embryo transfer loss.""

This amendment amends the Social Security Contributions and Benefits Act 1992 to ensure that the entitlement to statutory pregnancy loss pay extends to those bereaved by pregnancy loss.

Amendment 288, page 34, line 32, leave out clause 18.

Amendment 289, in clause 18, page 35, line 7, at end insert—

"(1D) Subsection (1A) does not apply to the hospitality sector or to sports venues."

This amendment would exclude hospitality providers and sports venues from the Bill's duties for employers not to permit harassment of their employees.

Amendment 287, page 36, line 10, leave out clause 21.

Government amendments 86 to 89.

Amendment 329, in clause 24, page 37, line 30, at end insert

"(3A) For the purposes of this section, any provision in an agreement (whether a contract of employment or not) is void in so far as it purports to confer on the employer or a third party the power to vary, unilaterally, the terms of the agreement."

This amendment would render void, for the purposes of a case of unfair dismissal in relation to failing to agree to a variation of contract, any provision enabling an employer to vary a contract unilaterally.

Government amendment 90.

Amendment 316, in clause 25, page 39, line 8, omit subsection (2)(a) and insert—

"(a) in subsection (1), omit "at one establishment" and insert "or more than 10% of the employer's employees, whichever is the smaller number,";"

This amendment would require an employer to consult with representatives of affected employees when proposing to dismiss as redundant 20 or more employees or at least 10% of their employees, whichever is the smaller number.

Amendment 317, page 39, line 9, at end insert—

"(2A) After section 189 (complaint and protective award), insert—

"189A Failure to comply with section 188 or 188A

Where the employer has failed to comply with the requirements under section 188 or section 188A, any proposal to dismiss employees as redundant shall be void and of no effect.""

This amendment would increase the sanction for failing to consult with representatives of affected employees by rendering the dismissal ineffective.

Government amendment 91.

Amendment 318, page 39, line 15, at end insert—

"(3A) In section 189(4), omit "but shall not exceed 90 days""

This amendment would remove the cap on the length of a protected period for which an employer is ordered to pay remuneration in protective awards.

Government amendments 92 to 97.

Amendment 302, in clause 26, page 40, line 26, leave out "120" and insert "52".

This amendment applies the provisions for collective redundancy notices for ships' crew to ships providing a service entering a harbour in Great Britain on at least 52 occasions in the relevant period.

Amendment 303, page 40, line 31, leave out "10" and insert "5".

Amendment 273, in clause 28, page 46, line 28 at end insert

"(ii) a public authority specified in Part 3 of Schedule 19,".

This amendment would apply this section to public authorities in Scotland.

Amendment 4, page 47, line 3, at end insert—

"(c) supporting employees who provide or arrange care for a dependant with a long-term care need, as defined by the Carer's Leave Act 2023."

Government amendment 98.

Amendment 330, in clause 31, page 49, line 11, leave out from ″Body″ to the end of subsection (2)(b) and insert—

"that person being selected by agreement between officials of the trade unions and employers' representatives who are members of the Negotiating Body and, in the event of a failure to agree chosen by the Central Arbitration Committee."

This amendment would require the Chair of the Negotiating Body to be appointed by agreement between trade union and employers' representatives or the Central Arbitration Committee rather than by regulations by the Secretary of State.

Government amendments 99 and 100.

Amendment 331, page 49, line 26, leave out sub-paragraphs (i) and (ii) and paragraph (b) and insert—

"equal numbers of persons nominated by—

(i) trade unions that represent the interests of social care workers; and

(ii) employers' associations representing the interests of employers of social care workers."

This amendment would require the regulations to establish the Adult Social Care Negotiating Body to provide for equal numbers of trade union representatives and employers' representatives to be appointed to the Negotiating Body.

Government amendment 101.

Amendment 332, in clause 32, page 49, line 40, leave out from "are" to the end of paragraph (b) and insert—

"matters relating to or connected with matters in Section 178(2) of the Trade Union and Labour Relations No. 332, (Consolidation) Act 1992."

This amendment would extend the remit of the negotiating body to the list of matters for collective bargaining set out in Section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992.

Government amendments 102 to 107.

Amendment 333, page 50, line 4, at end insert—

"(d) the training of social care workers;

(e) career progression of social care workers;

(f) a procedure for the resolution of disputes at employer, regional and national level which may refer a dispute to ACAS for conciliation and mediation and, if not then resolved, shall be entitled to refer the matter to the Central Arbitration Committee to resolve the dispute, the decision of the latter being binding;

(g) discipline and grievance procedures;

(h) any other matter agreed to be the subject of negotiation by the members of the Negotiating Body."

This amendment would add additional matters to those within the Negotiating Body's remit; namely, the training and career progression of social care workers, dispute resolution procedures and discipline and grievance procedures and other matters agreed by members of the Negotiating Body.

Government amendments 108 and 109.

Amendment 334, in clause 33, page 50, line 8, leave out from "means" to the end of subsection (1) and insert—

"an individual who, as paid work, provides social care for an adult, including an individual who, as paid work, supervises or manages individuals providing such care or is a director or similar officer of an organisation which provides such care."

This amendment would bring the definition of social care worker in line with the definition of a "care worker" in Section 20(3) of the Criminal Justice and Courts Act 2015.

Government amendments 110 to 114.

Amendment 335, in clause 34, page 50, line 23, leave out subsections (1), (2) and (3) and insert—

"The Secretary of State may by regulations make provision requiring the Negotiating Body, if it reaches an agreement about a matter within its remit, to submit the agreement to the Secretary of State."

This amendment would remove almost all of Section 34 on the consideration of matters by the Negotiating Body, retaining the power in the regulations that agreements on matters by the Negotiating Body be referred to the Secretary of State.

Government amendments 115 to 126.

Amendment 336, in clause 35, page 51, line 22, leave out paragraphs (c) to (f).

This amendment removes the provisions about what happens where an agreement is referred back to the Negotiating Body in paragraphs (c) to (f) of Section 35(3).

Government amendments 127 to 129.

Amendment 337, page 51, line 36, leave out clause 36.

This amendment would remove Clause 36 on cases where the Negotiating Body is unable to reach an agreement about a matter

Government amendments 130 to 138.

Amendment 338, in clause 38, page 52, line 17, leave out from "remuneration" to the end of line 18 and insert—

"the worker's remuneration is to be no less than that determined and paid in accordance with the agreement."

This amendment relates to an agreement on a social care worker's remuneration and is in line with sectoral collective bargaining by which a local agreement can be more but not less favourable than the national agreement.

Government amendments 139 and 140.

Amendment 339, page 52, line 25, leave out clause 39.

This amendment would remove Clause 39 on the power of the Secretary of State to deal with matters referred to the Negotiating Body.

Government amendments 141 to 153.

Amendment 340, page 55, line 16, leave out clause 45.

This amendment would remove Clause 45 which prevents agreements reached by the Negotiating Body being regarded as collective bargaining.

Government amendments 154 to 161.

Government new schedule 1—*Agency workers: guaranteed hours and rights relating to shifts.*

Government amendments 51 to 78 and 240.

Amendment 324, in schedule 2, page 127, line 14, at end insert—

"(1A) In section 98 of Part 10, in subsection (4)(b), at end insert "in the view of the employment tribunal"."

This amendment would focus the determination of the question on whether a dismissal is fair or unfair on the judgment of the employment tribunal.

Amendment 325, page 127, line 14, at end insert—

"(1A) In section 98 of Part 10, in subsection (4), at end insert—

"(c) the tribunal shall take into account, in accordance with the rules of natural justice, whether or not there has been a fair investigation and a fair appeal.""

This amendment requires the employment tribunal to have regard to the rules of natural justice when determining whether or not a dismissal is fair.

Amendment 327, page 127, line 14, at end insert—

"(1A) In section 98, in subsection (1)(b) after "reason" insert "relating to the employee""

Amendment 5, page 127, line 37, leave out from "period" to the end of line 38 and insert—

"of not less than 3 months and not more than 9 months from the day on which the employee starts work."

This amendment will ensure that the initial period of employment is between 3 and 9 months.

Amendment 326, page 127, line 38, at end insert—

"(4A) The initial period of employment specified in, or determined in accordance with the regulations shall in relation to a contract for a fixed or reasonably ascertainable term not be longer than ten percent of the duration of that term."

Government amendment 241.

Amendment 319, page 129, line 29, at end insert—

"(5A) In section 139 (Redundancy), after subsection (1)(b) insert—

"(c) the fact that the requirements of that business—

(i) for employees with their existing contractual entitlements to carry out work of a particular kind, or

(ii) for employees with their existing contractual entitlements to carry out work of a particular kind in the place where the employee was employed by the employer,

have ceased or diminished.""

This amendment would provide for workers dismissed by a process of fire and rehire to reduce wages or other terms and conditions to be treated as redundant.

Amendment 320, page 129, line 29, at end insert—

"(5A) Omit section 155 (Qualifying period of employment)."

This amendment removes the qualifying period of two years of continuous employment for the right to a redundancy payment.

Amendment 321, page 129, line 29, at end insert—

"(5A) In section 162 (Amount of a redundancy payment), in subsection (2), for every reference to "week", substitute "month"."

This amendment would increase the calculation of the appropriate amount of redundancy pay for each specified period of employment.

Amendment 322, page 129, line 29, at end insert—

"(5A) In section 162 (Amount of a redundancy payment), omit subsection (3)."

This amendment would remove the 20-year cap on entitlement to a redundancy payment.

Amendment 323, page 129, line 29, at end insert—

"(5A) In section 162 (Amount of a redundancy payment), after subsection (3) insert—

"(4) For the purposes of this section, "year of employment" means "year of employment or part year of employment"."

This amendment clarifies that, when redundancy pay is calculated, each part year worked is treated as a full year of employment.

Government amendments 242 and 243.

Amendment 343, in schedule 3, page 131, leave out lines 13 to 29.

This amendment would remove section 148B from Schedule 3 relating to matters within the remit of the School Support Staff Negotiating Body.

Amendment 290, page 131, leave out from the beginning of line 14 to the end of line 29 and insert—

"(1) In the case of staff employed under section 148C, matters within the SSNB's remit are limited to the establishment of a framework to which employers of school support staff must have regard when discharging their functions.

(2) A framework under subsection (1) must include information on—

(a) the remuneration of school support staff;

(b) the terms and conditions of employment of school support staff;

(c) the training of school support staff;

(d) career progression for school support staff; and

(e) related matters."

(3) In the case of staff employed under subsection (3)(a) of section 148C, the matters within the SSSNB's remit are matters relating to the following—

(a) the remuneration of school support staff;

(b) terms and conditions of employment of school support staff;

(c) the training of school support staff;

(d) career progression for school support staff.

(4) The Secretary of State may by regulations provide that, for the purposes of subsection 5—

(a) a payment or entitlement of a prescribed kind is, or is not, to be treated as remuneration;

(b) a prescribed matter is, or is not, to be treated as relating to terms and conditions of employment of school support staff;

(c) a prescribed matter is, or is not, to be treated as relating to the training of school support staff;

(d) a prescribed matter is, or is not, to be treated as relating to career progression for school support staff."

This amendment would change the matters within the SSNB's remit, limiting it to the creation of a framework to which school employers should have regard but do not need to follow.

Amendment 341, page 131, line 15, leave out from "are" to the end of line 19 and insert—

"matters relating to or connected with matters in Section 178(2) of the Trade Union and Labour Relations (Consolidation) Act 1992."

This amendment would extend the remit of the School Support Staff Negotiating Body to the list of matters for collective bargaining set out in Section 178 of the Trade Union and Labour Relations (Consolidation) Act 1992.

Amendment 342, page 131, line 19, at end insert—

"(e) a procedure for the resolution of disputes at employer, regional and national level, including the power to refer a dispute to ACAS for conciliation and mediation and, if not then resolved, entitlement to refer the matter to the Central Arbitration Committee to resolve the dispute, the decision of the latter being binding;

(f) Any other matter agreed to be the subject of negotiation by the parties."

This amendment would add a dispute resolution procedure to the matters within the remit of the the School Support Staff Negotiating Body.

Government amendments 244 and 245.

Amendment 344, page 139, leave out lines 3 to 34.

This amendment would remove section 148Q from Schedule 3 relating to guidance issued by the School Support Staff Negotiating Body.

Amendment 304, in schedule 4, page 144, line 22, at end insert—

"(ia) for "120 occasions" substitute "52 occasions";"

This amendment applies the requirement for national minimum wage equivalence declarations to ships providing a service entering a harbour on more than 52 occasions during a relevant year.

Amendment 305, page 145, leave out from the beginning of line 35 to the end of line 3 on page 146 and insert "52 occasions".

This amendment applies the requirement for remuneration declarations to ships providing a service entering a harbour on more than 52 occasions during a relevant year.

Amendment 306, page 149, leave out lines 15 to 18 and insert "52 occasions".

This amendment applies the requirement for safe working declarations to ships providing a service entering a harbour on more than 52 occasions during a relevant year.

Amendment 307, page 150, line 26, at end insert—

"Regulations relating to other working conditions

4H Regulations relating to other working conditions

(1) Regulations may specify conditions relating to other working conditions of seafarers who carry out work relating to the provision of a relevant service, including conditions about the provision of—

(a) sick pay,

(b) holiday pay

(c) pensions,

(d) training on matters other than those specified in section 4E(5).

(2) In this Act, regulations under subsection (1) are referred to as "regulations relating to other working conditions".

(3) Regulations relating to other working conditions may impose requirements on the operator of a relevant service.

(4) Regulations relating to other working conditions may apply to—

(a) all relevant services, or

(b) one or more relevant services of a specified description.

(5) For the purposes of subsection (5)(b), a service may be described by reference to (among other things) the route operated by the service.

Declarations relating to other working conditions

4I Request for declaration relating to other working conditions

(1) Subsection (2) applies where a harbour authority has reasonable grounds to believe that ships providing a service to which regulations relating to other working conditions apply will enter, or have entered, its harbour on at least 52 occasions during a relevant year (see section 19 for the meaning of "relevant year").

(2) The harbour authority must, within such period as is determined by regulations under this subsection, request that the operator of the service provide the authority with a declaration relating to other working conditions in respect of the service for the relevant year.

(3) The duty under subsection (2) is subject to any direction given by the Secretary of State under section 16(1)(a).

(4) A harbour authority which fails to comply with subsection (2) is guilty of an offence and liable on summary conviction—

(a) in England and Wales, to a fine, or

(b) in Scotland and Northern Ireland, to a fine not exceeding level 5 on the standard scale.

4J Nature of declaration relating to other working conditions

(1) A declaration relating to other working conditions in respect of a service for a relevant year is a declaration within any of subsections (2) to (5).

(2) A declaration is within this subsection if it is provided before the beginning of the relevant year and it is to the effect that the relevant working conditions will be met in relation to the service in the relevant year.

(3) A declaration is within this subsection if it is provided during the relevant year and it is to the effect that the relevant working conditions will be met in relation to the service in what remains of the relevant year.

(4) A declaration is within this subsection if it is provided during the relevant year and it is to the effect that—

(a) the relevant working conditions have been met in relation to the service in so much of the relevant year as has already occurred, and

(b) the relevant working conditions will be met in relation to the service in what remains of the relevant year.

(5) A declaration is within this subsection if it is provided after the end of the relevant year and it is to the effect that the relevant working conditions were met in relation to the service in the relevant year.

(6) For the purposes of this section the relevant working conditions are met in relation to a service at a particular time if at that time the service is operated in compliance with regulations under section 4H(1) that apply to the service.

(7) References in subsection (6) to the operation of a service include references to its operation outside the territorial waters of the United Kingdom."

This amendment inserts an additional power to make regulations and matching declaration requirements for a broader range of working conditions of seafarers.

Amendment 308, page 151, line 17, at end insert—

"(iv) section 4J(4) or (5),".

This amendment is consequential on Amendment 307.

Amendment 309, page 151, line 39, at end insert—

"(iv) within subsection (3) of section 4J (and not also within subsection (4) of that section),".

This amendment is consequential on Amendment 307.

Amendment 310, page 152, line 7, leave out "or safe working declaration" and insert—

"safe working declaration or declaration relating to other working conditions".

This amendment is consequential on Amendment 307.

Amendment 311, page 152, line 12, leave out "or safe working declaration" and insert "safe working declaration or declaration relating to other working conditions".

This amendment is consequential on Amendment 307.

Amendment 312, page 152, line 30, at end insert—

"(iii) information relating to matters that are the subject of regulations relating to other working conditions."

This amendment is consequential on Amendment 307.

Amendment 313, page 153, line 27, at end insert "or

"(d) a declaration relating to other working conditions;

"declaration relating to other working conditions" has the meaning given by section 4J(1);"."

This amendment is consequential on Amendment 307.

Amendment 314, page 153, line 31, at end insert—

"regulations relating to other working conditions has the meaning given by section 4H(2);"

This amendment is consequential on Amendment 307.

New clause 96—*Annual report on application of changes in Parts 4 and 5 to seafarers—*

"(1) The Secretary of State must lay before each House of Parliament an annual report extent to which the changes provided for in Parts 4 and 5 of this Act ("the relevant changes") apply to seafarers.

(2) Each annual report must describe—

(a) so far as appropriate, whether each relevant change applies or is intended to apply at the time of its commencement to seafarers on a relevant service within the meaning given by section 1 of the Seafarers (Wages and Working Conditions) Act 2023;

(b) any proposals by the Secretary of State to apply any relevant change to such seafarers subsequent to commencement;

(c) the extent to which the application of the relevant changes to seafarers is affected by any change or prospective change to the Maritime Labour Convention, adopted on 23 February 2006 by the International Labour Organisation.

(3) The first annual report under this section must be laid before each House of Parliament within three months of the passing of this Act."

Government amendments 227 to 235.

Amendment 6, in clause 129, page 119, line 25, at end insert—

"(aa) section [*Working Time Council*];".

This amendment is consequential on NC25.

Amendment 301, page 120, line 11, at end insert—

"(q) section [Annual report on application of changes to employment rights to seafarers];

(r) section [Annual report on provisions relating to seafarers]

(s) section [Annual report on application of changes in Parts 4 and 5 to seafarers]"

This amendment provides for the coming into force of NC94, NC95 and NC96 two months after the passing of the Act.

Amendment 283, page 120, line 13, at end insert—

"(3A) But no regulations under subsection (3) may be made to bring into force sections 1 to 6 of this Act until the findings of the report under section [Impact on employment tribunals: sections 1 to 6] have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown."

This amendment would prevent the Bill's provisions on zero hours workers coming into force until the review of the impact on the employment tribunals of the Bill's provisions on zero hours workers had been assessed and approved by Parliament.

Amendment 284, page 120, line 13, at end insert—

"(3A) But no regulations under subsection (3) may be made to bring into force section 7 of this Act until the findings of the report under section [Consultation and assessment on the right to request flexible working] have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown."

Amendment 285, page 120, line 13, at end insert—

"(3A) But no regulations under subsection (3) may be made to bring into force section 18 of this Act until the findings of the report under section [Employer duties on harassment: impact assessment] have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown."

Amendment 286, page 120, line 13, at end insert—

"(3A) But no regulations under subsection (3) may be made to bring into force section 21 and Schedule 2 of this Act until the findings of the report under section [Unfair dismissal: impact assessment] have been approved by a resolution of the House of Commons on a motion moved by a Minister of the Crown."

Government amendments 246, 248 and 250.

Amendment 274, in schedule 10, page 190, line 36, leave out paragraph 17 and insert—

"(17) In section 123 of the Equality Act 2010 (discrimination etc at work), in subsection (1)(a)

(a) for "3" substitute "6"; and

(b) at end insert

"(ab) for cases involving sexual harassment, the period of 12 months starting with the date of the act to which the complaint relates, or"".

This amendment would increase to 12 months the time limit for bringing employment tribunal claims relating to sexual harassment.

Government amendments 262 and 263.

Justin Madders: I start by referring to my entry in the Register of Members' Financial Interests, as I have done throughout the passage of the Bill. I thank Members in all parts of the House for their valuable contributions throughout the passage of the Bill to date, and in particular my hon. Friend the Member for Llanelli (Dame Nia Griffith) for her assistance in taking the Bill through Committee, and the other members of the Public Bill Committee for providing substantial debate and scrutiny.

The Government's plan to make work pay is a core part of our mission to grow the economy, raise living standards across the country and create opportunities for all. It will tackle the low pay, poor working conditions and poor job security that have been holding our economy back. The Bill is the first phase of delivering our plan to make work pay, supporting employers, workers and unions by raising the minimum floor of employment rights, raising living standards across the country and levelling the playing field for those businesses that are engaged in good practice.

This is a landmark Bill that, once implemented, will represent the biggest upgrade in employment rights for a generation. It is therefore important that we get the detail right. The amendments being put forward by the Government directly demonstrate our commitment to full and comprehensive consultation on the detail of the plan to make work pay. On 4 March, we published five consultation responses relating to key areas of the Bill. That package represents the first phase of formal public consultations on how best to put our plans into practice. We have also undertaken extensive engagement with more than 150 stakeholder organisations, in addition to the formal consultations.

We have made great efforts to listen to the range of views from businesses, trade unions, representative organisations, civil society and others. The insights gained have been invaluable in informing the amendments to ensure the Bill works in practice, both for workers and for businesses of all sizes across the whole country. The amendments will strengthen the Bill, providing further detail and clarity on measures and ensuring such measures can be implemented in a straightforward way.

I turn to the detail of the amendments. The Government have tabled a range of amendments in relation to zero-hours measures. These amendments will help ensure that the zero-hours contract reforms work for workers and employers, supporting a culture where secure work and prosperous growth go hand in hand. Amendments in relation to clause 1, covering the right to guaranteed hours, will clarify requirements where a worker works for an employer under more than one contract at the same time; clarify that under a guaranteed hours offer, if it is accepted, work must be provided by the employer for the hours set out and that those hours must be worked by the worker; and enable a worker to take a case to an employment tribunal on the ground that an employer deliberately structured the worker's hours or offered work in such a way as to make a reduced guaranteed hours offer or to avoid having to make an offer at all.

Sir Edward Leigh (Gainsborough) (Con): Given the urgent necessity to promote growth, surely the acid test of a Bill such as this is whether it will actually make it more attractive for entrepreneurs to create jobs. What is the answer?

Justin Madders: The answer is in the Department's press release, which cites Simon Deakin, professor of law at the University of Cambridge, no less. He has said:

"The consensus on the economic impacts of labour laws is that, far from being harmful to growth, they contribute positively to productivity. Labour laws also help ensure that growth is more inclusive and that gains are distributed more widely across society."

I am sure that the right hon. Member wants to see that happen.

[Justin Madders]

Amendments in relation to the rights in clauses 2 and 3 to reasonable notice of shifts and payment for short-notice cancellation, curtailment and movement of shifts will ensure that the rights work appropriately for workers whose contracts specify the timing of at least some of their shifts; provide that a worker is entitled to a payment from their employer only for a shift cancelled, moved or curtailed at short notice if they reasonably believed they would be needed to work the shift; and allow employers to disclose personal information about a worker in notices of exceptions, where appropriate and in accordance with data protection law, and ensure that the usual burden of proof applies where it is alleged that such a notice is untrue.

Liam Byrne (Birmingham Hodge Hill and Solihull North) (Lab): The Minister will have seen the appalling evidence that the Business and Trade Committee took from McDonald's, where the BBC investigation exposed allegations from hundreds of young workers who were suffering harassment, and even allegations from one worker of managers soliciting them for sex in return for scheduling shifts. The tightening up that he proposes is very welcome. When does he think he will set out the detail—*[Interruption.]* When will he set out the detail of, for example, the period of time that someone must work before being offered a zero-hours contract?

Justin Madders: I thank the Chairman of the Select Committee for his question. We are aiming to work on this once the Bill has passed this stage, and consultation will take place in due course. I have to say that the chuntering from those on the Conservative Benches really shows how they fail to appreciate the power imbalance that there is in some workplaces and the exploitation and harassment that arise from that.

Our measures on guaranteed hours, reasonable notice of shifts, and payment for short-notice cancellations seek to ensure that workers, often in fragmented sectors with little voice of their own, do not bear all the risk of uncertain demand. However, we recognise that there are cases where unions and employers, working together, may want to agree more tailored rights than the provisions allow, which would benefit both the workers and the employer given the unique context of that particular sector. Unions, businesses and trade associations have made a case for that flexibility in their meetings with us. We want to allow for that, while also providing a baseline for sectors where unionisation is uncommon or agreement cannot be reached. New clause 33 and associated amendments will allow employers and unions to collectively agree to modify or opt out of the zero-hours contract measures.

Like the other workers covered by this part of the Bill, agency workers deserve a baseline of security and access to a contract that reflects their regular hours. Many agency workers have a preference for guaranteed hours, according to survey evidence. We know that 55% of agency workers requested a permanent contract with their hirer between January 2019 and September 2020, according to the Department for Business and Trade's agency worker survey. We are keen not to see a wholesale shift from directly engaged workers to agency workers as a way for employers to avoid the zero-hours provisions in the Bill.

New clause 32, new schedule 1 and associated amendments will narrow the broad power currently in the Bill and instead include provisions for similar rights to be extended to agency workers. Hirers, agencies and agency workers can then be clear where responsibilities will rest in relation to the new rights. These amendments reflect the call for clarity from stakeholders in their response to the Government's public consultation on this issue. Given the important role that agency work plays in businesses and public services, we recognise the need to work with the recruitment sector, employers and trade unions to design detailed provisions for regulations that work—that is, regulations that achieve the policy objective of extending rights to agency workers without unintended consequences for employment agencies and hirers—and we will work on that in due course.

The Government have also tabled amendments in relation to dismissal and redundancy practices. This Bill will help employers to raise standards in relation to these practices, so that the vast majority of businesses that do the right thing by their workers will no longer be undercut by those with low standards.

Sir Ashley Fox (Bridgwater) (Con): I had the good fortune to serve with the Minister for 21 sessions in Committee, and at the end of that we had a Bill 192 pages long. We now have 270 pages of amendments, most of which come from the Government. Why are they tabling so many amendments and giving them just two days' scrutiny? Are these just more union demands?

Justin Madders: I have literally just explained how we have been consulting with businesses and trade unions and put down amendments as a result. Of course, if the hon. Member is concerned about the length of the amendment paper, he can withdraw his own amendment, which we will no doubt be debating later on.

We are tabling some technical amendments to clause 21 on unfair dismissal that will update cross-references in other legislation to "the sum", which is the existing cap on the compensation that can be awarded by an employment tribunal in most unfair dismissal cases.

1.45 pm

It is the Government's intention to end the unscrupulous use of fire and rehire. We are proposing technical amendments that allow the clause to work as intended to provide those protections. They ensure that, once the provisions of the Bill that make unfair dismissal a day one right come into force, the automatic unfair dismissal protections from unscrupulous fire and rehire practices will apply once the employee starts work. This brings the provision in line with other changes to unfair dismissal. These amendments also make it clear that the person will be protected from fire and rehire when they are dismissed and then rehired to do exactly the same job as they were doing previously, but on worse conditions.

Clause 25 will modernise the collective redundancy framework to ensure that it works for employees and employers alike. We have listened to feedback from business on the clause as introduced, which required consultation whenever 20 or more redundancies were proposed to be made across an employer's organisation. Businesses told us that this would have put them in a constant state of consultation, so the changes proposed would ensure that this clause extends protections for employees while limiting burdens for employers.

The amendment means that collective redundancy obligations will be triggered where 20 or more redundancies are proposed at one establishment, in line with the existing law, or the number of proposed redundancies across the organisation meets a certain threshold. The Government will set this threshold out in due course via secondary legislation. This will happen after we have consulted, ensuring that it balances the needs of a growing business with the interests of employees. This could be a proportion of employees in a business, a suitable number of employees across a business, or some other threshold proposed through detailed consultation. Employers will also be required to notify the Government of redundancies that meet the threshold set in secondary legislation.

The Government's intention is to ensure that it is more difficult for a small and unscrupulous minority of employers to ignore their collective redundancy obligations, as we have seen in recent years. New clause 34 will therefore double the protective award an employment tribunal can make from 90 to 180 days. We consulted on this and other matters from October to December 2024, and after listening carefully to a range of responses from businesses and employee representatives, we have concluded that the maximum period of the protective award an employment tribunal can make should be raised from 90 to 180 days. This is on top of changes that the Government have already made. From 20 January this year, employment tribunals have had the ability to uplift the protective award by up to 25% where an employer unreasonably failed to follow the code of practice on dismissal and re-engagement.

We recognise that responsible employers up and down the country already go further than their current obligations to collectively consult and will continue to do so. They recognise that collective consultation with their workforce can be valuable in finding solutions to the challenges that businesses face. We will publish a new code of practice to guide employers on their collective consultation obligations and promote the way good employers are working with their employees to arrive at mutually beneficial outcomes, so that all businesses are required to do the same.

The Government are also tabling amendments in relation to the Bill's provisions on flexible working and dismissal during pregnancy. The Bill will increase the baseline set of rights for employees with parental responsibilities, enabling more working parents to get on at work and achieve a better work-life balance, whether they are raising children or looking after a loved one with a long-term health condition. Businesses will gain too, where this boosts workforce participation and helps employers to fill vacancies. These amendments will ensure that these provisions work as intended.

Clause 22 adds a new power to make provisions for non-redundancy dismissals during or after the protected period of pregnancy. The amendments will add supplementary provisions to this power. This is to ensure that the regulations can clearly set out details as part of defining the circumstances in which a pregnant woman can still be fairly dismissed. We will work with stakeholders on how to exercise these powers in regulations.

Amendment 79 to clause 7 proposes that the flexible working measures in the Bill be added to those provisions in scope of section 202 of the Employment Rights Act 1996. That means that the security services—MI5, GCHQ and the Secret Intelligence Service—will be exempt from disclosing any information related to flexible working requests if, in the opinion of a Minister, it would be contrary to national security. In those instances, the employer would not need to disclose the reasons for refusing a request.

The Government are moving amendments on statutory sick pay. In our "Plan to Make Work Pay", we committed to establishing a fair earnings replacement for lower earners. We launched a public consultation that asked employers, employees, trade unions, stakeholders and members of the public what percentage rate that should be. After carefully considering the responses, the Government believe that an 80% rate strikes the right balance between providing financial security to employers that need it, including retaining an incentive to return to work when appropriate, while limiting additional cost to businesses.

Today's amendments will set the rate of statutory sick pay at 80% of an employee's normal weekly earnings or the flat rate—whichever is lower. Consequently, we will remove the previously proposed power for the Secretary of State to prescribe the percentage rate in secondary legislation. However, Ministers will still be able to use the existing power in section 157 of the Social Security Contributions and Benefits Act 1992 to substitute a different provision as to the weekly flat rate of SSP, or the percentage rate of the employee's weekly earnings, depending on which is lower. The amendments also amend the weekly flat rate to £118.75, as agreed by Parliament as part of its annual uprating exercise.

The Government are moving amendments that will add two new provisions into part 2 of the Bill. Analysis conducted by the Resolution Foundation found that 900,000 workers reported that they had no paid holiday despite that being a day one entitlement. New clause 35 will create a new duty in the Working Time Regulations 1998 for employers to retain records relating to holiday pay and annual leave for six years.

Sir Alec Shelbrooke (Wetherby and Easingwold) (Con): I apologise if the Minister has moved on a bit; I was just waiting to hear what he said. The Minister may correct me, but I do not believe the provisions around menstrual health—the menopause strategy and so on—include endometriosis, which can be crippling for people in the workplace. I may not have seen it in the Bill, but does the Minister have any plans to ensure that this becomes a protected area of sick leave? Endometriosis is devastating for many women, but at the moment, they are struggling to get this terrible disease recognised in the workplace.

Justin Madders: I am grateful to the right hon. Member for raising this important point. It was touched on in Committee, but there are not any amendments dealing with that specific issue today.

Returning to holiday pay, where an employer does not keep adequate records, a Fair Work Agency enforcement officer may seek a labour market enforcement undertaking from the employer to ensure future compliance. Where the employer refuses to give a labour market enforcement undertaking, or fails to comply with one, the FWA enforcement officer may apply to the appropriate court for a labour market enforcement order.

Chris Law (Dundee Central) (SNP): I apologise to the Minister because he has moved on, but I want to come back to the new level of statutory sick pay, which is £118.75 or 80% of an employee's weekly earnings. An employee with weekly earnings of £125 would at present get £116.75, but under the new model, they would receive only £100. Is that correct?

Justin Madders: Yes, but the hon. Member forgets the fact that we are removing the waiting days. With the provisions on the lower earnings limit going, 1.3 million people will be accessing statutory sick pay. We think that that is the right balance and that it will leave people in a much better position. Of course, it is something that we will always continue to review.

Moving on to umbrella companies, we are aware of non-compliance in this market, where umbrella companies can be responsible for denying employment rights to those who work through them. New clause 36 will allow for the regulation of umbrella companies and for enforcement by the Employment Agency Standards Inspectorate, and subsequently the Fair Work Agency. The specific requirements on umbrella companies will be set out in the relevant regulations, which set out the minimum standards of conduct for employment agencies and employment businesses. We will consult before amending these regulations, and we are committed to working with the sector to ensure that future regulation works effectively for umbrella companies. The amendment marks an important step towards ensuring non-compliant umbrella companies are no longer able to deny workers the rights they are owed.

The Government are moving a range of amendments in relation to part 3 of the Bill, which covers the adult social care negotiating body and the school support staff negotiating body. On the SSSNB, the Government are moving two technical amendments to correct incorrect cross-references. The body is an important part of delivering both the Government's "Plan to Make Work Pay" and our opportunity mission. The Government will today commit to consult in the summer on whether agency workers should be brought into scope of the SSSNB in future legislation to support those missions.

Munira Wilson (Twickenham) (LD): Could the Minister clarify for the House whether the provisions on the school support staff negotiating body will provide a ceiling as well as a floor on pay, or will it just be a floor? There are certainly a number of school and academy leaders who say they want to pay above what the Government might recommend for support staff and that this may limit them from doing so.

Justin Madders: That was debated in detail in Committee. My understanding is that there will be a floor, but there will not be a ceiling. If I am wrong about that, I will come back to that. We absolutely think that a floor is needed given some of the issues with low pay in this country.

Amendments to the adult social care negotiating body provisions will remove clause 42, thereby removing the power to make stand-alone enforcement provision in respect of the agreements reached by negotiating body. Enforcement of pay terms under agreements will instead be in the remit of the new Fair Work Agency under schedule 4.

Wendy Morton (Aldridge-Brownhills) (Con): The Minister is rattling off a whole list of amendments that appear to have come after the legislation has gone through Committee. Does he not understand that that creates a massive burden on many businesses? Would it not be better to accept that the Government have gone a little overboard with the Bill and to start afresh with proper consultation with businesses at ground level?

Justin Madders: The reason why we are putting so many amendments down is because we have been consulting and working with businesses, and that is why we have so much to say today. It was a Labour party commitment to launch an Employment Rights Bill within 100 days of taking office, and I am proud that we have delivered on that commitment and that we have this Bill here today.

Sir Desmond Swayne (New Forest West) (Con):In that consultation, how many small businesses expressed their support for the Bill?

Justin Madders: I refer the right hon. Member to our departmental press release, where at least half a dozen business representatives and businesses have expressed support, and of course, there are many more businesses out there. Indeed, I visited one only recently that supported the Bill.

Alison Griffiths (Bognor Regis and Littlehampton) (Con): Would the Minister be kind enough to name one of those businesses on the press release? *[Interruption.]* He had better look at the press release just to check.

Justin Madders: There is the Co-op—quite a big business—Richer Sounds, Centrica and the British Chambers of Commerce. These are not bit-part players at all, are they?

New clause 38 seeks to ensure that agency workers in the adult social care sector who do not have a "worker's contract", within the meaning of employment legislation, would nevertheless be able to bring a claim in the employment tribunals or in civil proceedings where a fair pay agreement has been breached. It does that by deeming a contract to exist for this purpose between the worker and the party that pays them. That will allow such workers to bring an unlawful deduction of wages claim or breach of contract claim for a breach of fair pay agreement terms.

New clause 37 and associated amendments will enable the Scottish and Welsh Ministers to establish their own separate negotiating bodies and associated framework, and to enable their negotiating bodies and the resulting agreements to cover social care workers in both adult and children's social care. Care policy, funding and commissioning is delivered together in both Wales and Scotland. In England, the two workforces, and therefore the policies and delivery, are distinct. As such, it is right for Scotland and Wales to have the powers to set up negotiating bodies that can provide for their systems and workforces as they are now. These amendments and associated consequential amendments will allow the devolved Ministers to exercise certain powers in this chapter of the Bill with the consent of the Secretary of State, ensuring that the Secretary of State retains oversight of regulations relating to the reserved matters of employment and industrial relations.

Amendment 151 to clause 41 supplements the power to make regulations in relation to record keeping. It will enable those regulations to apply to section 49 of the National Minimum Wage Act 1998 in order to prevent employers from trying to contract out of their new record keeping obligations.

2 pm

Before winding up, I will address some other amendments. I will take this opportunity to note the amendments tabled by my hon. Friend the Member for Luton North (Sarah Owen). I am grateful to her Women and Equalities Committee for raising the important issue of miscarriage leave. The loss of a baby at any stage is an incredibly difficult and personal experience. The Committee's inquiry demonstrated a clear gap in support for those who experience pregnancy loss and need time to recover and grieve. I pay tribute to my hon. Friend for showing great courage in talking about her personal experience of that. I am grateful to her and to other hon. Members and campaigners for speaking about that issue—we have heard them. We fully accept the principle of bereavement leave for pregnancy loss, as addressed by the amendments. We look forward to further discussions with my hon. Friend and noble Lords as the Bill moves on to its stages in the other place. Bereavement is not an illness or a holiday, and it needs its own special category.

I will also take this opportunity to note the new clauses tabled by my hon. Friends the Members for Poplar and Limehouse (Apsana Begum) and for Lowestoft (Jess Asato). The Government recognise the important points raised by both hon. Friends, and the serious impact that domestic abuse has on society, particularly on women and girls. We strongly encourage employers to support staff who experience domestic abuse. Many already do so through their membership of Employers' Initiative for Domestic Abuse, which empowers employers to tackle domestic abuse. The Bill includes provision to make flexible working easier to request, which we know can be of great help to those experiencing domestic abuse, who may need to take time from work for appointments for domestic abuse-related matters.

The Government have committed to halving violence against women and girls in a decade. I have met the Minister for safeguarding and violence against women and girls, my hon. Friend the Member for Birmingham Yardley (Jess Phillips), who is, as the House knows, a dedicated and respected campaigner on those issues. I have also spoken to several Members about their concerns, including my hon. Friend the Member for Gloucester (Alex McIntyre), whose private Member's Bill—the Domestic Abuse (Safe Leave) Bill—has been given its First Reading; my hon. Friend the Member for Lowestoft; and the Under-Secretary of State for Justice, my hon. Friend the Member for Pontypridd (Alex Davies-Jones). Members shared many powerful stories from their constituents.

Every part of Government will need to contribute towards our ambition.

Jerome Mayhew (Broadland and Fakenham) (Con): When my hon. Friend the Member for Bognor Regis and Littlehampton (Alison Griffiths) asked a moment ago which businesses support the Bill, the Minister mentioned the British Chambers of Commerce. I have just visited its website, which states:

> "The British Chambers of Commerce has used an evidence session on the Employment Rights Bill to highlight businesses' serious concerns about the legislation and the speed and detail of consultation."

Will the Minister withdraw his comment?

Justin Madders: I am glad that the hon. Member has access to the internet. I direct him to the Department's webpage, where he will see that Jane Gratton, deputy director of public policy at the British Chambers of Commerce, said:

> "There is much here to welcome as sensible moves that will help ensure that employment works for both the business and the individual".

That was in response to the amendments, so it is a much more up-to-date comment than the one the hon. Member mentioned.

Returning to the important issue of violence against women and girls, it is incumbent on every part of Government to work together to tackle violence against women and girls. That is not a task for a single Department or Minister. The Government are steadfastly committed to delivering our manifesto commitment to halving violence against women and girls, and we will publish a cross-Government strategy shortly. I intend to work with colleagues to ensure that our Department does its bit in that respect.

I also take this opportunity to note the amendments tabled by my right hon. Friend the Member for Sheffield Heeley (Louise Haigh) and the hon. Member for Oxford West and Abingdon (Layla Moran) on non-disclosure agreements. I have met advocates on that issue and I understand the significant problems that they have highlighted in relation to the misuse of non-disclosure agreements in some circumstances. That important issue warrants further consideration. The Government are pressing ahead with plans to implement the provisions relevant to NDAs in the Victims and Prisoners Act 2024 and the Higher Education (Freedom of Speech) Act 2023. We take NDA misuse seriously and will continue to look into it to see what we can do.

Sir Julian Smith (Skipton and Ripon) (Con): New clause 72, in the name of the hon. Member for Leeds Central and Headingley (Alex Sobel), focuses on whistleblowing and protected disclosures. That area has been so important in recent public scandals, including the Post Office-Fujitsu scandal and the Lucy Letby case. May I urge the Minister to consider that new clause? Imposing a duty on bigger employers to look at and investigate protected disclosures is a vital way of moving forward on that key legislation.

Justin Madders: I have begun to consider it, as that legislation is now a quarter of a century old and needs looking at in the light of experiences in a number of the scandals that have been mentioned. We are considering where we go next on whistleblowing legislation.

To conclude, Britain's working people and businesses are the driving force of the UK economy, and the Bill will help to create a labour market that delivers for both. It will deliver significant benefits to the UK, including better working conditions, more secure work, reduced inequalities and improved industrial relations. I appreciate that I have outlined a lot of detail today, but it is important to remember that, as is typical with any legislation of this nature, many of the policies will

[Justin Madders]

be provided for through regulations and, in some cases, through codes of practice. We expect further consultations on these reforms to begin later in the year, when we will seek significant input from stakeholders.

I am grateful for Members' efforts to improve the Bill, and for their scrutiny and debate so far. I look forward to hearing further debate this afternoon.

Madam Deputy Speaker (Caroline Nokes): I call the shadow Minister.

Greg Smith (Mid Buckinghamshire) (Con): After 21 sittings in the Public Bill Committee, the Government are still tabling hundreds of amendments to the Bill. That highlights once again that their false political deadline of 100 days in which to publish the Bill was foolhardy. They should have taken better time.

This is a bad Bill. Although it contains many good and well-intentioned measures, the Government have failed to get the balance right between employees and employers. Although I welcome some of the Minister's comments—not least on bereavement leave for pregnancy loss, on which we spoke at length and agreed in Committee—I am afraid that the Government have got the balance wrong in the vast majority of the Bill. The amendments in the names of right hon. and hon. Friends in His Majesty's loyal Opposition seek to highlight how the Bill simply goes too far in too many regards: it will affect our economy, it will affect the number of people who have a job, and it will affect the willingness of employers—the wealth and job creators—to take on new staff, to grow, to put new product lines in place and to keep employing people.

Dr Luke Evans (Hinckley and Bosworth) (Con): I thank my hon. Friend for giving way and doff my cap to him for his 21 sittings in Committee. When the Regulatory Policy Committee considered the Bill, it said that eight of the 23 impact assessments were "not fit for purpose". Is he any more confident that that has been rectified through the amendments?

Greg Smith: I am sorry to have to report to my hon. Friend that, no, I do not have greater confidence that the Bill will work. He is right that the RPC placed so much of the Bill in the red column—at severe risk—and identified it as "not fit for purpose". Some of the amendments in my name and those of right hon. and hon. Friends, to which I will speak in more detail in a moment, seek to explore further the impact that the measures in the Bill will have on the economy, and to answer the point that he rightly outlined.

Fundamentally, we know that every Labour Government leave unemployment higher than when they started; the difference with this one is that they are actually legislating for that outcome.

I will turn first to new clause 83 and amendment 283. When we were in government, we banned exclusivity clauses in zero-hours contracts. We know that this flexibility works for many employees on zero-hours contracts, such as students and those with a summer job or other responsibilities—employees can value that. This Bill imposes a statist, top-down, "Government knows best" approach, which will limit flexibility for both employers and employees.

Gregory Stafford (Farnham and Bordon) (Con): I visited the Nelson Arms in Farnham recently and met the publican, who employs a lot of people on zero-hours contracts, one of whom, in addition to working in the pub, works as a paramedic, because the flexibility allows him to do both jobs. These are the sorts of people who will be impacted by this legislation.

Greg Smith: My hon. Friend is absolutely right. I am attending a wedding in Farnham later this year, and I look forward to visiting the Nelson Arms and thanking his constituent for the service he also gives as a paramedic.

Andy McDonald (Middlesbrough and Thornaby East) (Lab): Is the shadow Minister aware that the TUC's survey clearly shows that the vast majority of people on zero-hours contracts really want regular hours? Can he respond to that?

Greg Smith: The hon. Gentleman says it is "the vast majority". I do not know whether it is the vast majority, but some people, of course, will want the guarantee of the hours he talks about. The point I am making is about allowing flexibility for those for whom it does work. I gave the example of students, and my hon. Friend the Member for Farnham and Bordon (Gregory Stafford) gave another example of someone for whom this flexibility works. That is not to say that there are not many people in our economy who do seek the change the hon. Gentleman wants, but it is not a universal rule, and it should not simply be applied to everyone. I gently invite him to reflect on the impact this will have on people such as those my hon. Friend the Member for Farnham and Bordon referred to.

Deirdre Costigan (Ealing Southall) (Lab): Has the shadow Minister actually read the Bill? Does he understand that the flexibility included is the flexibility to ask for guaranteed hours, and if a student or somebody doing a second job does not want those guaranteed hours, they do not need to have them?

Greg Smith: I am happy to confirm to the hon. Lady that I have read the Bill, and I have read a considerable number of documents from the House of Commons Library and many other organisations. I have spoken to a lot of businesses in my constituency, as well as further afield, who I can assure her are horrified at the Bill. The Minister was asked earlier to name a single small business that supported the Bill, and his answer was the Co-op and Centrica. The last time I looked, neither of those would be considered small businesses.

Sir Alec Shelbrooke: Will my hon. Friend give way?

Wendy Morton *rose—*

Greg Smith: I will give way one more time, and then I will make some progress.

Sir Alec Shelbrooke: Does it worry my hon. Friend that, once again, the Government have revealed they are desperately hoping that companies such Centrica do become small businesses?

Greg Smith: My right hon. Friend makes a very good point in his stylish, witty manner.

As my hon. Friend the Member for Hinckley and Bosworth (Dr Evans) said, the Regulatory Policy Committee has given a red rating to the identification of options and choice of policy on zero-hours contracts and guaranteed hours in the Bill. That means the Government have not justified the necessity of clauses 1 to 6. What is the problem the Government are trying to solve with those clauses? Why are those clauses needed? We just do not know. The Bill, despite literally hundreds of Government amendments, remains silent about how these provisions will work in practice, which means the Government's assessment that the administrative cost of the Bill to business in shift and workforce planning will be £320 million could well be an underestimate.

The deputy CEO of UKHospitality raised their concerns in Committee, saying:

"the Government are intending to leave it to case law and employment tribunal systems to figure out what 'reasonable notice' means." —[*Official Report, Employment Rights Public Bill Committee,* 26 November 2024; c. 43, Q39.]

That is an unacceptable way to legislate. Businesses crave certainty and a stable regulatory environment. This Bill provides anything but, and the result, as the chair of the CBI has said, is that it risks becoming

"an adventure playground for employment rights lawyers."

Dr Luke Evans: My hon. Friend is a learned man and he may have seen the report in the *Financial Times* that, for the first time ever, the number of companies registered at Companies House has fallen. Does he think this Bill being on the horizon has anything to do with that, particularly given the points that have been made about it not being fit for purpose?

Greg Smith: My hon. Friend makes an exceptional point. The Bill categorically will be playing a part in that, along with the Budget of broken promises, the increase in employer NI and so on. I shudder to think what will happen when the Bill becomes law. We understand the parliamentary arithmetic—we understand that the Government will force this through, and that is the reason we have tabled new clause 83 and amendment 283.

2.15 pm

New clause 83 would require the Secretary of State to conduct a review of

"(a) the impact of sections 1 to 6 on the operation of employment tribunals, and

(b) the ability of employment tribunals to manage any increase in applications resulting from those sections."

Amendment 283 would place a commencement block on clauses 1 to 6. We believe that those clauses should not come into force until the review required by new clause 83 has been approved by Parliament. Both businesses and employees will struggle when claims are brought because of the confusion created by the Bill if the employment tribunal is not able to cope with the increased caseload.

Uma Kumaran (Stratford and Bow) (Lab): Will the shadow Minister give way?

Greg Smith: I will happily give way in one moment. Government Members should have their eyes open to the consequences of this badly thought out legislation. Perhaps the hon. Lady will open her eyes to that point.

Uma Kumaran: These measures will ensure protections for all the 2.4 million people in the UK with irregular work patterns, be it zero-hours contracts or agency contracts. Can the shadow Minister tell the House why he thinks agency workers do not deserve the same protections as everyone else?

Greg Smith: The hon. Lady makes a point that she made in Committee. It was good to debate with her and others in Committee—we had a genuine and robust debate. What I am arguing for is flexibility and a recognition of how the employment market and our economy works in real life. To treat everything with one universal rule will be a disaster for our economy. I fear that it will result in fewer people in work and fewer jobs in the economy, and it certainly will not deliver the growth that this Government pretend they want to see.

Matt Western (Warwick and Leamington) (Lab): Will the shadow Minister give way?

Greg Smith: How can I resist the hon. Gentleman?

Matt Western: Does the shadow Minister not accept that it is due to the expendability of employees in the workplace that we have such a poor rate of productivity in this country, particularly compared with France and Germany?

Greg Smith: I greatly respect the hon. Gentleman, and we have worked together on a number of issues in recent years, but I do not accept his point. Is there room to improve productivity? Of course there is—there is room to improve productivity across all sectors all the time; we would not grow the economy if we could not do that. However, the Bill takes a sledgehammer to crack the proverbial nut. Applying a universal rule for all will not deliver what the hon. Gentleman nobly wishes to achieve in the economy. As is often the case in politics, the thing that divides us is not the end goal or the point we want to get to; it is the means of getting there. I do not think the Bill will deliver what he wants to achieve. He looks like he wants to intervene again. I want to make progress, but I will give him one last go.

Matt Western: The shadow Minister is being very generous. I am making a simple point: it is less motivating and of less interest to a company to invest in machinery and plant if it can ultimately change the structure of its workforce or expend them through fire and rehire. That is what is holding us back, and that is why we have a 20% deficit to France and Germany in terms of productivity.

Greg Smith: The hon. Gentleman makes an interesting point, but I do not see businesses out there that want to expend or get rid of their workforces, or disinvest in them, and he is giving a very pessimistic outlook of the way that the business environment runs in this country. Businesses want to innovate. They want to grow and employ more people. They want to make more money. Making money is not something people should look down their noses at—it is a fundamentally good thing that creates wealth, grows the economy, and increases the tax base to pay for the services that we all want. I do not share the hon. Gentleman's view of the world when it comes to the Bill and the point he is trying to make.

Wendy Morton: Listening to the debate, it is clear that there are Conservative Members who understand business, and who come to this place with years of experience—*[Interruption.]* If Labour Members would stop heckling for one moment, they might start to listen. If we want to increase productivity, that is about employees, but it is also about employers being able to invest in their staff through training, contracts, plant and machinery. It is a whole raft of things, none of which we can do if businesses are stifled with red tape and employment law, or measures that are basically about law through the courts.

Greg Smith: I agree with my right hon. Friend. The crux of what she says is the difference between the approach of Conservative Members to economy and the way that Labour Members, and those on the other left-wing Benches, look at the economy. The left of British politics tends to view everything through the lens of business being bad, of all employers seeking to exploit their workforces, and of an image of a Victorian factory from a novel of that era. In reality, we must recognise the symbiotic relationship between employer and employee, because we do not grow the economy without things working in both their interests. The Bill seeks to tip the balance too far in one direction, forgetting that that will take away the incentive for employers—the wealth creators—to get on and grow.

Let me move to new clause 84 and amendment 284. Conservative Members have absolutely no issue with the right to request flexible working. Indeed, Conservatives in government passed the Employment Relations (Flexible Working) Act 2023. That made it easier for employees to make flexible working requests, gave them a statutory right to do so, and required employers to consider and discuss any requests made by their employee more quickly. That legislation appears to be working. Indeed, the Regulatory Policy Committee has said that

"there is little evidence presented that employers are rejecting requests unreasonably."

Mrs Sarah Russell (Congleton) (Lab): I spent 13 years as a solicitor working in employment rights, predominantly for employees and periodically for employers, and I assure the hon. Gentleman that flexible working is not working for many mothers in this country. Many women are giving up jobs and becoming self-employed because their employers will not agree their flexible working requests.

Greg Smith: It is good to hear from a real solicitor who gives her wealth of knowledge to this area. I am not trying to suggest that everything is perfect and working well. I fully accept the fair and good point that the hon. Lady makes about many mothers getting back into the workplace or extending their careers, but the Bill is not the answer she is looking for, if she looks at it in more detail.

The RPC gave the Government's impact assessment for flexible working provisions a red rating, and that goes to the nub of the point. Is there room for improvement? Of course there is, but the impact assessment for the flexible provisions in the Bill was given a red rating—not fit for purpose. Once again, I ask the Minister this: what problem are the Government trying to solve with clause 7? Before rushing to pile more red tape on businesses through the Bill, did the Government consider options such as raising awareness of the right to request flexible working? Our new clause 84 requires the Secretary of State to assess the impact that clause 7 will have on employment, wages and economic output.

Mrs Russell: Will the hon. Gentleman give way?

Greg Smith: One more crack, yes.

Mrs Russell: I assure the hon. Gentleman that women absolutely do know about the right to request flexible working, and that is not the source of the problems they are facing.

Greg Smith: The hon. Lady almost makes the point for me. Earlier, I made the very point that we introduced that right. It was working well, yet the RPC says that the provisions in the Bill will do nothing for it and are not fit for purpose—I thank her for her intervention.

New clause 84 calls for consideration of

"the likelihood of the costs of flexible working measures being passed on to employees through lower wages",

and of the likely effect that the right to request flexible working will have on productivity, wage growth, equality of opportunity, job security, economic activity and employment. Equally, it requires that a report setting out that those findings

"must be laid before each House of Parliament no sooner than 18 weeks after the consultation has been initiated."

Laurence Turner (Birmingham Northfield) (Lab): The hon. Gentleman has just said that there may be areas where we could go further on flexible working. Can he explain why the previous Government's flexible working taskforce met just once last year, and just once the year before? As with the long-awaited employment Bill that never materialised, is it the case that this Government are bringing forward real measures because the previous Government vacated that territory?

Greg Smith: The hon. Gentleman, with whom we debated these matters at length in Committee, clearly has not listened to what I said. I detailed how we did legislate in this area, yet this Government are bringing forward a Bill that the RPC, in this respect, has given a red rating and said is not fit for purpose. I gently urge him to look again at this issue, and at where we can agree on areas that could go further or be different from measures set out in either existing or proposed legislation. We must understand the impact that measures in the Bill will have on the real economy.

Amendment 284 would ensure that clause 7 could not come into force until Parliament had approved that report. To put it simply, the genesis of the amendment is that the Government have not done their homework, and they have no idea what they are doing or why. We know that these provisions will damage business, which in turn will hurt workers, and we want Labour Members to acknowledge that it will be ordinary people who pay the price.

Let me turn to new clause 85 and amendments 285, 288 and 289. Clause 18, which makes employers liable for harassment of their employees by third parties, is another example of the Government putting more regulation on business without knowing the problem they are trying to solve. The independent Regulatory Policy Committee has said that the Government have

not managed sufficiently to demonstrate the need for the third-party harassment provisions in the Bill, and has once again rated this impact assessment as red.

It should go without saying that Conservative Members do not condone any form of harassment in the workplace. When we were in government, we legislated to put a duty on employers to take reasonable steps to anticipate and prevent sexual harassment, a horrible, evil crime that is covered by other legislation to protect everybody in the country. I double underline that we are not condoning sexual harassment—indeed, we legislated clearly to clamp down on that evil and heinous crime. However, I would be interested in any evidence the Minister has for the prevalence of third-party harassment in the workplace, and of how clause 18 might solve that, because the Government have not produced that evidence so far.

Antonia Bance (Tipton and Wednesbury) (Lab): Will the hon. Member give way?

Greg Smith: I will make some progress, as I think I have demonstrated that I am not shy of giving way, and I will come back to the hon. Lady. The problem is that badly considered law, developed with no evidence base, is likely to cause problems, rather than to solve them. That is the law of unintended consequences. We are deeply concerned about not just the unclear liabilities that the clause places on employers, but the implications it has for freedom of expression.

The Equality and Human Rights Commission has said that the third-party harassment protections

"raise complex questions about the appropriate balance between third parties' rights to freedom of expression (as protected under Article 10 ECHR) and employees' protection from harassment and their right to private and family life."

We are already struggling to ensure freedom of speech at our universities—places that should be guardians of free, open and challenging debate.

Wera Hobhouse: It was of course my private Member's Bill that the previous Government supported, but only partly, because third-party harassment was scrubbed out of the Bill; I am very pleased that the new Government are reintroducing that bit. The question is: why does the hon. Gentleman support the idea that employers should prevent sexual harassment in the workplace and demonstrate that they have taken all reasonable steps, but think that for third parties that impacts on freedom of speech? It does not make sense.

2.30 pm

Greg Smith: If the hon. Lady will allow me to continue, it will become clear why we take such a position; I will give some concrete examples in a few moments of where the law of unintended consequences will kick in on this provision.

A 2022 study by the Higher Education Policy Institute found that quiet no-platforming, where students decide not to invite otherwise suitable speakers to an event because of their views, was more common than reported cases of no-platforming. Speakers quietly no-platformed include Alex Salmond, Liam Neeson, Harry Enfield, Tony Blair—one that those on the Labour Benches might blink at—and Peter Hitchens. Although this clause is well meaning, it is likely to make matters worse. As James Murray, the legal director of Doyle Clayton, has pointed out, this clause could well cause difficulties for universities in offering a platform to discuss issues on which those listening may have differing views.

Sir John Hayes (South Holland and The Deepings) (Con): My hon. Friend is absolutely right to draw attention to the problem in universities. It has particularly found form in no-platforming speakers deemed to be unacceptable or to make people feel uncomfortable because of their views on transsexuals, for example. Kathleen Stock, a distinguished academic and a feminist, was no-platformed in exactly that way because of her view that sex is a biological fact. This clause needs to be examined in that context. I welcome much about this Bill—particularly on trade unions and zero-hours contracts, as it happens—but I feel that this one area needs to be looked at again by the Government, for the very reasons that my hon. Friend made clear.

Greg Smith: I totally agree with my right hon. Friend that this area needs to be looked at again to ensure that those unintended consequences that challenge freedom of speech in this country are not allowed to come through. I double-underline that we have no truck with harassment: we absolutely believe that it should be stamped out, using criminal law where necessary, to ensure that perpetrators are brought to justice. This Bill opens the door to unintended consequences.

Antonia Bance: I will help the hon. Gentleman to come back to the point. Two in three young women have experienced sexual harassment or verbal abuse in the workplace. It is important that where they are in customer-facing roles, they are protected from abuse both by their colleagues and managers and by their customers. That is particularly important if they work in a university bar, another sort of bar or a shop or retail setting. I was very pleased to have taken the first piece of evidence about the nature and extent of workplace sexual harassment when I worked for the TUC in 2015, and I am sad that it has taken us a decade to get to the point where we say, "No more sexual harassment by customers and clients." The Conservative party could have achieved that much more quickly if it had just accepted the private Member's Bill put forward by the hon. Member for Bath (Wera Hobhouse).

Greg Smith: I do not think that the hon. Lady is actually disagreeing with what I have said so far. Sexual harassment is clearly a crime—it is already a crime—and any perpetrator of it should be brought to justice. That is covered by different law.

Nadia Whittome (Nottingham East) (Lab): Will the shadow Minister give way?

Greg Smith: In a moment. To answer the hon. Member for Tipton and Wednesbury (Antonia Bance), the point I am getting at is not about sexual harassment or anything else covered in the criminal law. For example, if somebody who is waiting on tables or serving at a bar in a hospitality setting overhears a conversation that they find themselves deeply offended by—perhaps around the situation in Israel and Gaza right now—this Bill—

Nadia Whittome: Will the shadow Minister give way?

Greg Smith: I will give way to the hon. Lady in a moment. This Bill would criminalise and bring in the banter police and so on just because people are expressing a perfectly legitimate political view that somebody else finds offensive. I double-underline that sexual harassment is absolutely—

Mrs Russell: On a point of order, Madam Deputy Speaker. The shadow Minister is in danger of misleading the House. Nothing that he has referred to is a crime. Sexual harassment, as dealt with in this Bill, is a civil matter dealt with by tribunal.

Madam Deputy Speaker (Caroline Nokes): I thank the hon. Lady for her point of order. That was in fact a point of debate, rather than a point of order.

Greg Smith: I will get back to James Murray, the legal director of Doyle Clayton, who has pointed out that this clause could well cause difficulties for universities in offering those platforms to discuss issues where people have differing views. He said:

"If we think about a speaker that has been invited—say it's a controversial gender critical speaker, like Julie Bindel or Kathleen Stock—someone might somewhat disingenuously say"

that they are an employee of the university and that they find what they say to be deeply harassing. He also said:

"The concern is that this will shift the balance away from free speech and universities will be more risk averse as they won't want to be held liable for third-party harassment."

Why do the Government want to run that risk?

There is then the burden on businesses, particularly in the hospitality sector.

Laurence Turner: Will the shadow Minister give way?

Greg Smith: The hon. Gentleman has had a go; he may come back later.

Kate Nicholls, the chief executive of UKHospitality, said that staff in restaurants, bars, pubs and hotels work in a "social environment" where

"there are jokes and people are boisterous".

She said that while everyone wants to ensure that their staff are protected,

"we don't want to be policing our customers",

and she is concerned that this clause could add "undue restrictions". If someone works in a pub or a comedy club, for example, there is a high risk that they might hear comments that they do not like, but it is wrong to restrict free speech just because somebody does not like something. The unintended consequence of this provision is likely to be a chilling effect on free speech and unclear responsibilities for employers about where they need to draw the line.

Wera Hobhouse *rose—*

Laurence Turner *rose—*

Greg Smith: I will make some progress. I have been on my feet for a long time, and I know that a lot of people wish to speak in this debate.

In other words, this clause could well function as a banter ban at best, and as a restriction on academic debate and inquiry. Due to our concern about how this clause will operate, especially in the higher education and hospitality sectors, we have tabled amendment 289, which would carve out the hospitality sector and sports venues from clause 18. We believe those are the sectors where the potential for unintended consequences from this clause will be the greatest.

It is because we believe that clause 18 will create problems, rather than solve them, that we have tabled new clause 85, which would require the Secretary of State to report on the clause. The report must include the extent to which the prevalence of third-party harassment makes the case for the measures in clause 18, including an assessment of the impact of the clause on free speech, an assessment of the likely costs of the clause to employers, an assessment of which occupations might be at particular risk of third-party harassment through no fault of the employer, and proposals for mitigations that can be put in place for employers employing people in such occupations. We will require the Secretary of State to lay a report setting those out before each House of Parliament, and amendment 285 would prevent clause 18 from coming into force until that report is approved by Parliament.

The Government need to go away and think again, and that is what our amendments are designed to achieve. If the Government are not willing to do so, we have also tabled amendment 288, which would leave the clause out of the Bill entirely, so great is our concern about the unintended consequences it could have.

Wera Hobhouse: Will the shadow Minister give way?

Greg Smith: Once more.

Wera Hobhouse: Since we were discussing this issue for the best part of the previous Parliament, can I ask the shadow Minister whether there is a misunderstanding about what this part of the Bill does? It is about a preventive duty, not predicting everything that could happen in the hospitality sector, for example. The guidance is to make sure that everybody knows that their workplace will protect people from harassment—that is what an employer needs to do. What is the problem with that?

Greg Smith: I am not sure that the hon. Lady has firmly grasped what the Bill says in this respect. Of course we want to protect everybody in our society—that is the first duty of Government—but I do not think she has fully considered the unintended consequences in the real world, particularly in the hospitality sector.

I will speak briefly to new clause 86 and amendments 286 and 287. Clause 21 and schedule 2 are another example of the Government rushing to legislate in an attempt to meet an arbitrary deadline set by the Deputy Prime Minister, with chaotic results. Clause 21 will remove the qualifying period for unfair dismissal. Again, the Regulatory Policy Committee slapped a red rating on the Government's impact assessment for these provisions, meaning that the Government have not adequately justified the need for them. They have admitted that they do not have robust data on the incidence of dismissal for those under two years of employment. In other words, yet again, we do not know whether there is even an actual problem with unfair dismissal for this Bill to try to solve.

The British Chambers of Commerce has said that

"Members say that there would be a reduced hiring appetite were this legislation to come in, and that they would be less likely to recruit new employees due to the risk and difficulty, particularly

under the day one rights, unless there were at least a nine-month probation period".—[*Official Report, Employment Rights Public Bill Committee,* 26 November 2024; c. 8.]

As such, our new clause 86 requires the Secretary of State to assess the impact of the provisions of clause 21 and schedule 2, and amendment 286 requires Parliament specifically to approve that impact before these sections of the Bill can come into force.

Richard Burgon (Leeds East) (Lab): Will the shadow Minister give way?

Greg Smith: I am mindful of time, and I do not wish to incur Madam Deputy Speaker's wrath, so I will make progress.

We have also tabled amendment 287, which would remove clause 21 from the Bill entirely, so concerned are we about how damaging it will be to both employers and employees, particularly those who will not get work as a direct consequence of these requirements.

Our new clause 87 seems a perfectly sensible thing to ask for: a simple requirement that the Secretary of State must have regard to the objectives of economic growth and improving the international competitiveness of the UK economy when making regulations under parts 1 and 2 of the Bill. If agreed to, though, it would of course be a wrecking amendment, because the Government do not know how they intend to give effect to the provisions on guaranteed hours, the extension of those provisions to agency workers or the provisions on unfair dismissal, to name but a few. All of those things will be left to regulations after the Bill is passed, without proper scrutiny from this place, and it will be working people who pay the price.

Our new clause 91 would clamp down on public sector employers using positive discrimination under sections 158 and 159 of the Equality Act 2010 where it causes detriment to other employees, and would promote merit-based employment practices. Taxpayers rightly expect that their money should be spent well, and part of offering value for money is that taxpayer money should be ruthlessly focused on improving the public services on which all of our constituents rely. That always means hiring on merit.

Amendment 290, which deals with the school support staff negotiating body, is the last of our amendments that I will speak to. In 2010, the then Conservative Secretary of State for Education, Michael Gove, abolished the school support staff negotiating body. The Conservative Government had a clear and principled reason for this: employers should have the flexibility to set pay and conditions locally, rather than having a top-down, centralised framework imposed on them. It was to allow school leaders—who know better than politicians in Whitehall—to innovate and do what works best for their schools, their pupils and their employees. Instead of giving employers flexibility to do what works best for them, the Government are re-establishing a national terms and conditions handbook, training, career progression routes and pay rates for school support staff that all school employers will be obliged to follow. We believe that the current arrangements for employing school support staff are working well.

2.45 pm

Lola McEvoy (Darlington) (Lab): Will the shadow Minister give way?

Greg Smith: I have explained that I do not wish to incur Madam Deputy Speaker's wrath, which I fear is close at this point, so I will make some progress.

The current arrangements have also allowed for innovation that is beneficial for pupils. We believe that school employers must retain a degree of freedom and flexibility to recruit, develop, remunerate and deploy their staff for the benefit of the children in their community, to achieve their particular aims from a school improvement or inclusion perspective. I urge the Government to consider this.

There are many more amendments that I could speak to, Madam Deputy Speaker, but I will not. I will only say that this is a bad bit of legislation, and some of the amendments we are considering, particularly those tabled by the Government, make the Bill worse in many respects. They add to the already heavy burden on business, a burden that will combat growth—will slap down growth—and will mean that the Government will not achieve the objectives they have set out to achieve in their landmarks, missions, road signs and whatever else they have announced. I therefore urge the Government to consider our amendments, go back, and tame the worst excesses of this job-destroying Bill.

Several hon. Members *rose—*

Madam Deputy Speaker (Caroline Nokes): Order. Before I call the Chair of the Business and Trade Select Committee, I want to make clear that I will then call Steve Darling, the Liberal Democrat spokesperson. Immediately after Mr Darling, there will be a six-minute time limit. I call Liam Byrne.

Liam Byrne: Thank you very much indeed, Madam Deputy Speaker. I am going to be very brief—I will just make three quick points—and will do my best to salvage a degree of consensus from the conflict that has characterised this debate at its outset.

If there are a couple of things that unite us across this House, it is that we all believe in fair play, and we all believe in an honest day's pay for an honest day's work. However, the reality is that millions of workers in this country are simply not earning their fair share of the wealth that we produce together. If labour income were the same share of national income as it was back in the 1950s, something like £12,000 a year would go into the pay packets of every single one of the 33.8 million workers in this country. As such, following a decade that has seen 4 million people trapped in low pay and during which we have had a living standards crisis, it behoves each and every one of us to think more creatively and constructively about how we support workers in this economy to earn a good life for them and their family.

We on the Business and Trade Committee have the privilege of hearing from some of the best employers in the country, but we also have the duty of interrogating many firms that, frankly, have been letting down our country. I will highlight three examples, in order to illustrate some of the amendments that have been tabled in my name and in the names of other right hon. and hon. Members. They are not amendments that I wish to press to a Division; they are probing amendments, on which I think the Minister needs to provide the House with some answers.

[Liam Byrne]

I will start with McDonald's, which I referenced in an earlier intervention. It is one of the most significant employers in our country, employing over 200,000 people. Some 90% of McDonald's workers are on zero-hours contracts. On the day of our hearing, a BBC investigation by Zoe Conway, its employment correspondent, exposed the reality that hundreds of McDonald's employees were contacting the BBC and the EHRC with allegations of the most appalling harassment. We heard about the case of a 17-year-old McDonald's worker who alleged that she was being asked for sex in return for a manager giving her the shifts that she wanted—how on earth can that be acceptable in today's economy? Yet when we put that point to the chief executive of McDonald's and asked, "Do you think that the imbalance of power that has flourished in McDonald's because 90% of your workers are on zero-hours contracts has anything to do with this litany of abuse, or with 700 workers contacting their solicitors to bring a case against McDonald's?", the answer was no. It was an absolutely extraordinary denial of reality.

We then heard from Evri, which, as many people know, is one of the most significant courier firms in the country, employing tens of thousands of people. Mr Hugo Martin came before our Committee to give evidence, and told us that all at Evri was sweetness and light. However, the Committee has now received hundreds upon hundreds of complaints from whistleblowers, alleging that they are being cheated and undercut, most recently through the rate cuts, the packet racket which is still persisting, health and safety abuses at work, intimidation, bullying and harassment. They are being told repeatedly that their shifts will be cut, or that they will be out of the door if they do not work six days a week. Our constituents are experiencing this completely unacceptable behaviour.

I must be careful about scope at this point, Madam Deputy Speaker, but we also heard from the company Shein, which could not even tell us whether the products that it made contained cotton from China. We were simply trying to understand whether workers in our country were being undercut by an abuse of modern slavery practices abroad.

I say to the House that although we may have our differences on the Bill, we must accept the reality that millions of people in this country—millions of the people we are sent here to represent—are being treated in a way that should be unacceptable in a 21st-century economy. What the good employers told the Committee, time and again, was that they supported the spirit of the Bill, although of course they had concerns about the detail, and it is good that the Minister is listening. What they did not want to see persist was the situation that they feared, in which the good firms were being undercut by the bad. We must have a level playing field in this country: that will be a necessity if we are to win a global race to the top.

My amendments 275 to 277 suggest alterations to the zero hours regime that the Minister has set out. I think we should abolish the definition of "low hours" in contracts. I accept the evidence that was given to us by Paddy Lillis, the brilliant general secretary of the Union of Shop, Distributive and Allied Workers, that retaining the definition creates a risk of loopholes that will be exploited by bad employers.

Amendments 278 to 281, which might be termed the McDonald's amendments, urge the Secretary of State to put on the face of the Bill a definition of "reasonable notice" in relation to the moving of shifts and the compensation that should be entailed in the event of unreasonable shift movements. We need to ensure that our workers, particularly young workers, are never again subjected to the kind of abuse that we have seen unfold at McDonald's. Those days must be consigned to the past.

New clause 80, which might be described as the Evri amendment, creates an obligation and duty for the Secretary of State to bring to the House, within six months of the Bill's coming into the force, the final version of a review of the single status of workers. We heard compelling evidence from the director of Labour Market Enforcement, who told us that the Government, Ministers and civil servants could consult

"until the cows come home".

We could put off the consultation about the different definitions of "worker" for ever and a day, when what we need to do is end the kind of abuse that we see at Evri now. Ensuring that these loopholes are closed so that bogus self-employment is no longer a loophole through which bad employers abuse honest workers: I should like to see the Minister step up to that requirement.

New clause 81, which we might call the Shein amendment, requires the Government to update the Modern Slavery Act 2015, and section 54 in particular, to ensure that the employment rights granted in the Bill are not undermined by companies operating in this country that are abusing this legislation. At the time the Modern Slavery Act was world-leading legislation, but we heard clear evidence from companies such as Tesco that this country risked becoming a "dumping ground" for bad products produced by workers exploited abroad. We cannot allow this country, which led the abolition of slavery, to be a country in which we have second-class protections against modern slavery in the 21st century, and I should therefore welcome a commitment from the Minister on when the Act will be updated.

We welcome some of the Government amendments, particularly the enhanced protection for agency workers and the action on umbrella companies. Both are recommendations in the Committee's excellent report, which I commend to all Members. I hope that, as a result of this debate, we can salvage some consensus. The Bill will go through today, and this will be the biggest overhaul of employment rights in the country. We must ensure that it lasts for the future, and the more we can do to bring a cross-party consensus around that simple idea that all workers—all constituents—in the country should have the right, the power and the freedom to earn a good life for themselves and their families, and the sooner we can do it, the better.

Madam Deputy Speaker (Caroline Nokes): I call the Liberal Democrat spokesperson.

Steve Darling (Torbay) (LD): The holy grail sought by all Governments, of whichever hue, is economic growth. I therefore think it important for us to look through the lens of economic growth, and to think about whether the Bill drives it. I recall from my time in Committee, where I spent many hours listening to the oratory of the hon. Member for Mid Buckinghamshire (Greg Smith), that we spoke a great deal about productivity and whether it would be driven by the Bill.

I have spoken about the possible impact of the Bill to people in my community, including representatives of Enlighten HR and Alison Benney, a human resources consultant, for whom its destination was very welcome. Indeed, we have heard from many other people who have been consulted that the Bill's destination and aspirations are correct and appropriate, but it is a question of how we get there and whether the Government have achieved the right balance between employers and employees. That is important, because the last thing we want the Bill to do is have a chilling effect on the economy. We are only too well aware that the national insurance contributions that are set to kick in next month are already having that negative impact, and we do not want this well-intended Bill to echo that further.

There are 250 amendments before us at this late stage of the legislation. The Minister says that that is due to levels of consultation and so forth and should be welcomed, and that we are trimming our sails, but if that is the case, and if the Minister was in such listening mode in Committee, why did the Government accept no Opposition amendments whatsoever? I should welcome some reflections from the Minister when he winds up the debate.

As a Liberal Democrat, and the Liberal Democrat spokesman for the Department for Work and Pensions, I can say that carers are at the front and centre of our world. What is effectively the population of Portsmouth—200,000 people a year, or 600 a day—walk away from the employment market to take up caring occupations and, in many instances, support family members. That has an £8 billion annual impact on our economy, which leaves us less productive. I hope that the Government will give serious thought to our amendment to make leave for carers a paid opportunity, because giving them that flexibility and that breathing space would unlock more people for our employment market.

Our proposal to make caring a protected characteristic is extremely important. We have already heard about harassment and discrimination in connection with other parts of the Bill, but this would help immensely to support carers. Doubling the pay of those taking adoption leave is also important, as is support for people who take caring roles such as kinship care. I hope that the Ministers will take those family roles into account.

Calum Miller (Bicester and Woodstock) (LD): Does my hon. Friend agree that the Government have missed an opportunity to recognise the extraordinary contribution of kinship carers in this Bill? I recently met a couple in my constituency who are kinship carers. They have acted out of love, but they have had none of the support that foster parents would have had in looking after the children in their care. Does my hon. Friend agree that the Government would do well to look at including the same employment rights for kinship carers as they currently offer to foster parents?

3 pm

Steve Darling: As somebody who was adopted myself, I know only too well the importance of supportive love. I have been heavily involved with children's services, and I know that the best care for children in need of loving homes is often not too far away from home. The more that children's services can be less of a child-rescuing service and more of a child support service, the better, so I strongly endorse what my hon. Friend alludes to.

An area that particularly exercised the hon. Member for Mid Buckinghamshire in Committee was third-party harassment, and I strongly support the Government's proposals in this Bill. I have engaged with young women in Torbay who work in retail and the hospitality industry, particularly those from Torquay girls' grammar school, and they find that harassment in the workplace is not a bit of banter, but repugnant in the extreme. They told me that they will go to a shift feeling sick to the stomach because they know a particular individual will be coming in that evening who will act inappropriately. Their managers should have a duty of care toward them, and I welcome that proposal in the Bill.

I know that some of the amendments allude to non-disclosure agreements. I welcome the Minister's kind words, but warm words do not get measures into legislation. I ask him to reflect on that, and I am sure that colleagues will speak about NDAs.

The final area I need to cover is probationary periods. We Liberal Democrats would really welcome putting a three to nine-month probationary period on the face of the Bill, which would ensure that there is less chance of expensive tribunals for employers. We welcome the steps that the Government have taken in respect of statutory sick pay, but we need to ensure that the correct balance is struck between the burden on employers and positive outcomes for employees.

Freddie van Mierlo (Henley and Thame) (LD): I welcome the amendments put forward by the Liberal Democrats, especially new clauses 12 to 14, which would extend paternity leave from two to six weeks and double the amount of pay. Those precious weeks are essential for fathers to bond with their child and to provide additional support to their partners. Does my hon. Friend agree that these are essential new clauses that the Government should accept?

Steve Darling: I agree with my hon. Friend. When I go and speak to primary school teachers, they say that they face a challenge where there is poor attachment between the parent and the child, which can have a significant developmental impact on young people. By giving greater powers through this Bill, we can drive stronger connections between those parts of the family unit.

The reality is that we need to support small businesses and get the right balance between implementing the good stuff in this Bill and making sure that we are not punishing businesses. We need to make sure that we support the family, because, as I have said, the family is the core part of what our society is, and strengthening that will hopefully strengthen outcomes and strengthen our society. My fear is that this Bill is a little bit like Snow White's apple: it may have looked extremely good on the outside, but it sent her to sleep. My fear is that this Bill is a little like that, because it may have a lot of promise on the outside, but it could be a sleeping potion for our economy.

Peter Dowd (Bootle) (Lab): I give my full support to the measures in the Bill. Without question, they are some of the most progressive in this area of legislation for decades.

My new clause 25 seeks to set up a working time council, comprising businesses, trade unions, Government Departments and experts on the subject, to advise the

[Peter Dowd]

Secretary of State on how the transition from a five-day week to a four-day week would affect employers and employees, and on how businesses, public bodies and other organisations should approach such a transition. Virtually every progressive change in employment legislation over the decades has been pooh-poohed by the Conservative party. Leopards do not change their spots, as we have seen in spades today.

In the evidence session, the Minister asked some witnesses what the productivity implications of some of the proposals contained in the Bill would be. The answer from Professor Simon Deakin, of Cambridge University, was that

"there is a strong correlation between stronger labour protection and both productivity and innovation."

He went on to say that research

"shows that, on average, strengthening employment laws in this country in the last 50 years has had pro-employment effects, for various reasons."—[*Official Report, Employment Rights Public Bill Committee,* 28 November 2024; c. 137-138, Q141.]

I know the shadow Minister was there when Professor Deakin said that.

Historically, it is a well-trodden path for some to object to measures that would advance employment rights, even if those rights are of advantage to everyone concerned, be it employers, employees or society more generally. That is especially so in the medium to long term, because legislatures do not just legislate for today; they also legislate for tomorrow.

I thank the Minister—my admiration for him knows no bounds—and other Members for the work that they have put into this Bill. My primary aim in tabling new clause 25 was to try to get the debate about the four-day week out of the blocks. I accept that the notion is challenging, but that is not a reason to put off the debate; the discussion has to be had. It is over 100 years since the introduction of a five-day week in different industries, which was down to the influence of Henry Ford, who was not the most radical of people. In the 1920s, the introduction of the two-day weekend for those working at his car factories was a pivotal moment. He argued that it would boost worker productivity and morale, and it did.

The argument that a shorter week affects business resilience or productivity has been used time and again. The Factories Act 1961 contained requirements to deal with overcrowding, control temperature and introduce ventilation, all of which were opposed at the time on the basis of cost. As colleagues will know, the same argument was put forward about the Equal Pay Act 1970. It was the same when paid holidays were introduced in 1938. People said the minimum wage was going to cost hundreds of thousands of jobs, but we all know that it did not. Paternity and maternity leave was eschewed because it was said to damage industry, but did it do so? No, it did not.

Research from Barclays shows that working hours in the UK have fallen by 5% on average in the past four decades, with British workers now working 27% more hours on average than their German counterparts. Workers in France, Italy and Spain have enjoyed a 10% decline in working hours, but despite people in this country working longer hours than those in our competitor and partner nations, we are one of the least productive countries in the G7, and we have to do something about that. What about the impact on employers?

Alison Griffiths: Will the hon. Member give way?

Peter Dowd: Well, I do not want to, but I will.

Alison Griffiths: Maybe I am pre-empting the answer the hon. Member was going to give, but what exactly are the measures in this Bill and the amendments—the magic potion—that will improve productivity?

Peter Dowd: I am pleased the hon. Lady asked me that question, because it is patently obvious that better working conditions lead to less absenteeism, more resilience in the workforce and better productivity. It is not a magic potion, but what is known as enlightened employment. She may like to read about that, and if she wants, I will put her in touch with a few people who can talk to her about it.

In that study I mentioned, 71% reported reduced levels of burnout, 54% said it was easier to balance work with household responsibilities, 60% found they had an increased ability to combine paid work with care responsibilities, and 62% reported that it was easier to combine work with social life, and so on and so on. As I have said, the Bill seeks to put this issue on the agenda, because I believe it is inevitable—history shows it—that changes in patterns of work, working arrangements, the nature of work and other associated issues, such as artificial intelligence, will eventually lead to a four-day week over a period of time. So let us embrace the change and let us plan for the change. If we do want to get the country back to work, get the country working productively and get many millions of people without work back into work, let us do this as progressively as we possibly can.

Finally, if we are lengthening the time we ask people to work by an extra year, two years or maybe three years in the future—if we ask them to have a longer working life—the least we can do is to ask them to have a shorter week. What is wrong with that, and is it really too much to ask? I do not think so, and many employers and employees take the same view, so let us not make an enemy of progress. Why do we not just embrace it?

Damian Hinds (East Hampshire) (Con): I rise to speak to the measures on zero-hours contracts, and Opposition new clause 83 and amendment 283. It is absolutely right that we should pause to consider the effects of these changes on employment tribunals, but it is also right that we should pause to consider their effect just on employment. Of course, there are bad employers and those who would seek to exploit, which is a very bad thing. We should bear down on them, but there is no reason to believe that the measures the Government are bringing forward will achieve that.

I suggest that the Government want to get rid of zero-hours contracts not because intrinsically there is a great problem attached to them, but because of the special place zero-hours contracts have in Labour mythology. I want to take us back to the glory days of the modern Labour party when the leader of the Labour party was the current leader's immediate predecessor, the right hon. Member for Islington North (Jeremy Corbyn). I see the then shadow Chancellor, the right

hon. Member for Hayes and Harlington (John McDonnell) is with us in the Chamber, and as it happens, I was the Minister for Employment at the time.

When our Government came to power, unemployment had been 8%, and it then rose a little bit to 8.5% at the end of 2011. From then on, it came down, and it kept coming down. By late 2016, it was under 5%, and it would fall further still. However, that did not fit Labour Members' narrative. They wanted to be able to say that this reduction in unemployment was not real: it was all fake employment or low-quality employment. That was not true, but it did not stop them saying it. In fact, three quarters of the increase in employment was in higher-skilled occupations, and three quarters of the jobs growth was in full-time work. At that time, employment was growing much more quickly than self-employment, and the No. 1 sector for employment growth was construction.

However, Labour Members still kept saying that the jobs being created were all low-quality ones, and at the top of the list of things to call out was the zero-hours contract. The then Leader of the Opposition used to talk about it weekly at Prime Minister's Question Time. There were a couple of awkward moments, such as after his glorious appearance at Glastonbury, when it turned out that the Glastonbury festival—guess what?—employed people on zero-hours contracts. There was further embarrassment when it turned out that there were people working for none other than the Labour party conference who were on zero-hours contracts.

At the DWP we did some research, and it turned out that less than 3% of people relied on a zero-hours contract for their main employment. On average, it delivered them 25 hours of work a week, while, strangely, they had above-average job satisfaction, and most were not looking for more hours. People said the number had grown, but it is actually much more likely that that was because of growing awareness of the term "zero-hours contract".

Thinking about our history, it has long been the case that far more than 3% of people have had irregular income patterns, where they have not had guaranteed hours of work or levels of salary—from casual labour to piece work, catalogue agents and commission-only sales. At a certain point, it dawned on me that my own first job had been washing dishes on a zero-hours contract—or at least it would have been, had a contract been involved at all.

3.15 pm

Antonia Bance: Does the right hon. Member accept that someone choosing to take on an irregular contract when they are at the high end of the pay scale with significant professional skills and expectations for the future is very different from the endemic insecurity at the bottom of the labour market, which is where zero-hours contracts are concentrated? Some 83% of people on a zero-hours contract—

Madam Deputy Speaker (Caroline Nokes): Order. I think the hon. Lady is in fact making her speech, rather than an intervention. *[Interruption.]* Oh, her speech will come tomorrow.

Damian Hinds: The hon. Member is right: of course those things are different, but with the dawning realisation I had back then, I started to wonder who else might take a zero-hours contract? Yes, it is true that disproportionately they are young people, but for quite a lot of people a zero-hours contract is for a second job. I would be interested to hear from the Government their assessment of that. It turned out, when we looked at this in 2016, that one of the biggest users of zero-hours contracts in the country was none other than the national health service, so that it could cope with increases in demand. These were people who had a permanent job as well, but who could, as bank staff, supply other hours when that was needed.

For this Government, it is totemic to do something about zero-hours contracts because of that Labour mythology. For the unions, there is also another reason. This is classic insider-outsider theory, with a shift in remuneration from people who are not in work to people who are already in work, and it pushes up what is called the non-accelerating inflation rate of unemployment. In plain English, it is bad for jobs. The Chancellor of the Exchequer must know that because, as we all know, she is most definitely an economist—she has worked as an economist, she has trained as an economist and she is an economist—and this is classical economic reality.

For whom might zero-hours contracts work well? They work well for any employer with an unpredictable, variable need for workers—from the events business to the NHS, as I have mentioned—and there are other obvious cases in tourism, agriculture and food. However, some people may just choose to have that flexibility. Over the last two years it has been a seller's market to go into teaching, but some people have still chosen to become a supply teacher because, for whatever reason, for them that works well.

The other group for whom this may work are those furthest from the labour market, who have perhaps been out of work for a very long time, who perhaps are ex-offenders, or who for some other reason find it difficult to immediately land a regular, full-time job. When this is combined with universal credit—which, by the way, the right hon. Member for Islington North also wanted to abolish—it can work very well, because the top-up payment can be adjusted according to how much someone earns week to week.

This Bill is bound to have unintended consequences. We do not know exactly which ones they will be, but I will suggest some of them. It could suppress seasonal peaks in employment—for tourism in the summer, but also at Christmas time—because employers will not want to take on the liability from the reference period. It could deter people from second jobs, which will be bad for growth. It could mean people move from contracted employment to self-employment or casual work. It could mean a move from permanent contracts to temporary contracts and, yes, it could hit our national health service and other important public sector employers.

I do not doubt that this piece of legislation will be good for unions, but it will be bad for the economy and bad for growth, and it will be especially bad for people in the hardest circumstances who so badly want to get back to work, and for whom this kind of contract can also be that important first step.

Louise Haigh (Sheffield Heeley) (Lab): I congratulate the Deputy Prime Minister, my right hon. Friend the Member for Ashton-under-Lyne (Angela Rayner), and the Under-Secretary of State for Business and Trade,

[Louise Haigh]

my hon. Friend the Member for Ellesmere Port and Bromborough (Justin Madders) on all their incredible work in bringing forward this landmark piece of legislation. I pay tribute to the hon. Member for Oxford West and Abingdon (Layla Moran), who is co-sponsoring new clause 74 with me today.

This is the first speech I have given as a Back Bencher in nearly 10 years. One of the few benefits of—ahem—elevating oneself to the Back Benches is the ability to speak much more routinely on behalf of my constituents and those without a political voice. The amendment I rise to speak to today is literally about the voiceless: those who have been legally silenced in the name of organisational and personal preservation.

New clause 74 would prohibit employers from entering into non-disclosure agreements with workers in relation to complaints of sexual misconduct, abuse, harassment or discrimination. It very closely mirrors legislation recently passed in Ireland that bans NDAs in those circumstances but allows them at the express consent of the victim, and legislation that has been passed in multiple US states in relation to sexual harassment.

NDAs have a perfectly legitimate use in business to protect commercial confidentiality and trade, but they are frequently misused to bully people into silence when they have already suffered at work. We know of the most high-profile cases, from Harvey Weinstein to Mohamed Al-Fayed, only because their brave survivors risked breaching their NDAs. But these agreements are far from confined to celebrity abusers; they are being misused and exploited on a vast scale. The campaign Can't Buy My Silence—led by Zelda Perkins, who helped to expose the abuse of Harvey Weinstein—has also uncovered multiple scandals in the higher education sector, which led to action by the former Government to ban the use of NDAs in that sector.

We sadly know that, in our own labour movement, trade unions have been accused of using confidentiality clauses in settlements, which have the same chilling effect as NDAs. I have been told stories—

Alison Griffiths: On a point of order, Madam Deputy Speaker. Would the right hon. Lady be kind enough to declare her union interests from her entry in the Register of Members' Financial Interests? I believe there is a £10,000 donation—

Madam Deputy Speaker (Judith Cummins): Order. That is not a matter for the Chair, but a point for the Member.

Louise Haigh: I am very grateful for that point of order. I am, of course, very happy to declare my interests, as set out in the Register of Members' Financial Interests, just as I am in the process of criticising a trade union.

Trade unions have been accused of using confidentiality clauses in settlements, which have the same chilling effect as NDAs. I have been told stories that should be on the front pages of newspapers, such as the man who was accused of rape, signed an NDA and was paid off. His alleged victim only found out years later that that had been the case while she was still working in the same workplace.

Media organisations such as ITN have come under recent criticism. As former employee Daisy Ayliffe said:

"Women who work for ITN have tried to report harassment and discrimination, but soon after doing so found themselves suddenly out of a job and bound by non-disclosure agreements."

Another former employee of ITN, on seeing Daisy speak out, realised that his experience was far from unique and asked that I use parliamentary privilege today to speak about the confidentiality clause he was required to sign. He has asked that I do not use his name, so I will call him Mr B.

Mr B joined ITN in 2008 on a scheme called Enabling Talent, which aimed to recruit more disabled people into the organisation. He suffers from a condition called functional neurological disorder, which has a number of symptoms, including non-epileptic seizures or dissociate seizures, which he describes as zone-outs or blackouts. In 2008, ITN made a number of reasonable adjustments for him, including help with note taking, a key to the first aid room, and disability leave when required in order to avoid stress and fatigue-induced seizures. He states that at the time he could not fault his employer for the support it gave him.

Mr B left ITN to pursue his career elsewhere and returned in 2017, when he again declared his disability and made a request for similar adjustments. Despite multiple requests for the kind of help he had received before, none were forthcoming. Instead, he suffered severe bullying and discrimination, including pressure to disclose his disability widely to his colleagues. The situation got so bad that his zone-outs and blackouts became increasingly frequent. After suffering one seizure at work, he was required to apologise to those who had witnessed it. He was repeatedly accused of lying about his disability and told that his issues were nothing to do with his disability, despite having joined ITN on a disability inclusion scheme.

Mr B took ITN to tribunal, incurring tens of thousands of pounds in legal costs. He settled but was required to sign a confidentiality clause. His health has deteriorated so badly that he now uses a wheelchair 50% of the time and, following the loss of his job, he was, for a period, made homeless.

Josh Fenton-Glynn (Calder Valley) (Lab): Does my right hon. Friend agree that in such cases there is no public interest and no interest for anyone, apart from guilty parties, to keep these things secret, and that that is why it is important NDAs are not used to hide problems that employers should sort out?

Louise Haigh: I am grateful to my hon. Friend for that intervention; he is absolutely right. There are many organisations, including the BBC, that as a policy do not use NDAs.

Imagine suffering that kind of treatment at work: losing your job, losing your health, and then being banned from explaining to another potential employer, or even your closest friends, what has happened to you. It makes it next to impossible to recover from the experience, very difficult to find work again and vanishingly unlikely that the organisation will face up to its wrongdoing and enact change.

For Mr B, for survivors of monsters such as Mohamed Al-Fayed, and for the thousands of victims across our society who have been legally required to suffer in

silence, I hope the House can agree that such agreements have no place in modern society. And if it can happen in organisations such as ITN, whose job is literally to expose injustice, or in trade unions, whose job is to protect workers, then it can happen anywhere. Organisations in these instances, no matter who they are, will circle the wagons and protect themselves rather than the victim. By doing so, they protect abusers. That is why we must simply remove the tools of their abuse and end the use of NDAs in these circumstances.

I am very grateful to the Minister for his earlier response and for confirming that the issue warrants further consideration, but may I press him a little further on exactly how we can see progress? And we must see progress. It is sickening that across the country women and men will have suffered abuse in their workplace and that, instead of action against the perpetrator, they are the ones who are shamed and silenced, ganged up on by lawyers and sentenced to a lifetime of regret.

Sir Ashley Fox: As a member of the Public Bill Committee for the Bill, I was surprised by the number of amendments the Government tabled to their own legislation in Committee. There were hundreds of amendments, demonstrating how badly the Bill was drafted when it was first proposed. It was clearly a bad idea to commit to introducing such a major piece of legislation within 100 days of the election, but I guess that was the price of trade union money to fund the Labour party. Having had 21 sittings in Committee scrutinising the Bill line by line, we now find ourselves with another vast number of Government amendments once again, but this time with only two days to scrutinise it. Most of the amendments on the amendment paper are the Government's. The amendment paper is thicker than the original Bill.

This is a bad Bill. It pushes up the cost of labour, makes our flexible labour market less flexible and will increase unemployment. I am pleased to have tabled new clause 30, which would add special constables to the scope of section 50 of the Employment Rights Act 1996, giving them the right to unpaid leave to perform their duties. Special constables are volunteers who give their time at no cost to the taxpayer to help our police forces. Specials have existed in some form ever since the Special Constables Act 1831, which allowed justices of the peace to conscript volunteers to combat riots and social unrest. The special constabulary as we know it was established by the Police Act 1964, which gave chief constables the authority to appoint and manage special constables. Today's specials carry all the same legal powers as their full-time counterparts, both on and off duty, and put themselves in harm's way without payment to keep our society safe.

Today, the special constabulary—an institution that has served this nation for nearly two centuries—faces a crisis. The number of volunteer officers has fallen by two thirds in the past decade; in the past year alone, we have seen a 20% drop. Many police forces now face significant gaps in their special constabulary ranks. This is not just a temporary dip, but a long-term trend. There are multiple factors at play, but clearly becoming a special is not an attractive proposition to too many potential recruits. I believe we must act now to ensure that the special constabulary continues to play a vital role in policing for generations to come.

It is in that context that I bring forward my amendment to the Bill, which seeks to amend section 50 of the Employment Rights Act 1996. For those who are not aware, section 50 allows those undertaking a number of community roles to request unpaid time off work to perform their duties. On the list are magistrates, local councillors, school governors and even members of the Environment Agency. It seems strange to me that we would exclude those prepared to keep us safe from the list of community-minded citizens.

3.30 pm

Of course, some employers are understanding and already try to support officers on their staff. When the Association of Special Constabulary Officers wrote to the Minister calling for him to back these changes, he responded that the Employer Supported Policing scheme was being promoted to increase the number of specials, but this is simply not enough. A survey completed by ASCO last year showed that more than 60% of specials are not supported by their employers, and it is currently lawful for employers to refuse time off for specials.

The riots last summer demonstrated the benefit of having a flexible police force. Given the Government's focus on promoting neighbourhood and community policing, increasing the number of specials seems like a good choice. This measure will not cost the taxpayer a penny—it simply puts special constables on the same footing as other volunteers.

This new clause has the support of right hon. and hon. Members from almost every party represented in this House and has been endorsed by 10 police and crime commissioners. Importantly, Assistant Chief Constable Bill Dutton, acting in his capacity as the National Police Chiefs' Council lead for the special constabulary, has provided his written support for including special constables under section 50.

I believe that this new clause would help the recruitment and retention of many new special constables and make our streets safer. It would also finally recognise the work of the specials and put them on the same footing as the thousands of other people in the country who are allowed time off work to complete valuable civic duties. It is in that spirit that I ask the Minister to seriously consider whether the Government will accept new clause 30.

Matt Western: I refer Members to my entry in the Register of Members' Financial Interests and my union membership. The legislation before us today is truly historic. It is totemic in scale—the biggest upgrade to workers' rights in a generation. I commend the Minister and the team for the work they have done.

The Bill delivers not only for working families, but for the whole country. It will lead to higher productivity, higher wages and, ultimately, economic growth. These reforms are unashamedly pro-worker and pro-business, in sharp contrast with the past 14 years, when we saw low pay, low productivity and low growth in the economy. Shockingly, productivity grew by just 0.2% a year between 2010 and 2020. Since 2011, we have seen insecure work rise nearly three times as fast as secure work. Whether it be the 800 P&O workers who were sacked over Zoom without notice, the retail workers whose shifts get cancelled last minute and now cannot afford their weekly food shop, or the 9 million people—one in three workers in this country—not protected from unfair dismissal, it cannot go on.

[Matt Western]

I will talk briefly about some of the measures in the Bill. Day one rights will provide a serious boost for millions of people. Nine million workers have less than two years' service with their employer, and thus do not enjoy protections from unfair dismissal. I would welcome some clarity around the initial period of employment. What specific timeframe would the measure apply to, and what exactly does it mean? Moreover, I urge the Government to look at what support is available for smaller firms that are concerned about the impact that the measure may have on their costs. Can we consider what more can be done to guide companies through these changes?

Zero-hours contracts are endemic across our economy. So many people with those contracts are given very little notice when their work is cancelled. In some cases, they may have already sorted out their childcare or made travel arrangements.

Let me turn briefly to industrial relations. An important element of the legislation is setting the new framework for industrial relations. The Business and Trade Committee heard from many good employers, such as Jaguar Land Rover and British Aerospace, that work with the unions to create the right employment practices across their businesses. By contrast, we also witnessed the mistreatment of workers and the denial of their basic rights at Amazon, which clearly had problems in the workplace.

The proposed Fair Work Agency, which is welcomed by unions and progressive businesses alike, is a positive move. As we heard in the Business and Trade Committee, the agency needs to be adequately resourced, because it is so important.

I shall turn to some of the amendments that I support. We just heard from my right hon. Friend the Member for Sheffield Heeley (Louise Haigh) about new clause 74. One constituent of mine, Mrs E, was the victim of harassment in the workplace. She was victim to a particular individual who was protected by the management. Ultimately, she had to leave the organisation. He then also had to leave himself. Harassment is such a problem in the workplace, and it is something that must be addressed in this legislation.

New clause 81 relates to modern slavery. The Select Committee heard about the problems of Shein and how companies in the UK have been disadvantaged by the practices of businesses that operate elsewhere.

I wish to talk a bit more about productivity and the points that I raised with the shadow Minister. The legislation is important because it brings not only great benefits to workers, but even greater responsibilities for employers. Tighter employment legislation leads to greater productivity, as we see in France and Germany. Both countries have seen a 20% advantage in their productivity compared with that of the UK. This is why we have seen such a stagnant economy in the UK over the past 10 years.

This legislation is another reminder to the people of this country that only the Labour party can deliver for working families. It will mean less uncertainty at work, less insecurity at work and more money in people's pockets.

I urge the Government to look at the Fair Work Agency, and particularly at the definitions of "reasonable notice", "moved" and "short notice", and to provide clarity on how many weeks the initial and subsequent reference periods should be.

This is a colossal piece of legislation that is so important in this decade. It brings about real change, which is what this party will deliver for working people, thereby boosting productivity and ultimately growing the economy.

Layla Moran (Oxford West and Abingdon) (LD): I rise to speak to new clause 74, which appears in the name of the right hon. Member for Sheffield Heeley (Louise Haigh). I pay tribute to her and say that the Back Benches are very lucky to have her. May I also pay tribute to Mr B, whose story she told so movingly?

The campaign to redress the power imbalance for those offered non-disclosure agreements in cases of sexual harassment, harassment, bullying and discrimination has been many years in the making. It transcends organisations and it transcends party. I pay tribute to Members past and present of all colours who have been part of this campaign for so long. I was pleased to hear from the Minister from the Dispatch Box that he hopes to continue to make progress, but I hope to urge him to go further faster, and for very good reason. It is long past time that this practice just stopped.

I want to reveal another never-before-told story from ITN. It is never-before-revealed because it is covered by a non-disclosure agreement, which means that I will be using privilege to reveal the details. Before I begin, it is worth saying that the victim is not alone; I understand that there are seven out there from ITN—we have heard another one today—and that investigations have been done by ITN's board, which is intent on change. This victim is clear that she does not want to cause ITN problems, but she wants MPs to understand the effect that this continues to have on her life and why we need to act quickly.

This young woman was in her mid-20s when she landed her dream job at ITN. She quickly became trapped in what we understand to be a coercive, controlling sexual relationship with an older male editor. He would hurl wild accusations at her and accuse her of affairs with colleagues. She ended up suffering from panic attacks as a result of the relationship. Before Christmas 2019, she finally had the courage to end it.

When she returned to work in January, she had been demoted. Her hours were reduced and so was her pay. The first editor she told warned her to stay silent. She said: "You don't want to be one of those women who always moan about being wronged." She then confided in a more senior editor, and things got worse. She told her: "It's not like he ever hit you. It's not like you ever had to go to A&E with broken bones."

She went to work every day for the next year. It took ITN months to agree to an HR investigation into what happened. It agreed only on the condition that she would also be investigated. HR found that it could not assess the complaint because it was criminal in nature, but at the same time found it to be unfounded. That makes no sense. Around this time, she asked a question at an ITN women's empowerment forum, in front of all staff, during the pandemic. She simply asked, "What support is there for women who report alleged sexual harassment in the workplace?" Within an hour, her email had been cut off. HR summoned her to an urgent meeting; her primary offence, it would seem, was asking for help.

From that moment, she was suspended without pay. She had been completely cut off from almost all support networks for about a year. ITN told her that she was not allowed to tell anyone—except the police, to be fair—what was happening. Even her best friend had to sign an NDA to attend a meeting to support her. The NHS offered her group therapy for her anxiety, but she felt that she had to decline because the organisation insisted that she stayed silent. Her lawyer said that the organisation was trying to starve her out in negotiations over her exit. They took years. By the time they got to a settlement, she had racked up £70,000 in legal fees.

Mrs Russell: I know from experience that it is a practice of employment lawyers who work for employers to go on to Google Maps and look at the houses in which complainants live, to assess the assets that they are likely to have and whether they are likely to be able to afford to continue their defence to tribunal, or whether they could be offered a smaller amount as a settlement. Does the hon. Lady agree that NDAs are providing cover for that?

Layla Moran: Absolutely. This is exactly the kind of behaviour that we need to put a stop to.

The young woman eventually reached a settlement, but it was extremely one-sided. She panicked, because the NDA gagged not just her but her partner, her best friends and her parents, but it did not gag the men or the senior executives involved in the harassment that she faced. It covered not just business matters—we are not seeking to stop confidentiality agreements on business matters—but everything painful that she had endured. Her mental health spiralled and she ended up in hospital. Every day that she was in a hospital bed, the lawyers sent her automatic reminders to sign her NDA. This was a woman at her most vulnerable. It is entirely wrong that she was put in that position.

It is worth saying that almost none of that NDA is enforceable. It if was taken to court, it would fail. The Victims and Prisoners Act 2024 makes it clear that she should have been able to get that support. We are kidding ourselves if we think that NDAs are not still being used and issued. They are. That is why this Bill—whether now, in the Lords or wherever—needs to put a stop to it.

Many years on, following an investigation into the treatment of these workers at ITN, the woman does believe that the organisation is trying to change, and she is grateful to the executives from within who are pushing for reform. The latest update is that ITN is willing to renegotiate her NDA. That is laudable, but she should never have been put under one in the first place, and those protections should be everywhere.

We face a weird situation which we in the House have created. In the Higher Education (Freedom of Speech) Act 2023, there is a provision—it was tabled as an amendment by Labour and taken on in the Lords by the then Conservative Government—that says that such non-disclosure agreements are not allowed, but it covers only higher education settings, because that was the scope of the Act. I am an Oxford MP. How does it make any sense at all that I might have a constituent who is protected from such non-disclosure agreements if they work for the university but not if they work for any of the university spin-outs?

3.45 pm

Josh Fenton-Glynn: The hon. Member is making a powerful speech. I pay tribute to the people who have shared their experiences. Does she agree that the people we are talking about have means and support networks, and that without these protections the most vulnerable in society will be affected, which is why getting the laws right is so important?

Layla Moran: I thank the hon. Member very much; these people are indeed incredibly brave. What we are trying to show is that it happens to men and women, it is discrimination, it is sexual harassment, and it is ubiquitous—it is happening everywhere and it is happening now. We are not seeking to silence people. In fact, new clause 74 says that if a victim wants an NDA for whatever reason, they would be allowed one. The new clause simply seeks to redress the gap.

How can it be right that, sometime soon, in some establishments, workers will be protected and that in others they will not? It is time for the Government to sort this out. The new clause does not say exactly how they should do that, but that the protections afforded to all workers anywhere should be the same as those afforded in universities. It would give the Government six months from the Bill's enactment to sort it out, which should be plenty of time. Arguably, they should be able to tackle this with something in the Lords, which would give them a bit of extra time.

I urge the Minister not to wait for some other Bill or some other time. I welcome the meaningful words that we have heard from the Dispatch Box. However, I also urge him to look back—I appreciate that that is not to this Government but another one—because we have heard this before. The campaign has transcended parties and transcended years—it has transcended Parliaments. We are making slow progress; meanwhile, victims continue to be hurt day after day. Every day that these NDAs—often made in perpetuity—endure, that hurt and trauma continues. Please, let this be the Government who put the abuses of non-disclosure agreements where they belong—in the trash can—so that we finally afford the protections that we are about to give to all university workers to every single employee.

Imogen Walker (Hamilton and Clyde Valley) (Lab): As per my entry in the Register of Members' Financial Interests, I am a member of GMB. My union membership has given me reassurance for many years that I have backing if I need it. I am conscious that although in this place we may be listened to when we speak up, for too many people insecurity and lack of respect at work are an everyday experience.

Businesses suffered under the failure of the previous Government to act when reform was needed. That was not in this area alone, of course, but today we are speaking about the relevant amendments. We can come back to their other failings another day—or perhaps on more than one other day—because this is the time for action and we are the party of business.

Everyone should have a contract that reflects the hours that they work. There is a place for flexibility, but people need to sort out transport and childcare and

[Imogen Walker]

plan their household budgets, so we will ensure that agency and low or zero-hours contracts work for both sides—for businesses and workers. For too long, zero-hours contracts have often been at the expense of people who are just trying to make a living for themselves and their families. We will put a stop to that.

A day's work deserves a fair day's pay, and giving the Fair Work Agency the power to bring civil proceedings and issue penalties is an important move. The vast majority of employers respect the rights of the people who work for them and have nothing to fear from that. In fact, they will welcome the levelling of the playing field. As they tell us all the time, their good practice must not be undermined by the unscrupulous minority.

We also say that everyone should be free from harassment when they are at their place of work. The message that Conservative Members send when they object to that protection—to, among others, the many thousands of young women who have been harassed at work—is appalling. In contrast, we believe that everyone deserves respect at work, whatever the industry they work in. I want to reassure, among others, workers in the hospitality and retail industries that they matter, they deserve better and we are on their side. Further, when issues happen, it is to everyone's benefit to resolve them quickly. We will fast-track decision making and back that up with robust fines. That helps businesses and workers and it minimises stress, cost and delay.

I am pleased that the Bill is welcomed by many of our leading employers, including Centrica, as already mentioned. I know Centrica well; it has a training academy in my constituency. Its chief executive, Chris, is fully supportive of the legislation as not just the right thing to do but as a foundation for a high-growth, high-skills economy and the progress that our country needs.

A stable workforce will help both employers and workers. The chaos of repeated strikes has damaged businesses and services and left our country reeling. The Conservative party may be instinctively opposed to empowering ordinary people, but on the Labour Benches, we say that these are the people who keep our country going and they have the full support of this Government.

Chris Law: I rise to speak to new clause 75 and to other new clauses and amendments in my name.

Last year, the Labour party committed to

"strengthen statutory sick pay, remove the lower earnings limit to make it available to all workers and remove the waiting period."

Although the removal of the lower earnings limit and the waiting period are welcome, the fact remains that the UK's statutory sick pay does not meet the needs of working people. The miserly increases to the rate—it has just been increased by £2 after five years—are far from the transformative change that Labour promised and will not help to deliver a healthier population and a growing economy. Indeed, only a few years ago, during the covid period, the Minister noted that the then Health Secretary had

"admitted that he could not live on statutory sick pay".—[*Official Report, First Delegated Legislation Committee Delegated Legislation Committee,* 25 January 2021; c. 7.]

To be clear, the UK is lagging behind in its provision of SSP, offering one of the least generous systems in the OECD. While the Labour Government propose a rate of £118.75 a week, or 80% of average weekly earnings—whichever is lower—numerous other European countries, such as Austria, Germany, Iceland and Luxembourg either provide full salary payments or cover a portion of earnings ranging from 50% to 90%. Amendment 272 would bring the UK into closer alignment with other OECD countries.

With limited coverage and relatively low rates, many workers and particularly low-income and part-time employees are left without sufficient financial support when they fall ill. Such a gap in sick pay provision impacts workers' wellbeing, exacerbating financial stress during illness, and can discourage people from taking the necessary time off to recover. It contributes to poorer health outcomes, undermining longer, healthier working lives across the UK population. Surely no one in this House wants that to continue.

The Joseph Rowntree Foundation states that the most effective way of strengthening sick pay is by increasing the rate. There are numerous amendments that would do that, including new clause 76 in my name, which would gradually increase the rate of statutory sick pay over the next five years, taking it to at least 80% of the rate of the national living wage, and others that propose SSP to be the higher of a prescribed rate or percentage of usual weekly earnings. Moreover, a report by WPI Economics shows that sick pay reforms could result in a net financial benefit to this country of more than £4 billion. It also found that the positive effects of sick pay reform would particularly help the increasing proportion of the British workforce who manage long-term conditions and ensure that fewer workers fall out of the job market entirely.

As an example, many people with multiple sclerosis need to take time off work for varying lengths of time for reasons related to their condition. Some people with MS are well supported by their employers through occupational sick pay—of course we support that—and can take the time off work that they need on full pay. When people with MS can get the financial support they need while they are off work, they can often stay in work for longer, as they can better manage their symptoms in the long term. This needs to be the same for all those with MS and other long-term conditions who rely on SSP.

New clause 75 would require the Secretary of State to consider such a change, with the aim of properly reforming this outdated and inflexible system. Changes for those with such conditions could include SSP being paid at an hourly rate, rather than a daily rate, to enable people to work half or part days on a gradual, phased return to work, or changing the restrictions on how people can claim and use SSP so that it is fairer for people with fluctuating conditions by extending eligibility timeframes. Sadly, however, I suspect that the Labour party is looking to slash welfare spending, as has been reported today—700,000 disabled people being pushed into poverty will be no joy to many—and that it has little interest in making such supportive and progressive change. I look forward to hearing from the Minister.

The Labour Government's lack of gumption in their approach to SSP is illustrative of the timidity of their approach in this Employment Rights Bill. Yes, the Bill

makes improvements to the rights of working people and, yes, it reverses some of the worst excesses of the Tory Government, but it could have done so much more. Where is the straightforward system defining a single status of worker to replace the maze of confusing classifications, designed to limit protections, that continue to exist? Where are the increased provisions for collective bargaining to alleviate low pay? Where have the promises disappeared to of the right to switch off, which would ensure better work-life balance?

This was the opportunity to legislate to entrench employment rights and to ensure a fairer deal for workers and a healthier, more equitable and more productive economy and society. Unfortunately, this Bill is left wanting. I hope that, if the Labour party is serious about its manifesto commitments, the Minister will look at these new clauses and amendments.

Lorraine Beavers (Blackpool North and Fleetwood) (Lab): I welcome the Report stage of this Bill. I proudly declare my membership of Unite and the Communication Workers Union and I refer the House to my entry in the Register of Members' Financial Interests.

This Bill will see the biggest upgrade to workers' rights for a generation. It is an agenda for change—change that is desperately needed. Working class people keep this country cared for. They keep our streets clean, our shelves stacked and our public services running, but the imbalance of power in our workplace is plain to see. The P&O scandal was testament to that. This Bill represents a crucial first step in redressing that imbalance, especially amendment 80 on sick pay. It strengthens both collective and individual rights and puts more money in the pockets of working people.

I therefore welcome the Government's amendment to the Bill ensuring that everyone gets sick pay from the first day they are ill, including those previously excluded for earning too little. Currently, around 1.2 million workers are excluded from statutory sick pay altogether, and the present three-day wait is extremely hard for those on low pay who often budget on a week-to-week basis. Me and my husband were those people who lived week to week and dragged ourselves into work when we were not well, because if we did not work, we did not eat when my children were small. The fact that the Bill rectifies that is extremely welcome.

The pandemic exposed just how inadequate current levels of sick pay are. I therefore urge the Government to ensure that as many workers as possible benefit from the measures in the Bill. In particular, they should look at what they can do to increase the rate of statutory sick pay over time, as we currently have one of the lowest rates of sick pay across the developed countries. I hope the Government continue to consider the impact of the removal of the lower earnings limit to ensure that everybody benefits from the measures in this Bill.

Overall, these changes will be transformative for working people in my constituency. As a working-class woman from a council estate, it does my heart good to be able to stand in this place supporting changes that will make the lives of working people better and give them the rewards they so deserve.

James Wild (North West Norfolk) (Con): I pay tribute to all the Members who served on the Bill Committee for its 21 sessions. Their job was made harder by the fact that this was rushed legislation brought forward purely to spare the blushes of the Deputy Prime Minister, who made promises to the trade union barons who fund her party. As a result, we see the large number of amendments that we are discussing today. It is also the case that while the Government have consulted during the passage of the Bill, they do not appear to have listened to employers very much. Hon. Members should beware the unintended consequences of these measures and the Bill.

4 pm

Turning to the amendments, given that the Government's apparent priority is growth, new clause 87 is an essential addition. Many of the powers in the Bill will be implemented through regulations, which, clearly, the House, employers and employees do not have any details of. The approach again shows the rushed nature of the legislation. Commonly, throughout the passage of other Bills, the regulations would be passed in draft while the clauses implementing them were considered. That has not happened in this case, so it is therefore wholly sensible to require that when making regulations, Ministers must have regard to the international competitiveness of the economy. As hon. Members know, the Government inherited the fastest-growing economy in the G7, but since then, what has happened? Their actions and words have stopped growth stone dead. As well as competitiveness, it is essential that the Government take into account economic growth in the medium and long term.

My concern is that the Government are treating businesses like the mule in Buckaroo, loading on more and more costs and obligations. Anyone who has played the game will know that it is inevitable that there will be a reaction and the mule will buck. In economic terms, that means fewer jobs, higher prices and lower wages. The Government's own impact assessment puts the cost to business at £5 billion a year. That simply cannot be absorbed by companies, so new clause 87 would offer some protection.

Many hon. Members have spoken about the extension of employment provisions to day one, and I recognise that the extension of unfair dismissal is well intentioned. However, the reality is that that increases the risk to employers of taking people on. The Federation of Small Businesses has said that the

"increased risk will inevitably deter small employers from taking on new people, for fear of facing an employment tribunal simply because a new recruit turns out to be unsuited to the role."

That is bad for people, jobs, investment and growth.

New clause 86 would require the Secretary of State to assess the impacts of extending the provisions in clause 21, with Parliament having to approve them. This parliamentary lock is about protecting the chance that young people, ex-offenders and people from other vulnerable groups have to join the workforce, as otherwise firms might simply not take a chance on them. Part-time work will be particularly hit by the Bill. Those measures are on top of the Government's £25 billion a year jobs tax, which is making 750,000 jobs in the hospitality sector subject to employer national insurance for the first time—a £1 billion cost for that sector. Those are the very type of flexible roles that are well suited, as was mentioned earlier, to people on long-term sickness benefits who might be looking to move back into the workplace, and the Bill undermines all of that.

The third area I want to focus on is flexible working and the provisions on guaranteed hours, including new clause 28 tabled by the Government. Again, it is worth listening to business leaders, who have warned about the unintended consequences. The chief executive of Currys, for example, has said that guaranteed hours measures will penalise younger workers and

"millions of others who benefit from flexible hours, making such jobs less viable and businesses less competitive."

We do not need to be a retailer, or even an economist or lawyer, to know that stores and leisure and hospitality businesses have seasons. That is particularly the case in my constituency. Companies have to plan to have the right size workforce at different times of the year, and these measures will damage that.

Mrs Russell: It appears to be quite commonly overlooked by Opposition Members that flexible working will still be available to people on fixed-term contracts. Does the hon. Member agree that such contracts can be used to manage seasonal fluctuations?

James Wild: I am simply pointing to the words of the chief executive of Currys, which employs thousands of people across the country. I am not here to tell employers what form of contracts to offer their staff, and I am not sure that it is the hon. Lady's job to do so either. However, the Bill will certainly remove flexibility.

The Government are doubling down by extending that requirement to agency workers. Flexible contracts, which are valued by staff—we have heard from other Conservative Members about their benefits—will be undermined by the Bill. A flexible labour market is an important part of securing a growing economy. The previous Government managed to achieve that while also extending employment rights. As the Federation of Small Businesses and organisations that provide millions of jobs have warned, the clear danger of the Bill is that it will make it harder to employ people by increasing risks and costs.

Rather than striking the balance that the shadow Minister, my hon. Friend the Member for Mid Buckinghamshire (Greg Smith), spoke about, the Government have produced measures that, when taken together—and on top of the Chancellor's tax-raising Budget and the near doubling of business rates for hospitality, retail and leisure businesses—create a significant cost and regulatory risk. That is why we oppose the Bill and the Government's action to hike taxes and increase regulation that will make us less competitive.

Alistair Strathern (Hitchin) (Lab): I draw the House's attention to my entry in the Register of Members' Financial Interests and my trade union membership.

For far too long, our economy has been stuck in a low-growth, low-wage, low-aspiration situation. For far too long, we have allowed some of the best employers and businesses in the country to be undercut by more unscrupulous employers that, as they are unable to compete through competitive advantage or productivity, do so only by levelling down working conditions. That simply cannot be right. We have heard in Committee, in the House and in headlines over many years some heartbreaking examples of the worst scandals that that has enabled. Truthfully, there is not a person in our society who is not losing out as a result of our failure to tackle this issue.

Opposition Members have commented on the pace at which the Government are moving on that issue. We would not have to move at such a pace if they had done more.

Dr Marie Tidball (Penistone and Stocksbridge) (Lab): I wonder whether my hon. Friend agrees with Julie Abraham, the CEO of Richer Sounds, who says:

"Happy colleagues are likely to be more productive. This also leads to reduced stock loss and higher staff retention, which in turn, minimises recruitment and training costs, not to mention disruption to established teams."

Alistair Strathern: I could not have put it better myself.

Research is clear about the strong link between good working conditions and good productivity, and the wider economic benefits that they bring. That is why I am grateful to everyone who has played their part, including the Minister and members of the Bill Committee—I have sympathy for those who had to endure some of the tropes that we have heard today—in ensuring that we had such a big and comprehensive package before us today.

We are debating some strong amendments today. I will focus on new clause 32 in particular, as it affects a constituent who came to my surgery recently. The literature on the harms of zero-hours contracts—their impact not just on productivity but on poverty and on workers' conditions, health and mental health—is compelling, but if we do not acknowledge the human impact, we miss half the story.

At my constituency surgery two weeks ago, I was joined by a gentleman who had been working for four years on a zero-hours contract at Royal Mail. For four years, he had not known what hours he would be working week to week, month to month, year to year. For four years, he had not been able to plan his daily life—his other commitments, and the further education that he was trying to do to build out his skills and better himself. For four years, his life had been narrowed by the precarious reality of the exploitative application of zero-hours contracts by those who should haven know better.

For that reason, I am so glad that the Government committed in our manifesto and in the Bill, which was introduced some time ago now, to taking on zero-hours contracts and giving people the right, where appropriate, to request a fixed-hours contract. However, without new clause 32, my constituent would have been missed out, because although he works at Royal Mail, he is employed through an agency. Without the extension of protections in the new clause he would, like many others across the country, have lost out. I am very glad that we are being complete in our approach and ensuring that we do not miss out from that important protection the very many employees who are currently working for agencies.

There are lots of other important amendments to the Bill. I was glad to hear such warm words from the Minister in his opening remarks about the very important amendment tabled by my Bedfordshire neighbour, my hon. Friend the Member for Luton North (Sarah Owen). It is impossible to hear her testimony about bereavement or to speak to parents who have gone through bereavement and not recognise the simple reality that to be bereaved is not to be sick, and that our leave system should

recognise it as such. I was very glad to hear from the Minister that the Government will work with my hon. Friend and others across the House who have campaigned on this issue for a long time to ensure we recognise that reality.

There are a number of important measures in the Bill. I can do justice to very few of them in three minutes, so I want to focus on just one: clause 14, which is about ensuring we remove some of the barriers to new dads taking up paternity leave early on in their employment. It is a well-recognised fact that we have some of the worst paternity leave entitlements across Europe. Although shared parental leave sounds great as a concept, we do not have to look far to notice that its uptake is shockingly low and shockingly skewed to the highest earners. I am glad that we are taking a small but important step in the Bill to recognise that we need to do more to boost access to paternity leave. The Government will be conducting a review of parental leave later this year, and I know that Members across the House will be keen to engage with the Minister on how we can go further, not just in allowing fathers to have that crucial early time with their child but in breaking down the very gendered nature of parenting, which is currently baked into our statutory provision on parental leave.

There are so many important measures in the Bill and so many important areas where we know we will need to go further. Fundamentally, I am full of pride to see a Government finally, after inaction by the Conservatives for far too long, taking seriously the issues of workplace security, productivity and the wellbeing of people across the country in some of the most vulnerable forms of employment. I am proud that this Government are standing up for my constituent and many people like him across the country, and I am proud to support the Bill today.

Alison Griffiths: In the last 30 years, I have worked in businesses of every size in numerous sectors, from consumer goods to cyber-security and insurance to cloud infrastructure. I may not be a lawyer, but I feel well qualified to comment on this Bill. The Government need not take it from me; if only they had listened to the businesses I have spoken to.

I am vice-chair of the Business and Trade Committee, and my fellow Committee members and I have spent many hours listening to evidence on the Bill from employers, trade unions and industry groups. Our Select Committee toured the country at the end of last year, collating evidence and hearing from a wide range of sectors. In my coastal constituency of Bognor Regis and Littlehampton, I have spoken to numerous businesses, many of which are impacted by the vagaries of seasonal trade and inclement British weather. A consistent message emerges, from businesses at least, if not from the trade unions: how can a Government who claim their primary focus is delivering growth be so tin-eared to the views and needs of the very businesses, entrepreneurs and employees who are fundamental to creating that growth?

The Government have boasted of delivering this Bill, which is telephone directory-thick, within their first 100 days. This is not sensible governance—indeed, the telephone directory of amendments is testament to that. One of the most damaging provisions is the abolition of the two-year qualifying period for unfair dismissal under clause 21, allowing employees to question failing probation or a trial period in their contract. From day one, employees will be able to take their employers to court. Our Conservative amendment 287 seeks to remove this clause entirely because it will disincentivise businesses from hiring, as they will know they cannot let an employee go even if it is not working out.

The Government expect entrepreneurs and businesses to take the risks necessary to drive growth. Indeed, that is what they expect and want to do, but clause 21 adds unnecessary risk and is likely to be to the detriment of jobseekers. It will further marginalise those who would already be considered risky candidates.

Antonia Bance: The hon. Member and I both serve on the Business and Trade Committee. The statistics show that the vast majority of young people do not have two years' service and therefore have no protection from US-style "fire at will" policies. In hospitality and catering, which are industries that the hon. Member has massive concerns about, vast numbers have no protection from fire at will—overnight firing for no reason and with no process—and the Bill will outlaw that. I know that she supports fair process and fair reasons for firing, so I hope that she will support the Bill today.

4.15 pm

Alison Griffiths: The hon. Member knows that I will always support fair process, but the point I was making is that this clause will make it more difficult for employers to take on prison leavers, care leavers, candidates with a non-traditional CV, career changers, and young people who are just looking for that first rung on the jobs ladder. Those people will not be given a fair chance, as employers will see them as too risky, and I hope she will see the risks inherent in the clause.

Jerome Mayhew: My hon. Friend is making a powerful point. I used to be an employer. I was an entrepreneur for about 15 years, and we employed more than 1,000 people. Does she agree that exactly those people who are a bit of a risk because they have something not quite right on their CV and are a high-risk hire, are the people who will not get jobs as a result of the Bill?

Alison Griffiths: I thank my hon. Friend for making that powerful point. Anyone who has ever looked for a job—Members in the Chamber will probably count themselves as being among the better qualified of the population looking for work—will know that most employers, of any kind, do not want to take a risk. If we make it even harder for them to employ people who are a risk at base point, it will not serve their purposes.

The Government's own impact assessments suggest that the direct effects of the Bill will cost UK businesses an additional £5 billion annually. That estimate most likely understates the true cost, as it accounts only for administrative burdens while ignoring the broader impact on hiring, business costs and strike action. Key factors such as reduced hiring due to zero-hours contract limits, increased strike activity, and greater liability from employment tribunal claims, as outlined in the Bill, are dismissed as "too hard to calculate", making those assessments highly questionable.

That is why I support new clause 86, which would require an impact assessment to be carried out for the measures in clause 21. We tabled new clause 83 and

[Alison Griffiths]

amendment 283 to ensure that the Bill's provisions on zero-hours workers would not come into force until a comprehensive review of the Bill's impact on employment tribunals had been assessed and approved by Parliament. Clause 18 places a new duty on employers to prevent third-party harassment. Protecting employees is unquestionably important, and no one should doubt the sincerity of Conservative Members about that.

Tom Hayes (Bournemouth East) (Lab): Does the hon. Member agree, as I do, that it is right that 1.3 million low earners who find themselves ill should receive statutory sick pay for the first time? Like her, I represent a coastal seat with a tourist sector, and as a consequence my constituency has a significant number of low earners. Does she agree that we need to be backing them?

Alison Griffiths: I refer the hon. Member first to my earlier comments about ensuring that we do not disincentivise employers, and secondly to the flexibility that is needed for both employers and employees.

Amendment 288 seeks to exclude hospitality providers and sports venues from those provisions, recognising the impracticality of holding employers accountable for every interaction in those environments. It is simply not practical to think that every publican, landlord and bar owner—small business owners—would be liable for any harassment that happens towards their employees in a pub, bar, nightclub or festival. Amendment 285 would require an impact assessment to be carried out on clause 18. Of course businesses and business owners should embed good working practices and guidelines to combat this abhorrent behaviour, but it is impractical and undesirable for the Government to legislate nationally for every sector and business.

Mrs Russell: The hon. Lady will appreciate that there is a defence here if an employer has taken all reasonable steps. It is only reasonable steps.

Alison Griffiths: I am sorry; I think we have made enough progress.

I urge the Government to reconsider, to withdraw the Bill and to work with businesses, unions and workers to create a fair and balanced approach that prioritises the political interests—

Madam Deputy Speaker (Judith Cummins): Order. I call Lee Barron.

Lee Barron (Corby and East Northamptonshire) (Lab): I refer Members to my entry in the Register of Members' Financial Interests. I have said it before, and I will say it again: due to the virtue of my last name, I am the only legitimate union Barron in this place, and I am absolutely proud of it.

It is an honour to speak on this Bill again, and I commend this Government for bringing it forward. We made a commitment to working people before the election, and we are following that through. I welcome the Government's new clause on agency workers. In Corby we have more employment agencies than any other town in Northamptonshire. We now see that those who work in agency jobs will receive fair treatment in pay, working hours and job security, which is to be welcomed as we aim to create a better local economy for the people of Corby and East Northants.

Rosie Wrighting (Kettering) (Lab): My hon. Friend is making a powerful speech. He and I are constituency neighbours. As he will know, there has been a lot of growth in Northamptonshire and increased distribution in the area, so the Government new clause will make a massive difference to our constituents.

Lee Barron: It will indeed. I thank my hon. Friend for making that point so well.

This Bill has been a huge move in terms of sick pay, as far as the Government are concerned. It will bring 1.3 million people into getting sick pay for the first time, and we need to welcome that. We might need to have a look at some point in the future to see if there has been a drag downwards in terms of the people around the lower earnings limit, but we should certainly welcome this as a step in the right direction.

This is not just about legislation: we must change the jobs market and the perception of work that some people have in modern Britain. There are still some people who do not recognise the value that working people bring. I had a meeting last week with the parcel delivery company Evri, which operates in all our constituencies. It described the employer-employee relationship as a "master-servant" relationship. I turn around and say that that kind of view of working people is absolutely dated. Evri said that if it changed the status of its workers, it would want its "pound of flesh"—its words, not mine.

While we have those who treat and describe working people in such a way, we must bring in legislation to ensure that they cannot treat people like that. Working people are not servants, and they should be treated with the dignity and respect that they deserve. That is a fundamentally wrong, crass and outdated way to view employment in modern Britain, and as long as there are still those who think like that, we need to ensure that we change things for the better, and this Bill goes a long way towards doing that.

The question I often ask myself is this: why do those who want economic growth think that we make growth happen through insecure work, minimal wage rates and zero-hours contracts, under which people do not know what they will earn in order to support their family from one week to the next? Work should not mean a lifetime trapped in poverty; it should be the route out of poverty, and this Bill is a step in the right direction to ensure that is what it becomes once again.

I chair the all-party parliamentary group on modernising employment, and at our last meeting we heard from Zelda Perkins, of the Can't Buy My Silence campaign, about non-disclosure agreements. Her testimony makes it absolutely clear that more needs to be done in that space, and if there is room to do so through this Bill, I urge the Government to accept the amendments that were described earlier. The APPG looks to the future of work and what good employment looks like. At the end of the month, the APPG is going to look at good work, the new deal and this Bill. We will look at the full effects of this Bill to see how we can take forward its benefits and transfer them into the modern world of work. In the 21st century, modern employment should look like

security of work, well-paid and with progression opportunities, in order to keep families out of poverty. This Bill goes some way towards doing that.

In conclusion, I urge all Members to support this Bill, which bans exploitative zero-hours contracts. Saying that this will somehow stop flexible working is for the birds—it is not the case. We had flexible working long before we had zero-hours contracts. We survived then, we can survive now, and we will survive into the future.

Joe Robertson (Isle of Wight East) (Con): Will the hon. Gentleman give way?

Lee Barron: No.

Zero-hours contracts are banned in Spain and in the Republic of Ireland—employers cannot use them. Do not tell me that those countries do not have flexibility; they have. We will survive in the future, as we survived in the past, without exploiting working people, because countries do not grow their economy by exploiting working people. This Bill goes some way towards stopping that.

The Bill bans exploitative zero-hours contracts, increases protection from sexual harassment, introduces equality menopause action plans, strengthens rights for pregnant workers, makes flexible working the default, strengthens bereavement leave, improves pay and conditions through fair pay agreements, provides day one protections against unfair dismissal, and establishes the Fair Work Agency to make sure all employers are playing by the same rules. The Bill will deliver the jobs for the future that will benefit working people in Corby and East Northamptonshire, and I am proud to support it.

Sir Alec Shelbrooke: I will focus first on new clause 83, tabled by the Opposition.

The hon. Member for Hamilton and Clyde Valley (Imogen Walker)—who I think I am just catching before she leaves the Chamber—said that a fair day's work deserves a fair day's pay. The right hon. Member for Birmingham Hodge Hill and Solihull North (Liam Byrne) also said that we all agree that an honest day's work deserves an honest day's pay. A lot of today's speeches have been focused on banning zero-hours contracts, and the argument has been made that people deserve to know what their contracts are, what they are going to be paid, and that they are going to be treated properly. One of the reasons I think this Bill is rushed and is falling down goes back to a question I put to the Secretary of State when this Bill began its passage through the House: why does it not cover unpaid internships?

Looking at this Bill, and with today's debate having focused so much on zero-hours contracts, I find it difficult to understand why we would leave a whole section of society out of the Bill—people who can work for up to 12 months without any pay. Banning unpaid internships has been in Labour manifesto after Labour manifesto. In every Parliament I have been a Member of, I have tabled a Bill to ban those internships. My Government did not want to do it, despite Prime Ministers making promises at the Dispatch Box when I first raised the issue, but there are Members on the Government Benches who stood on manifestos that said they would ban unpaid internships. Now we have this great Bill, which was trailed in the general election and is being promoted by the Labour party, yet there is nothing in it about unpaid internships. When the Bill goes to the other place, that has to be looked at, because such internships are wrong.

We have heard a great deal today about opportunities for people, but what opportunities are there for people such as my sister and me, who had to work and earn a living to be able to do what we have gone on to do? We could not have spent 12 months working in London unpaid. The fact that a whole section of society can go unpaid is still not being addressed, and that fundamentally undermines what I am hearing from Labour Members about what the Bill will do to create equality. I think that is wrong. The review of the impact on employment tribunals that is proposed in new clause 83 needs to be wider, and it needs to be understood that if the aim is to create equality, it is not in fact being created.

4.30 pm

Let me return to a point that I made to the Minister at the beginning of the debate. I am grateful for the answer that he gave me then. The Bill contains clauses about parental leave and bereavement leave—I pay tribute to the hon. Member for Luton North (Sarah Owen) for her dedication to this subject; it was very brave of her to bring her own experiences to the House—but it does not deal with all the aspects of menstrual health, and I think that that will need to be addressed in the other place. Endometriosis is a crippling disease, as I said in my intervention, and last Thursday I was proud to host an event at which it was discussed. I do not think people realise just how debilitating it can be for people in the workplace, and it deserves the same attention as any other aspect of menstrual health—a strategy like the menopause strategy, for instance. This constitutes a big hole in the Bill.

I am trying to take what the Government want to do at face value, but I think the Bill contains many flaws, which have been identified by my hon. Friend the Member for Mid Buckinghamshire (Greg Smith) and several other Conservative Members. There are significant gaps. The right hon. Member for Sheffield Heeley (Louise Haigh), among others, referred to non-disclosure agreements, and I thought that what she said illustrated some of the flaws in the provisions relating to psychological and emotional abuse. She gave the example of an incident involving someone who had been suffering at work and was made to apologise to the colleagues who had witnessed the incident, and I think that that should be dug into a bit. Why would that person have to apologise? The colleagues must have complained that the incident had been distressing for them. The words "psychological and emotional abuse" could have unforeseen consequences —although that is not to say that I do not care. The hon. Member for Corby and East Northamptonshire (Lee Barron) said many things with which I could agree, but I ask Members please not to say that the Conservatives do not care about abuse in the workplace.

Joe Robertson: Does my right hon. Friend think that some of the problems that he is identifying are a result of the Bill's being rushed through this Chamber?

Sir Alec Shelbrooke: I do, and I am trying to make a serious point here. This is a big Bill, and it is one of the Government's flagship pieces of policy. I heard someone say earlier, from a sedentary position, that we have

[Sir Alec Shelbrooke]

12 hours of debate, but that does not come up to the 21 days that we spent in Committee examining the Bill bit by bit. I agree with other Members that it has been rushed through for political purposes.

The purpose of debates such as this is to explore the issues, and try to make a Bill into a better piece of legislation. I am trying to be constructive in explaining where I see the flaws and in highlighting the unforeseen consequences. It worries me when we see the no-platforming of people at universities, and hear about trigger warnings and people saying that they feel emotionally put upon. That, I think, is an abuse of some of the protections that we are trying to introduce, and I think there are people who will try to abuse this particular clause. What I am saying to the Minister, and the Government, is, "Can that wording be tightened up?"

Richard Burgon: It is always a pleasure to follow my constituency neighbour from the other side of the House, the right hon. Member for Wetherby and Easingwold (Sir Alec Shelbrooke).

I really welcome the Bill, which needs to be put in its historical context. With the exception of those passed under the last Labour Government, virtually every time we have seen an employment rights Bill or a trade union Bill in recent decades, it has been an attack on trade union rights or workers' rights, whereas this Bill makes a real difference in advancing the rights of working people in this country. They have been kicked around for too long, and it is right that we do not accept that it is fine for workers in this country to be some of the easiest to sack and mistreat in the continent. Workers in our country deserve better employment rights, and this Bill sets about putting them in place.

Andy McDonald: My hon. Friend will have heard constantly, particularly in response to the P&O disaster, that the Conservatives were going to introduce an employment Bill when they were in government. Does my hon. Friend agree that they have criticised this Government for doing what they promised: to bring in this Bill within 100 days?

Richard Burgon: I certainly do. The previous Government never got round to introducing such a Bill. When the Conservative party was in government, all we had about the P&O debacle were crocodile tears or statements of sorrow from the Dispatch Box, which just do not cut it.

This Bill contains important advances, such as establishing bereavement leave and introducing menopause action plans. Over 1 million people on zero-hours contracts will benefit from the guaranteed hours policy, and 9 million people who have been with an employer for less than two years will benefit from the right to claim unfair dismissal from day one. It seems to escape the understanding of many Conservative Members that this does not mean that employers cannot dismiss people; it means that they cannot dismiss people unfairly.

The Conservatives are arguing for the right of employers to dismiss people unfairly. As it stands, before this legislation comes in, the only way that workers can claim unfair dismissal from day one is if it is a discriminatory dismissal. To be clear, an employer could, six months into someone's contract of employment, say, "I'm sacking you because I don't like people who wear green jumpers," or, "I'm sacking you because I find your voice irritating." That would be unfair dismissal. As it stands, people do not have the right not to be unfairly dismissed until they have accrued two years of service, and the Conservative party needs to come clean about that.

Before I move on to my new clause 6, I want to say that I welcome many of the Government amendments and the amendments tabled by Labour Back Benchers, including the many important amendments tabled by my hon. Friend the Member for Middlesbrough and Thornaby East (Andy McDonald), who did such a good job at developing employment policy in opposition; the important amendments on sick pay, tabled by my hon. Friend the Member for Bradford East (Imran Hussain); and the important amendments tabled by my hon. Friends the Members for Walthamstow (Ms Creasy) and for Luton North (Sarah Owen).

My new clause 6 would right what I consider to be a historical wrong. The last Labour Government brought in the groundbreaking Equality Act 2010, which we can all be proud of. As part of that, they introduced statutory discrimination questionnaires. When I was an employment lawyer before becoming a Member of Parliament, I lost track of the number of times that we used statutory discrimination questionnaires to smoke out discrimination in the workplace in relation to age, disability, sex, race, sexual orientation, pregnancy and maternity, gender reassignment, religion or belief, and marriage and civil partnership.

I bumped into an old colleague who is a trade union lawyer on a train, and he made the point that statutory discrimination questionnaires also—*[Interruption.]* I make no apologies for having a friend who is a trade union lawyer—I think the Conservatives need to get out a bit more. He made the point that statutory discrimination questionnaires showed when a claim did not have a good chance of succeeding at an employment tribunal, helped to manage potential claimants' expectations, and thus led to an unmeritorious claim either not being pursued or being settled. Such questionnaires helped to smoke out discrimination in workplaces, helping not just the individual employee, but tackling discrimination against workers more widely in that workplace. The truth is that in 2025, given some of the rhetoric from politicians in this country and around the world, it is as important as ever to have mechanisms in place to tackle discrimination in workplaces across the country.

That was part of the last Labour Government's pioneering Equality Act. Shamefully, the Conservative Government abolished statutory Equality Act questionnaires in 2014 as part of their attack on workers' rights. In their consultation, 83% of respondents said it was wrong to remove this important mechanism for workers to unmask and tackle discrimination—83%—yet the Conservative party when in government, aided and abetted by some of their erstwhile friends, ploughed ahead in any event.

I tabled new clause 6 because this is an important opportunity for our new Labour Government to right the wrong done by that Conservative-led Government and reinstate a very important advance made in the last Labour Government's Equality Act. I look forward with interest to hearing the Minister's response. If he will not accept this amendment to the Bill, I invite him to come forward with a proposal to reintroduce statutory discrimination questionnaires as soon as possible. They made a real difference. They helped to stop some claims

going to tribunal that should not have gone to tribunal, but, more importantly, they empowered workers to smoke out discrimination in their workplaces not only for their benefit, but for the benefit of their colleagues in that workplace and for the benefit of wider society. We need that now in 2025, and I look forward to the Minister's response.

Lisa Smart (Hazel Grove) (LD): A great many very important employment-related issues are being discussed, but I rise in support of new clause 16. As it stands, self-employed people are not entitled to statutory adoption pay, which creates a substantial economic barrier for prospective adopters. Without this support, the selfless act of adoption is being made harder. New clause 16 would fix that.

A constituent of mine, Kirsty, is a self-employed mother who discovered this significant gap in the financial support system while exploring the possibility of adoption. Kirsty and her husband have a son, Charlie, who is a bright-eyed four-year-old with an unshakeable love of trains. He often talked about how much he wanted a little sibling to be his assistant train driver, and after a year of trying to conceive a second child, Kirsty and her family decided that opening their hearts and their home to a child through adoption was the best option. However, one of Kirsty's close friends—also self-employed and in the process of adopting—informed her that she was not entitled to the same financial support through statutory adoption pay, throwing her plans into doubt.

Unlike biological parents, who qualify for maternity allowance, or employed adopters, who are eligible for statutory adoption pay, self-employed adopters such as Kirsty fall into a financial support void. While statutory guidance allows local authorities to make discretionary means-tested payments equivalent to these allowances for the self-employed, such support is not guaranteed, and local authorities have no legal duty to provide it. In fact, a freedom of information request by the charity Home for Good has revealed that 34% of local authorities lack any policy for providing this financial support. Even worse, 90% of self-employed adopters, when they were surveyed by the all-party parliamentary group on adoption and permanence back in 2022, reported that their social worker never advised them about these discretionary payments and the possibility of receiving them.

Adoption provides children with the opportunity to thrive in a permanent, loving home, often completing a family, as I have had the great pleasure of seeing for myself in my role as a proud adopted auntie. I am confident in my belief that Members across the House will agree that self-employed people are no less suited to adopt than anyone else. Despite the increase in the number of children in care, the number of adoptions in the UK has halved since its peak in 2015, and this is completely unsustainable. The enormous and growing pressures that face our foster care system will only worsen if the number of adoptions continues to decrease.

As of December 2024, there are 4.39 million self-employed people across the UK. If we began removing the financial barriers and empowering those who are self-employed through guaranteed financial support for adoption, we could begin to reverse the worrying trends in the number of adoptions. That would allow willing adopters such as Kirsty and her husband to be financially able to do so.

4.45 pm

The financial case for supporting adoptive parents is compelling. Research by the Consortium of Voluntary Adoption Agencies UK shows that in 2021 adoption saved the economy £4.2 billion through improvements in children's health, education and employment prospects, compared to the outcomes for children who remained in care or other placements. The CVAA also found that at least £1.3 million-worth of value is created when each child is adopted, underscoring the societal and economic benefits of increasing adoption numbers. I have raised the glaring gap in the financial support system several times in recent months. I have raised it with Ministers in a very constructive debate in Westminster Hall and with the Leader of the House, who recommended I table an amendment to this Bill.

The hon. Member for Hitchin (Alistair Strathern) mentioned the upcoming review of parental leave, and I am sure the Minister will mention it in summing up, but I really encourage the Government to support new clause 16 to grant entitlement to statutory adoption pay to the self-employed. We should be removing any barriers to adoption so that brilliant potential parents can adopt and some of our most vulnerable children can join their forever families.

Michael Wheeler (Worsley and Eccles) (Lab): I refer the House to my entry in the Register of Members' Financial Interests, and my proud membership of USDAW and the GMB.

It was an honour to serve on the Public Bill Committee for this historic piece of legislation. The Bill represents a watershed moment: a turning point for working people in our country who for too long have been left behind in an economy plagued by weak employment rights, stagnant growth and the soaring cost of living. The measures contained in the Bill represent a meaningful intervention in our broken labour market, looking to promote good quality jobs that offer dignity, security and respect to working people. As someone with a proud background representing workers, I wholeheartedly support the Bill's spirit and provisions. I believe it will meet Labour's promise to deliver a new deal for working people—a new deal that will make work pay.

Whether it is banning exploitative zero-hours contracts, ending the scandal of fire and rehire, or protecting employees from unfair dismissal from day one, the Bill will promote good secure employment and a workforce who finally feel valued. It recognises trade unions as the force for good in the workplace that they are, encouraging positive, productive and harmonious partnerships between companies and unions. The evidence we heard in Committee made it clear that many of the Bill's measures enjoy broad support from both employees and employers, such as the modernising of family friendly rights to meet the needs of today's workers, and the creation of the Fair Work Agency, which will protect good employers from being cynically undercut by unscrupulous competitors.

Let me now turn to statutory sick pay and Government amendment 81. During the pandemic, it became clear that SSP is in desperate need of reform. I am therefore delighted that the Bill removes the three waiting days and the lower earnings limit, delivering greater financial security to working people when they need it most. However, an issue remains. Setting the amount a low-paid worker receives while off sick at 80% of their wages has

[Michael Wheeler]

the unintended consequence of reducing sick pay for those who earn at, or slightly above, the lower earnings limit. Low-paid, long-term sick workers will be the most affected. I believe that is an oversight, and contrary to the spirit of the legislation. I call on the Minister to close the gap.

Turning now to the right to a regular hours contract, the proliferation of one-sided flexibility throughout the workforce has been one of the most damaging labour market developments of the past 14 years. It has left workers vulnerable to sudden changes of income as their hours change from week to week. The right to a regular-hours contract is therefore one of the Bill's most important provisions. However, limiting that right to those on a specified number of hours, such as 16 hours a week, will unnecessarily exclude those above the threshold from benefiting from the right, while giving employers a perverse incentive to give additional hours, when available, to those who already have more hours.

I raise these points not to be critical, but because I believe that we have in front of us a magnificent piece of legislation—one that is testament to the power of collaboration and consultation—and I want as many people as possible to benefit from it. Jobs are the cornerstone of our lives. The Bill takes giant strides forward, ensuring that people are fulfilled by their jobs, protected while at work and take home enough to make ends meet. It restores a fair balance of power between employers and employees. It is good for workers, good for productivity and good for growth, and is therefore good for business, too. I suggest to the House that anyone serious about fairness at work and increasing living standards should support it.

Joe Robertson: The hon. Gentleman talks about the Bill being good for growth, but is he concerned that the Government's own assessment says it will cost businesses £5 billion? Does he have any concerns at all about the downward impact on growth of that cost?

Michael Wheeler: I think that a Bill that promotes good, secure work across the economy is something we should not shy away from. I believe, if I am correct, that the figure referenced represents 0.5% of the costs of businesses, so no—I am not concerned.

I would like to finish in a slightly odd place. Benjamin Disraeli believed that his Government's active role in passing legislation that benefited the working person would

"gain and retain for the Conservatives the lasting affection of the working classes"—

clearly he failed in that endeavour. One nation Tories are now a vanishingly scarce presence on the Opposition Benches. I ask all hon. Members on those Benches, with their opposition to this Bill: when did the Conservatives give up even trying to be on the side of working people?

John Cooper (Dumfries and Galloway) (Con): If growth is the intended destination, as my friends in Dublin would say, "You can't get there from here". This Bill—so long on amendments and so short on detail—cannot be reconciled with this Government's stated mantra of growth, growth, growth. By their own estimate, the Bill will cost business £5 billion—so easily dismissed by the hon. Member for Worsley and Eccles (Michael Wheeler), despite being a serious amount of money. The only growth will be in the mountain of red tape in which the Bill will snare businesses.

I rise to speak in favour of new clause 87, which would require the Secretary of State to have regard to the objective of the

"international competitiveness of the economy"

and its growth in the medium to long term. The Secretary of State for Business must surely recognise the importance of this—after all, I saw him just days ago in a slick video, with cuts quicker than the shower scene in Hitchcock's "Psycho", boasting of

"working together abroad to deliver growth at home".

Now, I love a fantasy film as much as anyone, but the Secretary of State is in danger of jumping the shark with this level of sophistry and stretching credulity beyond snapping point. Growth at home is feeble, and this Bill is its enemy.

So lacking in detail is this Bill, which was clearly scrabbled together to beat the Government's own deadline of the first 100 days, that it is the equivalent of a parliamentary blank cheque—sign here, and we will fill in all those pesky details later—handing sweeping powers to the Secretary of State. We are being asked to walk into a cage without a key. I have seen this before with the SNP's woeful prospectus for Scottish independence in 2014. Scots were bright enough then to see through the smokescreen. Will Members across the House be sharp enough to discern the dangers here?

Sir Gavin Williamson (Stone, Great Wyrley and Penkridge) (Con): Does my hon. Friend agree that it is quite clear that the Government did not do the work needed to get the Bill into the right place and position to be introduced to this House in the first place? That was exemplified in Committee, with the amount of drafting that had to be done at that stage. The Bill should have been stopped by the parliamentary business and legislation committee; it should never have been allowed to get to the Floor of the House.

John Cooper: I completely agree with my right hon. Friend. He is a very experienced parliamentarian and knows full well that to arrive at this stage with, as we have heard from other Members, a telephone directory of amendments is quite an incredible situation. How could any self-respecting Secretary of State for Business and Trade stand over the anti-growth regulations contained in—but not confined to—parts 1, 2 and 4 of this Bill? Even a trainee solicitor can see that they strip out flexibility for both employees and employers, making it less likely that people—especially young people and people with sketchy backgrounds—will be hired for that all-important first job. Whither your employee rights if you have no job?

As someone who bends his elbow, I am familiar with the occasionally coarse atmosphere in pubs. My daughter took a part-time job in a bar while studying at university, but I see nothing useful for her in the Bill's bid to make employers liable for third-party harassment. It is why I also support our amendment to exclude the hospitality sector from this onerous clause. Aside from the fact that my daughter was well capable of dealing with the rare rude, sexist or obstreperous client under existing laws,

clause 18 risks the Bill becoming a snooper's charter—a busybody's dream. If our amendment 289 falls, the public bar will no longer be the cockpit of free speech, but placed in the purview of the censorious, and the malicious gauleiters of orthodoxy.

Set as we are in a sea of troubles amid global turmoil, are Labour really so afraid of off-colour jokes, or the bar stool crank with outré political views, that it will establish the banter police? One of my criticisms of the Holyrood Parliament in Edinburgh is that it passes "never mind the quality, feel the width" legislation in a bid for self-justification. With this Bill, that accusation could rightly be levelled at this Government, too.

Ms Stella Creasy (Walthamstow) (Lab/Co-op): I will be proud to see this Bill progress through Parliament and to develop accordingly. That is what the amendments before us offer us the chance to do. May I pay tribute to my hon. Friend the Member for Luton North (Sarah Owen), my right hon. Friend the Member for Sheffield Heeley (Louise Haigh), who is no longer in her place, and the hon. Member for Oxford West and Abingdon (Layla Moran) for the work that they are doing?

In the short time available to me, I wish to speak to new clause 7, which reflects a manifesto commitment made by the Labour party that said explicitly that the current parental leave system does not support working families. Millions of people across this country will recognise that that is the case. New clause 7 is about putting meat on the bones of that commitment, because it is long overdue. We are behind the curve in this country in how we treat dads. I wish to thank everybody who has signed this amendment, because it sends the message that we care about our fathers in this country.

We have the worst paternity leave in the EU, as my hon. Friend the Member for Hitchin (Alistair Strathern), who is no longer in his place, pointed out. Two weeks is just enough time for the dad to realise that the meconium is going to stop and that they might eventually get three hours' sleep at some point. Let us see how our economic competitors treat dads better. Dads get 16 months in Sweden, eight months for each parent and three months protected for the dad. In France, Spain, Norway and Luxembourg, dads get at least six weeks. In Japan, they get a year. Why do they do that? It is because dads make a difference. Yes, this Bill would give them a day one right to paternity leave, but only two weeks. One in five dads—35% of them—in this country does not take any leave at all, because they cannot afford to do so. They need a paid and protected right of itself to benefit from paternity leave. It benefits them and it benefits their kids. It is better for the mental health of the father. It means that they take fewer sick days—there is evidence to prove that—and it is good for the kids. It is also good for the mums.

We need to end the battle of the sexes when it comes to childcare, because research shows that women really cannot win. Even when we do not have kids, we pay the price because of maternity discrimination. We all know of employers who do not employ women in their 20s and 30s because of the risk that ladies do babies. The challenge with this legislation, which rightfully strengthens maternity discrimination powers, is that it could inadvertently reinforce that message if we do not bring forward legislation to support fathers. *[Interruption.]* I am glad Conservative Members support what I am saying. I wish they would vote with us on this tonight.

The gender pay gap does exist in this country, but it is basically a maternity pay gap, because the motherhood penalty is all too real. By the time of their first child, a woman's wages are a third below a man's within 20 months. Members might say that that is to do with working part-time, but that is even when women return to the front. One in nine mums have been dismissed, made redundant or forced out. Women are considered 10% less competent in the workplace when they become mums, as if juggling things make them less able to do things rather than more. Childless women are eight times more likely to be promoted. Conversely, dads are considered 5% more committed than non-dads because we expect them to be in work, paying for their children rather than helping to look after them.

I want to deal not in caricatures but in cold, hard cash. Above all, supporting paternity leave in its own right, and leave for the other parents in relationships, is good for the economy. It helps boost women's participation and productivity. Countries with better paid parental leave have a smaller gender participation gap in their economy, with all the economic benefits that that brings. Closing that gap could bring £23 billion into our economy—1% of GDP.

5 pm

Joe Robertson: The hon. Member is talking about the benefits of her new clause to fathers, but does she accept that the effect of the Bill will be negative and harmful to everyone and to the economy, by stripping £5 billion away from businesses? It is no good that her new clause would be helpful for fathers if the net effect of the Bill is bad for everyone, through the damage done to the economy.

Ms Creasy: I wish that the hon. Gentleman had been listening, because I just pointed out that dealing with the gender pay gap would bring £23 billion to our economy. That is exactly how we pay for better parental leave—it is a cost-neutral proposal.

A newsflash for those who have not worked it out: mothers are already paying for this childcare in their lower wages, opportunities and progression. Women's salaries are hit by 33% after the birth of their first child. Women are doing 450 million hours of unpaid childcare in this country, which equates to £382 billion worth of work—twice as much as men. A consultation could explicitly look into these issues and at how we can share that cost and benefit fairly, so that both men and women can contribute equally to our society and look after their children equally. It could look explicitly at self-employed parents. After all, there are nearly a million self-employed dads in this country, who pay £1.1 billion in national insurance contributions. They do not get any parental leave at all.

We know that shared parental leave is not the answer. Only 2% of dads have taken it in the 10 years that it has been available, because it is not paid. That is why we must be explicit that any consultation must look at the pay that needs to be behind parental leave, as well as at protecting it. Those on the lowest incomes do not take shared parental leave at all. More shared parental leave has been claimed in London alone than in Wales, Scotland, the north-west and the north-east combined.

[Ms Creasy]

Above all, this is about our kids. God knows, we love them all dearly, but we can all understand why 20% of divorces take place in the first five years after having a child: because of the unequal situation that we put families in and the pressures that that creates—the mum and dad guilt. We have a choice in this place about whether we deal with mum and dad guilt, with the Government making a proper commitment with a proper timetable, and with proper involvement from Parliament and the Women and Equalities Committee.

To all those who will say, "Well, I struggled, and so should you," I say that that is bad for the economy and bad for our kids. It means that fathers do not get the time to work out the quirks of their children, so mums end up being the ones who know how to cut the sandwiches. It means that mums end up doing more of the childcare and dads get pushed further away from their children. If this Government are serious about supporting families—I believe that they are—they need to show us the detail. That way, in every family, which come in all shapes and sizes, every parent—whether the father, the non-birthing parent or the mother—will have the time to be the best parent and contributor. That is why these policies are massively popular with Conservative and Reform voters—if only the Reform MPs were here to do something for men for a change.

This long overdue change will make a difference. I hope that Ministers are listening to why it matters to show a commitment to this, and I look forward to hearing to what they have to say in response to the new clause.

ROYAL ASSENT

Madam Deputy Speaker (Judith Cummins): I have to notify the House, in accordance with the Royal Assent Act 1967, that the King has signified his Royal Assent to the following Acts:

Supply and Appropriation (Anticipation and Adjustments) Act 2025

Crown Estate Act 2025.

Employment Rights Bill

Debate resumed.

Gregory Stafford: It is always a pleasure to follow the King. *[Laughter.]*

I rise on behalf of my constituents in Farnham, Bordon, Haslemere and Liphook who are opposed to this fundamentally anti-business Bill. Nothing has highlighted more clearly than this debate the old adage that where we think the Labour party is wrong, it thinks that we are evil. Nothing that has come from Labour Members has given any consideration to the absolutely correct concerns that the shadow Minister, my hon. Friend the Member for Mid Buckinghamshire (Greg Smith), raised in his opening remarks.

The Bill, which has been bodged both in Committee and today, has been put together simply to assuage the union paymasters that fund so many Labour Members. The Bill highlights Labour's complete misunderstanding of how to help business, employees and, of course, the economy overall. We have a Government who talk about growth but legislate to destroy it.

The Government claim to be pro-growth and pro-business, yet the Bill is precisely the opposite. The Institute of Directors has warned that it will lead to slower growth, deter investment and bury business under an avalanche of unnecessary regulation. Even the Government's own impact assessment, which Opposition Members have mentioned on a number of occasions, concedes that business will face a staggering £5 billion in additional costs: an economic straitjacket that will choke innovation and job creation. Labour Members seem to have failed to realise that being pro-business, as the Conservatives are, is being pro-worker, because if businesses do not exist there will be no one to employ workers.

In my constituency alone we have over 5,000 businesses, the vast majority of which are small and medium-sized enterprises. Many of them operate in the education, retail and hospitality sectors, which rely on flexibility to survive, yet the Bill's attack on zero- hours contracts threatens to wipe out opportunities for students, part-time workers and those juggling multiple jobs to make ends meet.

Lincoln Jopp (Spelthorne) (Con): Among the 5,000 small businesses in my hon. Friend's constituency, has my hon. Friend come across one that is in favour of the Bill or lobbied him to vote for it?

Gregory Stafford: My hon. Friend makes a good point. I am happy for the Minister to come to Farnham and Bordon—or Haslemere, Liphook or any other of my villages—to meet all the people who tell me what a damaging effect the Bill will have on their small business. As my hon. Friend pointed out, the simple fact is that the Government have not consulted small business properly. If they had, the Bill would be scrapped.

I think of the University for the Creative Arts students who rely on flexible work and the NHS paramedic in Farnham picking up extra shifts at the Nelson Arms, as I mentioned earlier. Those are real people whose livelihoods are at risk because of the Bill. That is why I support new clause 83 and amendment 283 on zero-hours contracts and employment tribunals.

UKHospitality has been clear that for 90% of workers on zero-hours contracts, that is their preference. The sector relies on these contracts to manage fluctuating demand, and removing that flexibility could devastate those businesses and lead to job losses. There is no job security for those who do not have a job. The House of Commons Library briefing actually supports that, confirming that zero-hours contracts provide essential flexibility for both employers and, most importantly, employees. That is why I support new clause 83 and amendment 283, which would demand a review of the impact on employment tribunals of the provisions concerning zero-hours workers before the Government recklessly legislate against them. The Chartered Institute of Personnel and Development has already made it clear that banning zero-hours contracts will hurt the very workers the Government pretend to protect. But yet again, Ministers plough ahead, blind to the economic damage that they are about to unleash.

I turn to amendment 286 and new clause 86 on unfair dismissal and business confidence. The Government's proposal to grant employees the right to claim unfair dismissal from day one is another reckless intervention, and one that is raised with me by small businesses day in, day out. The amendment and new clause seek to introduce an impact assessment before clause 21 and schedule 2 come into force. Without that, we have to be clear that businesses will be discouraged from hiring in the first place. Flexibility in employment is not one-sided; it benefits both workers and their employers.

Similarly, the right to request flexible working must be assessed properly. New clause 84 and amendment 284 rightly demand that the Secretary of State assess the impact of clause 7 before it comes into force. Rushed policymaking will not help workers or businesses; it will create uncertainty and drive investment away. That is why it is essential that we accept new clause 87 in the name of the shadow Secretary of State, because we need an impact assessment of how the Bill will affect businesses.

Madam Deputy Speaker, I fear the clock may not have started for my speech, so I will draw to a close. [Hon. Members: "More! More!"] In that case, I shall carry on! No, no; I am conscious of my hon. Friends who wish to speak.

This Government seem to have learned nothing from history. We have heard history lessons from Government Members, most of which have seemed to take us back to the 1970s. Economic success does not come from shackling businesses with red tape or giving trade unions unchecked power. It comes from fostering an environment where employers can hire, invest and grow.

Steve Witherden (Montgomeryshire and Glyndŵr) (Lab): I am proud to declare my membership of Unite the union and the NASUWT, and I refer Members to my entry in the Register of Members' Financial Interests. Before I was elected, I was a teacher for 20 years. Today, as we welcome this transformative legislation, I think of my former students. Their lives will be significantly improved by better wages, stronger workers' rights and a fairer economy.

I welcome the Bill, which will drastically limit the exploitative use of fire and rehire. Just outside my constituency, but affecting many of my constituents directly, more than 500 Oscar Meyer workers are striking against the company's appalling use of the practice. By creating a new right to claim automatic unfair dismissal if someone is reemployed on varied terms to carry out the same duties, the Bill takes a vital step towards dignifying employees with security and autonomy.

Chris Vince (Harlow) (Lab/Co-op): My hon. Friend is giving one of his trademark passionate speeches. Does he agree with me, as a former teacher myself, that removing fire and rehire will give the young people that he used to teach the confidence that when they go into the workplace, they will look at careers and not just jobs?

Steve Witherden: I wholeheartedly agree with everything my hon. Friend has said. I am also pleased to see Government new clause 34 encouraging greater employer compliance and increasing compensation for workers subjected to fire and rehire by raising the maximum period of the protective award from 90 to 180 days.

Amendment 329, tabled in my name, seeks to further protect against that harmful practice, ensuring that any clause in an employment contract that allows an employer to change the terms without the employee's consent would be unenforceable, especially in cases of unfair dismissal related to a refusal to accept changes. That would further help redistribute the power imbalance between employers and employees, which currently allows low wages and poor working conditions to become commonplace. The Bill also takes crucial steps towards banning exploitative zero-hours contracts, ensuring that all workers have predictable hours and offering security for their day-to-day lives. I am pleased to see amendments extending such protections to agency workers.

We have all felt the effects of a system that has left so many behind: flatlined wages, insecure work and falling living standards. It is therefore not just my former pupils but millions across the country who will benefit from the biggest upgrade to rights at work in a generation. I am proud to support our Labour Government in this historic step towards better quality employment across the country, and I look forward to the full delivery of the plan to make work pay. Diolch yn fawr.

Alison Bennett (Mid Sussex) (LD): I rise to speak in support of new clause 10, which would make carer's leave a paid right. We have an opportunity to give carers in employment a fair deal right across the country, while also bolstering our economy. The Government have an opportunity to build on the Carer's Leave Act 2023, introduced by my hon. Friend the Member for North East Fife (Wendy Chamberlain), and take the next step in providing working carers with the flexibility they need to juggle work and care.

Carers UK estimates that the value to the economy of carers being able to work is £5.3 billion. When I have met major blue-chip employers such as Centrica and HSBC, and their employees who have benefited from those corporations' carers policies, they are clear that having those policies in place to support caring is not only good for the employees, but makes them better employees for the employer. The employers really benefit from having members of staff who support them and are also able to do the best for their families.

5.15 pm

Backing our Liberal Democrat amendment to make carer's leave a paid entitlement would be the right thing to do on a human level and would also support the Government's growth agenda. For a Government on a mission to spend less while also delivering growth and better living standards, this is a no-brainer. We must do everything we can to help those carers who can and want to work to do so. Currently, the Government have simply indicated that they will review the implementation of carer's leave and consider whether there is a need to change the current approach. I say to the Government in the strongest possible terms that change is needed and the time is now.

The 2.8 million people who juggle a job and caring responsibilities are going above and beyond to care for those they love while also contributing to our economy. Many of them are on low incomes, they are often women, and they cannot afford to use their right to carer's leave unless it becomes a paid right. We must acknowledge their work with a fair deal for them. I know that this is something the carers in my constituency deserve. They deserve better. We must be adaptable to the changing needs of our population while also seeing the benefits. This really can be a win-win.

My Liberal Democrat colleagues and I are also pushing for an amendment to make caring a protected characteristic. When people apply for jobs, equality monitoring forms do not ask them whether they have unpaid caring responsibilities. There is also no direct requirement for simple, reasonable adjustments for carers in the workplace. I feel that this would make all the difference, encouraging those who might otherwise leave employment to stay, making our economy more resilient and protecting their own families' finances. We know that being a carer makes people much more likely to fall into poverty.

Carers UK's research also tells us that almost half of all those who left employment early to fulfil a caring responsibility say that they would have stayed in employment longer, had carer's leave on a paid basis existed. It seems clear that paid carer's leave helps carers and those they care for, and it is good for our economy. I hope the Government can see that with the same clarity and do the right thing in supporting these vital Liberal Democrat amendments.

Mrs Russell: I need to highlight to the House that I am a member of the Community and USDAW trade unions, and I refer the House to my entry in the Register of Members' Financial Interests. I would like to speak to various bits of this legislation today. There is so much in it, and I know that so many of us on the Government Back Benches are really pleased with what we are bringing forward.

The first part of the legislation that I want to address is clause 22, which will bring forward in future legislation more protections for women who are pregnant, on maternity leave and in the period immediately following their maternity leave. I have spent the past 13 years representing large numbers of women who were either made redundant while pregnant, on maternity leave or trying to come back from maternity leave, or whose employer suddenly woke up one morning and decided that they were underperforming, often within 24 hours of their announcing their pregnancy. I had a client who had been headhunted and brought into the company, was totally stellar, doing incredibly well and got promoted, but then announced her pregnancy and within a week she was on a performance plan. HR explained to her that because they were, you know, kind and did not want to do that to her while she was pregnant, they were very generously offering her a settlement agreement so that she did not have to go through that.

Lots of perfectly decent people do not understand why they are losing their jobs, and it is because they are pregnant. Pregnant Then Screwed found that 12.3% of women who have had a baby have either been sacked, constructively dismissed or made redundant while pregnant, on maternity leave or within a year of their maternity leave ending. It is a widespread problem, so it is fantastic that the Bill contains clause 22, which will allow the Minister to bring forward steps to expand the available protections. I would like to know how quickly we can do that, because pregnant women out there need that protection literally today.

Lola McEvoy: My hon. Friend, who has great expertise in this area, is making an eloquent speech. Does she agree that dismissals of pregnant women or new mothers are dramatically under-reported because of the use of non-disclosure agreements in a lot of companies while they are taking action against them?

Mrs Russell: I could talk about NDAs at some length, but I do not have time to today. They are definitely problematic, and they are definitely concealing the extent of the problems that women suffer when they announce their pregnancies.

The second element I like in the legislation is the improvements to the right to request flexible working. Those on the Conservative Benches have questioned why we would do this. The answer is that the term "part-timer" is still a term of abuse in this country. While that is still something that people say fairly regularly within workplaces and popular parlance, we still have a problem, so this legislation should help to improve that.

Conservative Members have talked a lot about clause 17 and the third-party harassment elements, and it is worth getting into some of the detail. The defence for an employer for failing to protect their staff from third-party harassment is taking all reasonable steps to prevent that harassment from occurring. Employment tribunals have been interpreting the meaning of "reasonable" for a long time, and in a discrimination claim there is essentially a three-part judiciary: a judge with legal experience, someone with employer experience, and someone with employee experience—sometimes from a trade union, but sometimes from elsewhere. When they talk about "all reasonable steps", it is only reasonable steps; it is not every single step in the entire history of the universe that anyone could ever dream up or imagine.

Wera Hobhouse: The hon. Member is speaking powerfully. Does she agree that this amendment is being used by the Conservative party to condone something offensive and despicable, and that they are trying to defend the indefensible?

Mrs Russell: I completely and utterly agree with the hon. Member. Actually, a lot of what is coming from Conservative Members is scaremongering. A lot

of those discussing this behave as if employees with unfair dismissal rights were unexploded bombs. All the people I represented did not want to bring tribunal claims; they just wanted to have been treated fairly and reasonably in the first place. They were typically extremely destressed by their experiences, and for quite a lot of them, their mental health had deteriorated substantially in the course of what they had gone through. I do not think that when people have unfair dismissal rights a little bit sooner, they will all be rushing to employment tribunals the moment that something goes slightly wrong in their workplace. What most people want to do every morning is get up, go to work, do a decent job, get paid for it and go home. That is what we will continue to see after this legislation passes: that most employers want to look after their employees perfectly reasonably, and most employees want to do a perfectly decent job.

Joe Robertson: I have been rather unsuccessful this afternoon in finding someone on the Government Benches who has concerns about the £5 billion cost to businesses that this Bill will bring. Will the hon. Member express concern over the £5 billion cost and the downward pressure on growth that this Bill brings, according to the Government's own assessment?

Mrs Russell: My primary concern is that those on the Conservative Benches talk about employees as if they are, as I said, unexploded bombs, and they talk about employers as if they are unlikely ever to recruit anyone ever again, and I just do not believe that to be true. Most employers will make a sensible assessment of whether having an additional member of staff will benefit their business and then they will recruit them. [Hon. Members: "Hear, hear!"] Thank you.

It is really important that we cut through the disinformation and scaremongering, and that when we take the legislation forward, ACAS has good information ready to go. It already has great information online—I encourage employers who are worried to look up ACAS information videos on YouTube and look at its factsheets. We must make it clear to people that they have access to sources of free advice, which is important for small businesses, so that they can see what is and is not required of them. The position being stated today is bluntly exaggerated and quite damaging as a result.

Nick Timothy (West Suffolk) (Con): I rise to speak in favour of my new clause 105. The labour abuse that it seeks to address is the wrongful use of substitution clauses by gig economy workers. To guarantee fairness and justice in the labour market, it is crucial that there be transparency, which can be delivered through the introduction of a comprehensive register of all dependent contractors. That will help to ensure that employment rights are upheld and pay is not suppressed through illegitimate competition, but it will also support the enforcement of right-to-work checks. The unlawful employment of migrants with no right to work here is not good for taxpayers, British workers or migrants who follow the rules, yet substitution clauses allow what have become known as "Deliveroo visas"—the industrial scale abuse of our immigration and labour laws.

Before addressing the substance of my new clause, I also commend new clause 30 in the name of my hon. Friend the Member for Bridgwater (Sir Ashley Fox), which I have sponsored. It would give special constables the right to take time off to carry out their police duties. Other public service volunteers, such as magistrates and councillors, receive that right.

I turn to my new clause 105. Ministers have said that they will consult on employment status and moving towards a two-part legal framework that identifies people who are genuinely self-employed. I support that ambition, and I am grateful to the Minister for his warm words in Committee, but my new clause provides a way to resolve a particular abuse and hold big employers in the gig economy to account.

There are 4.7 million gig economy workers in the UK, including 120,000 official riders at Uber Eats and Deliveroo, two of the largest delivery companies in the country. For years we have heard stories of the rampant labour market fraud and visa abuse committed by contractors related to those companies. From late 2018 to early 2019, there were 14,000 fraudulent Uber journeys, according to Transport for London. In addition to Uber and Deliveroo, Amazon and Just Eat have been linked to labour market abuses. Much of that abuse has come through the legal loophole created by substitution clauses.

Amazon tells its couriers that it is their

"responsibility to pay your substitute…at any rate you agree with them"

and

"you must ensure that any substitute…has the right to work in the UK".

It is a dereliction of duty to pass responsibility for compliance with criminal and right-to-work checks on to workers, but those companies clearly have an interest in maintaining a status quo in which undocumented migrants take the lowest fees in delivery apps.

Data from the Rodeo app shows the effect of that abuse on riders' order fees. Just Eat riders saw their fees drop by 14.4%, from £6.53 in 2021 to £5.59 in 2023. There was a 3.4% drop for Uber Eats order fees—from £4.36 to £4.21—during the same period. Deliveroo has blocked its order fee data from being published. Those figures are not adjusted for inflation, but it is clear to see how pay and conditions have worsened for riders. By undercutting domestic workers—British workers—and exploiting those with no legal right to be here, companies are privatising profits and socialising costs. Promises from such companies to introduce tougher security checks have not made the problem go away. We should all be appalled by this state of affairs, because nobody should be above the law.

During random checks two years ago, the Home Office found that two in five delivery riders who were stopped were working illegally. In the same month, 60 riders from Uber Eats, Deliveroo and Just Eat were arrested in London for immigration offences, including working illegally and holding false documentation. Last month, Deliveroo sacked more than 100 riders who shared their accounts with illegal migrants. But that is only the tip of the iceberg: insurance companies report unauthorised riders involved in motor and personal injury cases.

That is happening because undocumented migrants are renting rider accounts for between £70 and £100 a week. Profiles have been bought for as much as £5,000. *The i Paper* found more than 100,000 people on Facebook groups

[Nick Timothy]

where identities have been traded for years, including one group that gained around 28,000 members in less than 18 months.

Illegal migrants are using social media apps to rent accounts and share information on a significant scale. Today, we only have figures from press investigations, but we can find copious examples across the internet with ease. Legal workers have reported problems to the police and the Home Office, but that has fuelled tensions as they compete for orders and has even led to violent clashes between legal and illegal riders in Brighton and London, including physical beatings and damage to bikes.

People working illegally for these big companies are working longer hours round the clock for lower fees, never knowing when their last payday might be. They use group chats to share information and evade Home Office immigration raids. We do not even know how many substitute riders there are for these companies at any given time. A spokesman for the App Drivers and Couriers Union says:

"Unfortunately there is this loophole that allows some bad people to come through. They are not vetted so they could do anything."

5.30 pm

Sir Gavin Williamson: Obviously, my hon. Friend hopes that the Government will support his new clause. What does he think would stop the Government supporting this very sensible measure straightaway?

Nick Timothy: I do not see why the Government should not support this new clause. This seems to be an obvious example of labour market abuse, but the difference with many of the provisions in the Bill is that my new clause does not directly benefit trade unions who pay for the Labour party.

Sadly, we know that there have been many sexual assaults and attacks committed by substitute workers. New clause 105 proposes the robust regulation of substitution clauses. Amazon, Uber, Deliveroo and the rest would have to do their due diligence and, just like everyone else, ensure that all their riders are who they say they are and have the right to work in this country. Introducing such a change would reduce labour abuse, protect our communities and deliver a fairer labour market.

John McDonnell (Hayes and Harlington) (Ind): I refer to my entry in the Register of Members' Financial Interests. Just to inflame matters more, I am the chair of the RMT parliamentary group as well.

Next Monday is the third anniversary of the P&O scandal. Members might recall what happened: 800 members of staff—RMT members, largely—turned up for work and were sacked by video. Many of them were marshalled off their vessels by trained bouncers and guards who dealt with them roughly. The reaction across the House and across society was that this was repellent and should not happen in a civilised society. The Labour party then made a commitment that it would introduce legislation that would install in law the seafarers' charter, and that is exactly what the Bill does, so I welcome it wholeheartedly and congratulate the Minister on doing this. But as he can guess, we see this as just the first step, because there is so much more to do, particularly in this sector, where many workers are still exploited compared with shore-based workers.

Government new clause 34 extends the maximum period of the protective award from 90 days to 180 days. We were looking for an uncapped award, to be frank, because P&O built into the pricing the amount it would be fined as a result of its unlawful behaviour, so that did not matter to P&O—it simply priced that in.

In addition, we were looking for injunctive relief, and I thank the Government for entering into discussions about that. Many employers can get injunctive relief on the tiniest error by a union in balloting procedures, but workers cannot. We are asking for a level playing field. We hoped that an amendment would be tabled to the Bill today, but it has not been. We hope the Government will enter into those discussions and go further.

Andy McDonald: I wonder whether my right hon. Friend recalls the evidence of Peter Hebblethwaite, the chief executive of P&O Ferries, to the Business and Trade Committee. He made it clear that he deliberately broke the law and had no regard for it. Was my right hon. Friend as horrified as I was to see that in this House, and as disappointed at the lack of response from the Conservative party?

John McDonnell: I think that across the House it took a long while to recover from the anger at the behaviour that was displayed in front of the Select Committee. The chief executive was acting with impunity because he had been able to price in those sorts of fines, and it was a cross-party view that we were angry about that behaviour. That is why the charter is so important to us, and why injunctive relief that is open to trade unions would provide an adequate starting point for getting some form of justice.

A range of other issues need to be addressed, including schedule 4, where the Government are introducing the ability to monitor the behaviour of companies. Harbourmasters monitor some of that behaviour as well, with declarations that companies are abiding by basic health and safety practices—some practices in the past have been frankly terrifying. We want health and safety to be about more than just basic legislation; it is also about rosters and how long people are working. We still have ferry contracts where people are working for 17 weeks without a break. We want to ensure that the regulations cover rosters, as well as holiday pay, sick pay, pensions and ratings training, so that we can start to get some form of accountability within the sector. That is not much to ask for, yet we have given shipping owners £3 billion of tonnage tax exemptions in return for the employment of British seafarers, and I do not think we got a single job as a result of that £3 billion. There is a need for proper regulation of the sector.

I tabled an amendment to ask the Government to stand back once a year and bring a report to the House on how implementation of the Bill is going, and to update us on the implications for maritime law and International Labour Organisation conventions, and the impact on the sector. A lot of debate on this issue has been about ferries, but we want to ensure that the provisions apply to all vessels, not just ferries. One point

made by those on the Labour Front Bench when considering the Seafarers' Wages Bill was that if a ship came into a harbour 52 times a year, the legislation would apply. Now—I do not know why—that has been extended to 120 times year, which means that thousands of workers will lose out because the measure will not apply to them. Will the Government have another conversation about that and see whether we can revert to the original position of the Labour party all those years ago when these scandals happened?

There is not much time but, briefly, I am interested in the extension of sectoral collective bargaining right across the economy. We are doing it with social care, but what I have seen from proposals in the Bill does not look like sectoral collective bargaining to me; it looks simply like an extension of pay review bodies. Indeed, the Bill states that any agreements within those organisations cannot legally be accepted as collective bargaining.

The Bill is not clear about how members of the negotiating body are appointed or by who. We were expecting that it would be 50% employers and 50% trade unions, and I tabled an amendment to try to secure that. We think that the negotiating body should elect its own chair, not that the chair should be appointed by the Secretary of State. We want such bodies to be independent and successful, because I see that as the first step in rolling out sectoral collective bargaining in many other sectors of our economy. That is desperately needed because of the lack of trade union rights and the low pay that exists.

The Bill is a good first step, but there is a long agenda to go through. I look forward not just to the Bill proceeding, but to the Minister bringing forward an Employment Rights (No. 2) Bill in the next 18 months.

Wera Hobhouse: I rise to speak in support of new clause 74, which appears in the name of the right hon. Member for Sheffield Heeley (Louise Haigh). I pay tribute to her and to my hon. Friend the Member for Oxford West and Abingdon (Layla Moran) who have campaigned on these issues for a long time. New clause 74 seeks to ban non-disclosure agreements that prevent workers from making a disclosure about harassment, including sexual harassment—we have talked about sexual harassment in the workplace for the last four or five hours.

NDAs were initially designed to protect trade secrets by restricting the sharing of certain information, but in recent times they have taken on an entirely different and quite sinister role. They have essentially become the default solution for organisations and individuals to settle cases of misconduct, discrimination and harassment, keeping the extent of such incidents unaccounted for. Incorporating clear provisions to ensure transparency in cases of harassment would strengthen protections for all workers.

Data from Can't Buy My Silence has revealed some deeply worrying statistics about the misuse of NDAs. In a survey of more than 1,000 people who experienced harassment and discrimination in the workplace, 25% reported being forced to sign an NDA, while an additional 11% stated that they could not say due to legal reasons, implying that they had also signed an NDA. Four times as many women as men sign NDAs, and they are used disproportionately against women of colour.

In Committee, the Minister said that the Government had "reservations" about changing the law in this way, as there may be "unintended consequences". I struggle to understand why the Government have committed to banning universities from using NDAs in cases of sexual misconduct, harassment and bullying but have not committed to extending those protections to other sectors. NDAs are clearly being used in a totally different way to what they were designed to achieve, and we must stop this before more victims are silenced. I heard the Minister say earlier that he is at least looking at what new clause 74 is trying to achieve.

Despite my concerns about the misuse of NDAs, the Bill as a whole has many very positive provisions. Importantly, it finally legislates to protect workers from third-party harassment. I brought that forward in my original Bill that became the Worker Protection (Amendment of Equality Act 2010) Act 2023, which recently became law. However, it was blocked by amendments made to the Bill in Committee in the House of Lords by the Conservative party, so that such liability and protection from sexual harassment by third parties in the workplace was not created. We have already discussed that several times this afternoon.

I am most pleased that the Government have committed to making workplaces safer through this protection, because that is what this is all about. Creating safer workplaces is good for everyone, including businesses, despite what the Conservative party says. A study by Culture Shift found that 66% of businesses believe that preventing sexual harassment is very important. I do not know what Conservative Members are talking about when they say that their inboxes are full; I have not seen a single email from a business writing to me to say that it is worried about protecting its own employees from third-party harassment. According to WorkNest, three quarters of employers are still concerned about protecting employees from harassment by third parties. Businesses are concerned that they cannot protect their workers from third-party harassment; they clearly want these protections to be included in the Bill.

Too many people still suffer from third-party harassment at work. Amendment 288, which tries to remove those important provisions, is plain wrong. Employers have a duty to ensure the safety of their employees from not just other employees, but third parties who may interact with them in the workplace. That responsibility should be part of their broader commitment to workplace safety. If the Conservative party is truly committed to a world without harassment and sexual harassment in the workplace, why is it still condoning offensive language and behaviour as "banter" and "free speech", rather than taking a step to support businesses and protect workers from sexual harassment in the workplace, as proposed in the Bill?

I am grateful that the Government have ensured the completion of my Act as it was intended a year or two ago. Although I remain concerned about the misuse of NDAs, I welcome many of the provisions in the Bill. I will be proud to walk through the No Lobby when we come to vote on amendment 288, and I hope that all right-minded people will join me there.

Jess Asato (Lowestoft) (Lab): I refer the House to my entry in the Register of Members' Financial Interests. I am a proud member of the trade unions USDAW,

[Jess Asato]

Unison and GMB, and I am also proud to have worked at a domestic abuse charity for six years. That is why I rise today to speak in support of new clause 22, which I have tabled with the support of colleagues from across the House. I am an officer of the all-party parliamentary group on domestic violence and abuse, the secretariat of which is ably provided by Women's Aid. I have tabled this new clause following evidence presented to the APPG, with the drafting support of the law firm Hogan Lovells.

5.45 pm

New clause 22 would require employers with five or more employees to publish a domestic abuse policy outlining the support they provide to workers who are victims of domestic abuse. Some 2.3 million people, predominantly women, experience domestic abuse each year. This is not a niche issue, but one that pervades every level of society, often with devastating effects. For example, we know that around 100,000 people in the UK are at high or imminent risk of being murdered or seriously harmed by an abuser.

Some Members may wonder how domestic abuse relates to employers, and may question whether the new clause is necessary. To them, I say that domestic abuse is a workplace issue. Up to 75% of women who experience domestic abuse are targeted at work. We know that perpetrators often harass women at their workplace, through phone calls or by arriving unannounced. Abusers can also be colleagues; research by the TUC found that 16% of victims surveyed said that their perpetrator worked in the same place that they did. For example, Jane Clough, a 26-year-old nurse, was stabbed 71 times in 2010 by her former partner, an ex-ambulance technician, outside the hospital where they had worked and met.

Victim-survivors need, and deserve, more support from their workplaces. A number of trade unions and the TUC have campaigned on this issue, alongside domestic abuse charities, the Domestic Abuse Commissioner and survivors themselves. One survivor told the domestic abuse charity SaveLives:

> "Everyone at work knew. They must have done…I wished someone…had said something, asked me how I was. I think if my manager had known what to do or say, she would have liked to help, but the conversation just seemed too hard, perhaps."

It is important to note that the previous Government introduced guidance on this issue alongside the Domestic Abuse Act 2021. However, without a mandatory duty on employers, the support that victims can expect remains a lottery. The Employers' Initiative on Domestic Abuse estimates that only 5% of employers have a policy.

Of course, domestic abuse also has a financial impact, both on victims and the organisations they work for. Over one in five women take time off work because of abuse, and 86% of victims say that abuse negatively impacts their work performance due to them being distracted, tired or unwell. Abuse stunts career progression, and research undertaken by Vodafone and KPMG has found that the potential loss of earnings for each victim is £5,800 a year. This clearly has severe knock-on impacts for businesses and the economy. In 2019, the Home Office estimated that domestic abuse costs the UK economy around £14 billion a year in lost economic output. A mandatory domestic abuse policy is therefore pro-worker, pro-business and pro-growth. Indeed, a study in New Zealand found that introducing domestic abuse protections in the workplace has cut costs for businesses in that country and led to increased levels of productivity.

Embedding domestic abuse in the ethos and practices of companies here in the UK is a vital step. I am happy to say that some organisations have already taken that step, led by the pioneering Employers' Initiative on Domestic Abuse, which supports over 1,800 businesses—large and small—that collectively comprise over a quarter of the UK workforce. I am glad that companies such as Sainsbury's, Argos and Poundland already offer employees paid leave to enable victim-survivors to attend medical or legal appointments, or to seek safe accommodation. However, we need all workplaces and all victims to be covered. Victim-survivors deserve far more support than they currently receive, and workplaces are often the only safe place for victims to seek support and safety, but a culture of shame or stigma, a fear of not being believed, or even a concern about losing their job due to disclosure is failing victims. Supporting those victims should be seen as a key duty that would secure their health and safety.

I am grateful to the Minister for acknowledging the Government's commitment to victims of abuse in the forthcoming violence against women and girls strategy, but we would like to see something more—at least a taskforce consisting of domestic abuse charities, employers and trade unions, with, crucially, input from survivors and the Domestic Abuse Commissioner. That would complement the VAWG strategy. We need a much clearer commitment from the Department to proceed with this important matter. I look forward to working further with Ministers across Departments, and to working with my hon. Friend the Member for Gloucester (Alex McIntyre) on his ten-minute rule Bill to introduce paid leave for domestic abuse survivors, because victims of domestic abuse cannot wait.

Aphra Brandreth (Chester South and Eddisbury) (Con): Let me begin by drawing attention to my entry in the Register of Members' Financial Interests.

As other Conservative Members have already pointed out, the flaws in this Bill are numerous. It will damage businesses and, ultimately, employment opportunities, and I am deeply concerned about its consequences for our economy both nationally and in my constituency. The Government have said that they want to grow the economy, but the Bill will penalise and stifle those who do just that. Businesses of all sizes, investors and entrepreneurs—these are the people who grow our economy. Only if we grow our economy can we invest in our much-needed public services, and only then can we provide the significant increases in defence investment that are needed more than ever at this time. We ought to be empowering businesses to deliver growth, but the Bill adds burdens on business to such an extent that, by the Government's own admission, it will cost the economy up to £5 billion a year. In fact, I believe that that is a fairly conservative estimate and that it will probably cost much more.

Survey after survey has shown that business confidence has gone through the floor, although I do not need a survey to tell me that, because my inbox has received a steady stream of messages from local businesses reaching

out to share the detrimental impacts of the Budget and their concern about the impact of measures in the Bill. Every week I visit and meet business owners across my constituency, and the message is consistent and clear: how can the Government expect the economy to grow when it penalises the growth creators?

Amendment 289, tabled by the Opposition, offers a reasonable and pragmatic compromise to mitigate the unintended consequences of placing a duty on employers to prevent third-party harassment in the hospitality sector. I have listened closely to the debate on that issue, so let me say strongly that harassment of any sort is absolutely wrong. I do not for one moment condone or excuse any kind of harassment, in the hospitality sector or, indeed, in any other area. The reality is, however, that in a pub, a restaurant, a social setting or a hospitality setting, things may be said that are not acceptable. As has already been made clear, this is not condoning sexual harassment; it is making clear that we simply cannot legislate for people's words or language in every context. We must have free speech. Surely it is reasonable to protect our landlords and restaurant owners in the hospitality sector, and to include provisions exempting them in the Bill, if it has to be passed at all. It cannot be fair to expect landlords to be responsible for every conversation that takes place on their premises.

It has been made clear to me by the many landlords and restaurant owners across my constituency whom I have met since my election—whether it be Woody who runs the Swan in Tarporley and the Lion at Malpas, or Jarina at the Rasoi and the Bulls Head—that employee welfare is a top priority for them. I know that they do everything they can to treat staff exceptionally well, and to protect them from third-party harassment. They want their staff to be safe and secure, but making such businesses liable for other people's behaviour and language is a step too far, and will have a detrimental impact on our hospitality sector.

Let me end by reiterating my deep and fundamental concerns about the Bill as a whole. I will not be supporting it today. There are Opposition amendments that would improve it, and I hope that they will be supported, because they are pragmatic and give a glimmer of hope to businesses faced with what is otherwise very damaging legislation. I also hope that when Labour Members vote this evening they will consider the consequences of the Bill and the ways in which it is detrimental to growth, something that the Government have sought to pursue.

Sarah Owen (Luton North) (Lab): I refer Members to my entry in the Register of Members' Financial Interests and the fact that I am a trade union member.

This Government were elected on the promise to deliver the biggest boost to workers' rights in a generation, and that is exactly what this Bill will do. The previous Government oversaw a system that left working people paying the price for economic decline through insecurity, poor productivity and low pay. The measures in this Bill will make a serious difference to working people's lives. Nine million people will benefit from day one protection against unfair dismissal, the around 4,000 mothers who are dismissed each year after returning from maternity leave will be protected, and 1.3 million people on low wages will receive statutory sick pay for the first time. In Luton North and elsewhere, these rights will make a real and meaningful difference to people, especially those in new jobs, on lower incomes or with insecure contracts.

As a former care worker, I know that fair pay in adult social care—bringing workers and employers together to agree pay and conditions across the whole sector—will be transformational and is long overdue. During covid, when many carers risked their lives and those of their families to care for others, the last Government handed out claps, gave out bin bags in place of personal protective equipment, and sent carers off to food banks. This Government are delivering the recognition that social care is skilled, valued and vital to a thriving society.

I will speak in my role as Chair of the Women and Equalities Committee. Our Committee's report in January showed the need for bereavement leave following pregnancy loss. I give my wholehearted thanks to all who gave evidence, which led to our report and the amendment that followed. I thank Members from across the House for their support, and I especially thank the brave women who shared their experience of losing a pregnancy with our Committee. All of them had only the option of sick leave, and every single witness said it is time for a change.

Granting sick leave to grieve the loss of a pregnancy is not appropriate. First, it means that women workers are left fearful that human resources processes will kick in following the accrual of sick leave. Secondly, it wrongly reinforces the feeling that there is something wrong with their bodies. Thirdly, it makes them feel unable to talk about their miscarriage with both their employers and their colleagues, as they should be able to do. It is as if miscarriage is something shameful to approach one's boss about.

From small businesses to big businesses, such as the Co-op Group and TUI, many employers already offer bereavement leave following miscarriage, as does the NHS, which is the largest public sector employer of women. They all show that doing the right thing is good for workers and good for business, and I am so pleased to hear the Minister commit to working with the other place to introduce miscarriage bereavement leave. This Labour Government will make the UK only the fourth country in the world to recognise the need for bereavement leave following miscarriage, which is truly world leading. We will be a leading light in a world that seems to be taking a backwards step on women's rights.

Although such leave is not paid, as outlined in my amendments, it is a significant step forward. It not only provides rights, but goes a long way towards furthering how we talk about pregnancy loss in society as a whole. Miscarriage should no longer be ignored and stigmatised as a sickness. People have been moved to tears of joy, relief and raw emotion on discovering that their loss is now acknowledged and that things will change. Later tonight, in the privacy of my home, I will probably be one of those people.

Jim Shannon (Strangford) (DUP): I commend the hon. Lady for her passion and compassion, for her honesty and for talking about this subject in the Chamber. We all recognise her commitment to the task that she has set herself, and this Government will deliver it for her. I welcome that, because we have all lost loved ones. We have mothers and sisters who have had miscarriages,

[Jim Shannon]

and we have family members and colleagues who have had miscarriages. That is why we commend the hon. Lady for making a special contribution.

Sarah Owen: I thank the hon. Member for his kind intervention, and I thank many Members for their support throughout the years. I experienced pregnancy loss while I was an MP, and the kindness of colleagues in this place got me though, but at no point did any of them wrap their arms around me and say, "Get well soon"; they all said, "I'm sorry for your loss." I am so glad that today the Minister has committed to the law reflecting society's view on miscarriage.

I thank the Department for Business and Trade team, and especially the Minister, for meeting the challenge set by the Women and Equalities Committee. Each of the Committee members is committed to this, and it was enabled by our excellent Clerks. I thank the Members who have supported my amendment—and our amendments—and so many people for their campaigning work. Many Members have been very kind and have expressed gratitude to me for tabling the amendment, but this was actually a team job, with team work and campaigning spanning many years.

6 pm

That campaigning work included inspirations such as Myleene Klass, my hon. Friend the Member for Sheffield Hallam (Olivia Blake) and the former Member Angela Crawley, as well as brilliant organisations such as the Miscarriage Association, Tommy's, Sands and Pregnant Then Screwed, and all their supporters. However, I want to say a special thank you to Vicki and her team at the Miscarriage Association. Both professionally and personally, she is a voice for so many during their darkest times—thank you.

This change means that the law will finally catch up with society's views on pregnancy loss. It is a giant leap forward in the recognition that miscarrying is a bereavement, not an illness, and workers will legally have the right to grieve.

Laurence Turner: It is a particular pleasure to follow a former colleague of mine, my hon. Friend the Member for Luton North (Sarah Owen). What she has said will have a special resonance with the many people who are following this debate in this Chamber and beyond. She has done a valuable public service, and we thank her for it.

As is customary, I draw attention to my declarations in the Register of Members' Financial Interests, and to my membership of the GMB and Unite trade unions.

Because time is limited, I will restrict my comments to Opposition amendment 290 on the School Support Staff Negotiating Body. This amendment seeks to disapply the SSSNB's statutory remit from both academies and local authority maintained schools, which makes it substantially different from and more damaging than the similar amendment brought forward in Committee. If it was carried, it would reduce protection for many school support staff workers in employment.

The vast majority of school support staff are already covered by collective bargaining, almost 80% directly and the rest indirectly. However, the existing agreement, through the National Joint Council, does not serve support staff or employers well. Last year, teaching assistants were paid just £17,400 on average, and 90% of those workers are women. I have spoken to some who have relied on food banks and payday loans to make ends meet. There are 1,800 school support staff workers in my constituency of Birmingham Northfield, and they deserve better. Most schools struggle to recruit for those roles, according to research by the National Foundation for Educational Research, and at one point during the pandemic the role of teaching assistants was the second hardest to recruit for after that of HGV drivers.

This is not just about pay. As the Harpur *v.* Brazel case showed, substantial liabilities also exist for employers because of unclear and outdated terms and conditions. As the Confederation of School Trusts, representing academy employers, has said, the time has come to move school support staff out from under the local government negotiating umbrella. Indeed, the request from school employers was for the Bill to establish a floor, not a ceiling.

That point was addressed in Committee, so we might ask why this amendment has been brought forward. It is in contradiction to the amendment that the Opposition tabled in the Children's Wellbeing and Schools Public Bill Committee. After all, it was the Conservatives who put the School Teachers Review Body on a statutory footing back in the early 1990s, so why will they not support the same step for school support staff? Similarly, they are not seeking to amend the Bill in respect of the adult social care negotiating body, despite the similarities between the two occupations.

I fear that the answer is that school support staff—the majority of people who work in schools—are suffering from the soft prejudice of unequal knowledge and interests that divide the workforce into professionals and ancillaries. This outdated attitude should be confined to the dustbin of history, where it belongs. It was rejected in this place almost 20 years ago, when the process that led to the SSSNB began. This is not a measure whose time has come; it is long overdue.

I wish to say a little about the importance of the measure for special educational needs and disabilities. Classroom-based support staff spend the majority of their time supporting SEND learners. They are essential to schools' models of inclusion.

Chris Vince: My hon. Friend is giving an excellent speech and referring to a really important group of people. As a former teacher—I mention it quite often—I recognise the huge importance of what school support staff provide to the classroom. Does he agree that they support not just learners but teachers too, and have a wider influence on the school community?

Laurence Turner: I agree. My hon. Friend makes a very important point. When we look back at the national agreement in the early 2000s which led to the expansion of school support staff roles, the justification was that they would alleviate pressure on teachers and add to the quality of teaching in classrooms. That is exactly what school support staff workers in my constituency and his do every day.

School support staff roles are essential for SEND support, but the contracts those staff are employed under are so squeezed that no paid time is available for

professional development or training. In other words, we cannot resolve the SEND crisis without contract reform, and we cannot achieve that contract reform if the drift and delay, which is the legacy of the 2010 decision to abolish the SSSNB, continues. I urge the Opposition, even now, to think again and not press their amendment to a vote.

In the time remaining, I wish to say a few words about the provisions on hospitality workers and their right not to be subject to third-party harassment. When the hon. Member for Bath (Wera Hobhouse), who was formerly in her place, brought forward her private Member's Bill in the last Parliament, it contained the same provisions that are being advanced now. At the start of the debates in the House of Lords, the extension of the protection to "all reasonable steps" was supported by the Government of the day. Baroness Scott, leading for the Conservative party, said that the measures would not infringe on freedom of speech; in fact, they would strengthen it. The Conservative Front Benchers were right then and they are wrong today.

The Bill is incredibly important. Employment law in the United Kingdom has tended to advance by increments; the Bill measures progress in strides. I am proud to have had some association with it through the Public Bill Committee. I thank the departmental team who were part of the process and the other members of the Committee. I will be proud to vote in favour of the extensions to rights in the Bill when they are brought forward to a vote tonight.

Andy McDonald: As a proud trade unionist, I refer the House to my entry in the Register of Members' Financial Interests.

Today marks a truly historic moment: the most significant expansion of employment rights in more than a generation. I extend my congratulations to the Secretary of State and the Deputy Prime Minister for their efforts, and express my enormous gratitude to the employment rights Minister, my hon. Friend the Member for Ellesmere Port and Bromborough (Justin Madders), for his time and engagement with me over recent months in discussing the measures in the Bill. I also wish to acknowledge the dedication of Bill Committee members, as well as the countless trade union officers, academics, Labour party members and staffers who have worked tirelessly for decades to bring us to this day. This is a milestone we have long strived for. On a personal note, I extend my sincere thanks to the Prime Minister for entrusting me, while in opposition, with the responsibility of delivering Labour's Green Paper, "A New Deal for Working People".

I speak in support of the Government's amendments and will touch on my own tabled amendments selected for discussion. Specifically, I support Government new clause 32 and Government new schedule 1, which will extend guaranteed hours protections to nearly 1 million agency workers. This is a crucial step, aligning with my own amendment 264, and I am pleased to see the Government taking it forward. The TUC has rightly emphasised that for these rights to be effective, they must apply to all workers. Including agency workers is essential to prevent unscrupulous employers from circumventing new protections by shifting to agency staff. Exploitative tactics employed by a minority of employers, designed to avoid responsibilities and deny workers job security, remain a deep concern, which is precisely why I have consistently advocated for a single employment status.

I tabled new clause 61 because I believe that establishing a single status of worker is a necessary step to ending unfair employment practices. The Government's "Next Steps to Make Work Pay" document, published alongside the Bill, states their intent to consult on moving towards a single worker status. On Second Reading, I noted that we cannot truly eradicate insecure work until we establish a clear and unified employment status. Since then, the Director of Labour Market Enforcement, Margaret Beels, has told the Business and Trade Committee that

"the whole business of employment status needs to be addressed",

adding that

"you can probably consult until the cows come home on this issue…it is about time to do something about it".

The TUC also urged a rapid review of employment status to prevent tactics such as bogus self-employment from proliferating as employers respond to new rights.

I welcome the Business and Trade Committee's recommendation that the Government must prioritise their review of employment status and address false self-employment

"so that these reforms are rolled out alongside…the Employment Rights Bill."

I acknowledge the new clause tabled by the Chair of the Committee, my right hon. Friend the Member for Birmingham Hodge Hill and Solihull North (Liam Byrne), which seeks to establish a deadline for this consultation. I urge the Government to accelerate progress on this front, but take reassurance from the fact that this issue is well understood at the highest levels.

I turn to collective redundancy and the unacceptable practice of fire and rehire. ACAS reported in 2021 that the use of fire and rehire tactics by employers was prevalent in the UK and had increased since the pandemic. Nearly a fifth of young people say their employer has tried to rehire them on inferior terms. Many will recall how P&O shamelessly broke the law, choosing to pay compensation rather than comply with its legal obligations because it calculated that replacing its workforce with cheaper labour would ultimately be more profitable.

I welcome the Government's consultation on collective redundancy and their introduction of new clause 34, which doubles the maximum protective award for unfairly dismissed workers to 180 days' pay. However, while this may deter some employers, I question whether it is a sufficient deterrent to prevent further abuses. The TUC has raised concerns that merely doubling the cap will still allow well-resourced employers to treat breaching their legal obligations as the cost of doing business. The TUC instead proposes a stronger deterrent: the introduction of interim injunctions to block fire and rehire attempts—an approach I have sought through new clause 62.

Mick Lynch, the outgoing general secretary of the RMT, told the Bill Committee that unions should have the power to seek injunctions against employers like P&O. He rightly pointed out:

"The power is all with the employers,"—[*Official Report, Employment Rights Public Bill Committee,* 26 November 2024; c. 59, Q57]

and that unions currently lack the legal means to stop mass dismissals before they happen. My new clause offers a solution, giving employees immediate redress

[Andy McDonald]

through an injunction if they can show that their dismissal is likely to be in breach of the new law, ensuring that they remain employed with full pay until a final ruling is made. I encourage the Minister to address this issue in his response and to indicate an openness to considering injunctive powers in this Parliament.

Richard Burgon: My hon. Friend has played such an important role in the development of these policies. He is making a wide-ranging speech—in his remaining remarks, will he reflect on the importance of not just individual rights, but collective rights?

Andy McDonald: My hon. Friend highlights a critical issue—this is about making that shift and reversing the decline in collective bargaining. We should be looking for the International Labour Organisation standard and, as per the European Union, to get to 80% collective bargaining coverage across the piece.

I also note the concerns of the TUC and Unite regarding Government new clauses 90 to 96, on the "one establishment" issue, and urge them to engage with the unions on these issues.

Much has been said about wealth creators, but there needs to be a recognition that working people are wealth creators and they are entitled to their fair share. The Chair of the Business and Trade Committee calls for consensus. At the core of this discussion has to be that good, well-paid, secure, unionised employment is good for our constituents, our businesses and our economy, and this crucial Employment Rights Bill is an essential step along that road to a brighter economy and a brighter future for all our people.

6.15 pm

Imran Hussain (Bradford East) (Lab): It is an absolute honour to follow my hon. Friend the Member for Middlesbrough and Thornaby East (Andy McDonald), and I know the whole House will join me in thanking him for all the work that he has done in shaping the Bill before us today.

The Employment Rights Bill, which I am also proud to have played a small part in shaping, represents a once-in-a-generation opportunity. The Bill is a testament to the values that we stand for: a fair day's pay for a fair day's work; dignity; protection; bargaining powers for workers; and a safety net for the most vulnerable when they need it the most.

There is much to celebrate in the Bill, as we have heard in the many excellent contributions today. I have also put my name to many of the amendments that we have heard hon. Members speak to in the House. I do feel that all of them are designed to strengthen the Bill further. However, given the time constraints, I shall focus my remarks on my amendments relating to statutory sick pay.

As we all know, and as has been said very eloquently today, the current system of statutory sick pay is not just insufficient, but completely and inexcusably broken. We have the worst system in Europe, which is shameful. Workers are entitled to just 17% of the average weekly wage, yet the cost of living does not suddenly plunge by 83% when they are sick. Their rent, their energy bills and their grocery tabs are not discounted, so why does SSP remain such a paltry sum? Being forced to survive on £118.75 a week—if they are lucky enough to get that in the first place—leaves workers exposed to financial hardship. It forces many to make the difficult decision to go to work when they are unwell.

It is therefore quite right that the Government have put forward major, necessary and welcome reforms. They include: removing the three-day waiting period, so that workers are entitled to sick pay from day one of illness; and extending sick pay to all workers by removing the lower earnings limit and implementing a fair earnings replacement percentage of 80%.

These reforms will directly benefit more than a million low-paid workers, a disproportionate number of whom continue to be those from black, Asian and minority ethnic backgrounds, women and young people. There is much more that we can do to strengthen the Bill, which is why I have tabled two amendments, which will do just that and ensure that no worker is left behind. Amendment 7 calls for sick pay to be aligned with the national living wage. Let me make it clear that uprating SSP is popular with businesses as well as with workers. Six in 10 employers agree that the rate is simply too low for workers to survive on. We know that because the poverty rate among those claiming SSP is more than double that among the overall working population.

Amendment 7 makes it clear that if a person is working full time, they should not be paid poverty wages when they are unwell. No one should have to choose between their health and their financial security, which is why my amendment would immediately raise SSP to around 67% of the average weekly wage, putting us on a par with many of our European counterparts.

My new clause 102 is about ensuring fairness. Although I welcome the Government's proposed system, the reality is that 300,000 workers may actually end up worse off than they are today. Those who earn slightly above the current lower earnings limit of £123 up to £146 per week would receive 80% of their earnings, which is lower than the SSP rate that they would receive today.

We cannot allow anyone to be left behind. Although removing the waiting period puts more money in people's pockets from the beginning of the illness period, workers taking more than four weeks off due to long-term conditions, going through cancer treatment, recovering from serious operations or suffering from mental health crises will face the biggest losses under the new system.

Chris Hinchliff (North East Hertfordshire) (Lab): Research has found that the cost of presenteeism to the private sector in mental ill health alone is £24 billion a year. Does my hon. Friend agree that shows that reforming our statutory sick pay is the most pro-prosperity, pro-productivity policy that we can pursue?

Imran Hussain: My hon. Friend is absolutely right, and he makes the case brilliantly against some of the nonsense arguments about productivity that we have heard from the Conservative Benches today. It is the right thing to do, but also it will lead to much improved productivity and a better, healthier, happier workforce, as well as being much better for the employer.

My amendment and new clause would ensure that every worker receives, at the very least, the same amount of sick pay that they would have done under the current

system, and not a penny less. I urge the Government to support them, as they are very much in the spirit of this legislation.

Claire Hanna (Belfast South and Mid Down) (SDLP): I congratulate my hon. Friend and his colleagues on advancing the Bill—eight months into their mandate, we are at the remaining stages. In Northern Ireland, 13 months after restoration, the proposed NI "good jobs" Bill has not even been introduced, and doubt is growing as to whether it will pass in this mandate. Once again, workers and businesses in Northern Ireland are paying the cost of dither and lack of ambition. Does he agree that those same barriers to people on sick pay also apply to women on maternity leave? Would he support in principle my new clause 23, which would raise statutory maternity pay for women in work to the living wage for the later parts of maternity leave?

Imran Hussain: Absolutely. My hon. Friend makes the case brilliantly. I would support that in principle, because the challenges are exactly the same. I said at the beginning of my speech that many of the amendments, if not all—not the ones tabled by the Opposition, but the reasonable ones from the Government Benches—are constructive and designed to improve the Bill further.

My hon. Friend the Minister and I have had the great pleasure of working together for many months on the Bill, so he will know that I come from a position of sincerity to strengthen the Bill further. I fully understand that amendment 7 is a probing amendment, which will not be voted on in Lobbies. However, it does reflect the ambition that we should rightly have because it is shameful, frankly, that we are in the situation of offering among the lowest statutory sick pay. Our partners across Europe, quite rightly, are much better on this.

I ask the Minister to seriously consider new clause 102. Again, it does not ask for any immediate action today; it asks the Government to come back to the House in three months to report back that nobody will be worse off as a result of these measures. I do not think that is ever an intended consequence of the Government's excellent measures, so I look forward to my hon. Friend engaging with me further on that.

Finally, I want to end by paying tribute to the millions of workers who are the backbone of our economy. It is my hope that, with the amendments and new clauses that we have proposed today, we can take significant steps towards a society that rewards workers instead of punishing them, that treats them with dignity instead of malice, and where no one must choose between their health and their livelihood.

Ian Byrne (Liverpool West Derby) (Lab): I place proudly on the record that I am currently a member of Unite and GMB. I refer hon. Members to my entry in the Register of Members' Financial Interests. I take the opportunity to pay tribute to my good friend Terry Jones, a brilliant Scouse trade unionist who sadly passed away this morning. He supported the Bill wholeheartedly.

Forty-five years after Margaret Thatcher began her war on trade unions, the Bill is hugely welcome and long overdue. It is a step to turn back the tide and strengthen the power of workers. In a former life as an industrial organiser for Unite the union, I saw how difficult it was to build industrial strength in workplaces because of the restrictive legislation supported by previous Governments of all colours. The Bill will hopefully begin at long last to turn back that tide.

Hon. Members have already discussed key measures in the Bill, and there is so much to welcome. I congratulate the Minister on his efforts in getting the Bill to this place, and I also congratulate him and his team on taking two points off Arsenal, which helped us no end on Sunday.

The Bill needs to be not the end, though, but the beginning of a renewal of trade union rights. If we want to tackle the injustices done to the working class from low pay and poverty to sordid inequality, we need to empower the institutions that were founded to fight for the working class. Be in no doubt about the scale of the problem: 60% of those who use the nine food pantries run across Liverpool are in work, including public sector workers from nurses to Department for Work and Pensions workers. Let that sink in: 60% of those relying on emergency food aid are in work. That tells us how broken the labour market is for so many people.

Economic growth goes hand in hand with fixing the broken economic settlement, hence the importance of the Bill. I will focus my comments on the amendments but, for the record, tomorrow we will debate two new clauses that I have tabled about upholding trade union rights and outsourcing. My amendments for debate today—amendments 326 and 327—are aimed at strengthening protections against unfair dismissals, but in my brief time I will focus on amendments tabled by colleagues.

My hon. Friend the Member for Middlesbrough and Thornaby East (Andy McDonald) has tabled a series of crucial amendments to strengthen the Bill. He deserves a huge amount of credit for getting the Bill to this place. His amendments include amendments 265 to 267, which would enhance the Bill's provisions against zero-hours contracts. Those contracts leave workers with precious little control over their lives, allowing bosses to dictate shifts with little or no notice, with workers vulnerable to gross exploitation. It is no wonder that workers overwhelmingly prefer regular contracts. For example, when Wetherspoons introduced the option of guaranteed hours for its workforce, 99% of workers opted for that, with just 1% choosing the zero-hours contract model. The amendments would help ensure that when we say we are banning exploitative zero-hours contracts, we actually mean it.

My hon. Friend has also tabled new clauses 62 to 65, which would strengthen the Bill's protections against the disgraceful practice of fire and rehire. I saw in my own family the devastating impact that this cruel practice can have in destroying livelihoods when my brother was a victim of fire and rehire at British Gas. This immoral practice should never again be able to be used by rogue employees as a weapon against the working classes of this country. I fully support those strengthening new clauses.

My hon. Friend the Member for Bradford East (Imran Hussain) has tabled amendment 7, which would raise statutory sick pay to the level of the national living wage, and new clause 102, which would guarantee that workers do not lose out under the new fair earnings replacement proposals. We should have learned from the pandemic that no one should be forced into work when

[Ian Byrne]

they are ill. Those amendments and others would help to make that a reality. I really hope that the Minister and Front-Bench Members are listening.

The devastating consequences of Thatcherism's assault on working-class communities and trade unions are seen in towns and cities across the country. Once vibrant industrial towns have been hollowed out and industries destroyed, with insecure work replacing well-paid, unionised jobs. The never-ending doom loop must be broken if we are to rebuild communities that at the moment feel forgotten, betrayed and abandoned by successive Governments since Thatcher. The Bill must be a decisive step in breaking away from a failed settlement and finally building a country that works for us all.

Lola McEvoy: I refer the House to my entry in the Register of Members' Financial Interests. I am a proud trade union member and in my career, I have campaigned for more rights for support staff and teaching assistants in schools, for better bargaining rights for care workers, for people to have contracts that affect the hours they work and for statutory sick pay from day one. I am proud that the Bill will deliver all those things—and much more—for working people up and down the country.

I rise to speak to the issue of parental leave, which has come up in relation to many amendments and in contributions from Members across the House. Since I was elected in July, I have spoken three times in the Chamber about the terrible inequality around dads' rights and paternity pay, including in my maiden speech during the International Men's Day debate and again in the debate on this Bill in last October. I therefore welcome the clauses that support dads' rights and will encourage more men to take their paternity leave entitlements.

6.30 pm

In the last Parliament, my hon. and gallant Friend the Member for Barnsley North (Dan Jarvis) introduced a private Member's Bill that came into force in April 2024. The Protection from Redundancy (Pregnancy and Family Leave) Act 2023 extended the protected period from redundancy for parents. The protected period is the length of time during which a member of staff must be offered an appropriate, suitable post should their job role be at risk of redundancy. That protected period applies to the mother for 18 months after her child is born, to adoptive parents for 18 months after their child arrives in England, Scotland or Wales from overseas or the date on which the adoption placement starts, and for 18 months for those taking more than six weeks of shared parental leave. Those are the only groups of parents included in the extension to the protected period, which means that dads taking paternity leave are left out. Dads may benefit from the protections if they adopt a child, which is great, or if they take more than six weeks of shared parental leave, but dads who take paternity leave have no such protections, and that is obviously wrong.

In Darlington, dads and mums raise parental leave and dads' rights on the doorstep all the time. Pregnant Then Screwed estimated that 74,000 mothers a year lose their jobs while pregnant or taking maternity leave. That is appalling, and my hon. and gallant Friend's Act will protect women from that utterly awful motherhood penalty. He was right to take action to protect working mums; however, I urge the Government to take action to extend the protections to dads in the upcoming parental leave review.

Clause 22 directly amends the Employment Rights Act 1996 to offer further protections to pregnant women, which is absolutely right. Once again, the additional rights extend to mums, parents taking adoptive leave and parents taking shared parental leave. We rightly want those people to be protected. The rights also extend to bereaved fathers, which is important, but they do not extend to those taking paternity leave.

In anticipation of the argument that dads can benefit from shared parental leave, I want to outline why it does not work as a policy or law. Five per cent of dads take shared parental leave. That is because it is a bit of a gimmick. First, the second partner—most often the father of the child—is more likely to take a smaller share of the shared parental leave, which is often less than six weeks and therefore would not qualify for additional redundancy protections. Secondly, and further to that argument, shared parental leave is itself a policy that is tough on mothers. Mothers who want to go back to work should be able to do so, and if they want to go back early and not use their full maternity rights, we obviously support that. My views are not in conflict with the rights of mothers, but are in addition to and in support of them.

Shared parental leave, however, is an anti-mother policy, and that is why only 5% of fathers and partners take it. Fathers, mothers and babies need time together. They need time to bond, time to heal and time to adjust to the earth-shattering experience of becoming a parent, together. In practice, dads, who are often the breadwinners, go dutifully back to work, sleep-deprived and under heavy societal pressure to provide for and protect their new families. They have to keep that job, and that is because so many women face maternity discrimination.

I absolutely appreciate the effort and scale of this landmark legislation and appreciate the vast-reaching scope of the measures it contains. It will improve many lives. I am a pragmatist and am hopeful that we can get an increase in paternity pay. For now, however, I simply ask for parity for paternity—for dads' rights. Seventy-two per cent of the public support more protections for dads, but only a third of new dads take paternity leave. Something is badly wrong there and I urge the Minister to listen to the campaign group The Dad Shift, which says that an estimated 4,000 dads a year who take paternity leave lose their jobs because of it.

My generation and those younger than me are the keenest yet for more family time, but their primary concern is paying the bills. The rate of paternity leave, the huge swathes of discrimination for returning mothers and the lack of protections mean that dads cannot even take what they are entitled to. We have to change that. I am proud of this Bill and proud of our Government, and I am very hopeful for dads.

Ms Polly Billington (East Thanet) (Lab): I refer the House to my entry in the Register of Members' Financial Interests and declare that I am a proud member of the GMB.

I stand to speak against amendment 289, which would exclude the hospitality sector and sports venues from the Bill's duty for employers not to permit harassment of their employees. The first time I was harassed at work was when I was 14 years old, waiting tables at a charity event. The second time was when I was 16, in a bistro, except this time I was being paid for the experience. After that, it was when I was a student working in a bar, then when I worked in a canteen, and then in a warehouse. It is because of that experience—one shared by people of both sexes and all ages, but particularly the young and particularly women, across this country—that I was, I am not going to lie, absolutely gobsmacked by the amendment tabled by the shadow Secretary of State for Business and Trade, the hon. Member for Arundel and South Downs (Andrew Griffith), to the protection from harassment clause, which would exclude those working in the hospitality sector or sports venues.

The Conservative party is arguing that some kind of harassment is okay and that if you are working in the hospitality sector or in a sports venue, it is fine. Tories seem to believe that if you go to a pub, your right to harass bar staff is greater than their right not to be harassed. I have to say, that is quite an extraordinary thing to argue for, but I am glad that they are at least being honest with us. Jobs in hospitality often involve insecure work on low pay that is reliant on tips. In Margate, Ramsgate and Broadstairs, thousands of people work in jobs like that, and I do not see why it should be deemed acceptable for them to be harassed in their job, but not people who work in an office.

Jon Pearce (High Peak) (Lab): I refer the House to my entry in the Register of Members' Financial Interests and I am a proud member of the GMB. Does my hon. Friend agree that even more concerning are the calls from the Opposition Benches, and particularly from the former Home Secretary, the right hon. and learned Member for Fareham and Waterlooville (Suella Braverman), for the Equality Act to be scrapped, which would mean that laws covering sexual harassment and equal pay would be completely removed from the workplace? This is a really troubling agenda from the Conservatives, and I believe it is in keeping with this amendment.

Ms Billington: I am grateful to my hon. Friend for that intervention. It is indeed a very worrying direction of travel from the Conservatives.

We on the Labour Benches think that people should not be allowed to harass any workers. I honestly did not expect this to be a controversial aspect of the Bill for the Conservatives. Perhaps I am being uncharitable, so I would really appreciate it if the shadow Secretary of State, who is now in his place, could answer a few questions. When did it become Conservative party policy to allow staff to be harassed? Why does that apply only to staff working in hospitality and sports venues and not to all workers? Why is it all right to harass bar staff but not office staff?

Alison Griffiths: I know that the hon. Lady has not been in the Chamber for most of the debate, so she will have missed many of the discussions where my hon. Friends have explained the nuance of our position on this, which relates to the law of unintended consequences where publicans and nightclub owners could be responsible for policing the words of their customers. That is clearly not a tenable situation, but I will repeat the words of all of my colleagues on this side of the House: sexual harassment is abhorrent. We do not condone it in any shape or form, and I ask her to withdraw the insinuation that anyone on this side of the House has any truck with such behaviour.

Ms Billington: I would like to emphasise that I listened closely to the opening speeches when the hon. Lady's colleagues were talking about amendment 289. I heard clearly, for example, some confusion over whether sexual harassment was a crime or a civil offence, so I will not take any lessons from the Conservatives on their understanding of employment law or, indeed, what is considered acceptable at work.

The amendment is utterly disgraceful. I am proud that this Labour Government have brought forward a Bill to stop workers being harassed wherever they work. It is just a shame that the Conservative party does not agree. The hon. Member for Mid Buckinghamshire (Greg Smith), and apparently the hon. Member for Bognor Regis and Littlehampton (Alison Griffiths), think that it is wrong that pub landlords will have to be responsible for kicking out customers. He talked about it being a "banter ban", but pub managers have always known the importance of keeping rowdy behaviour in limits and protecting their staff and customers from being pestered or being made the unwilling butt of so-called jokes. This law—

Alison Griffiths: Will the hon. Member give way?

Ms Billington: No, I will not give way.

This law will strengthen their hand. I say, in the words of the greatest pub manager of all time—Peggy Mitchell—to the proposers of the amendment, "Get outta my pub!"

Madam Deputy Speaker (Ms Nusrat Ghani): Quite. I call Dr Jeevun Sandher.

Dr Jeevun Sandher (Loughborough) (Lab): What a speech to follow. I cannot quite claim to be Peggy Mitchell, but I will try to live up to that brilliant remark.

I rise as a proud member of the GMB. I happily refer Members to my entry in the Register of Members' Financial Interests. I will speak to new clauses 37 and 38, which relate to part 3 of the Bill. They will strengthen the bargaining power of social workers and, by doing so, create a stronger working relationship between employees and employers that both sides will invest more in. That means higher wages for those who look after our parents, more training and a healthier social care workforce. Both sides will invest more; both sides will benefit more. Pro-worker, pro-business, pro-growth—that is what these amendments and this Bill will achieve.

Before entering this place, I was a trade union rep, and I worked with my colleagues to help stop a 33% pay cut in my workplace. Workers speaking with one voice meant a happier and more productive workplace—one voice to set out what it means to increase productivity. That is why this is a pro-growth Bill.

Social care workers are among the lowest paid in our economy. One in six are legally paid less than the minimum wage. Little proper certification, reward or recognition for skills means that there is little training. Poor conditions mean that almost half suffer from

[Dr Jeevun Sandher]

work-related stress. Low pay, little progression and poor conditions are the reasons why a third of social care workers leave the sector each year. That is what this Bill and these new clauses will fix. The Adult Social Care Negotiating Body will mean more social care workers speaking as one voice, gaining higher wages, better conditions and more training. Those benefits do not just appear on payslips; they mean less time spent worrying about paying the bills, and more time with our families and reading to our children. They make workers more productive and benefit employers—they make life worth living.

Those on the Opposition Benches say that life cannot improve. They have talked a lot of fear instead of hope and the change we can achieve. They will likely vote against our amendments and against the Bill. In doing so, they would deny their constituents better wages and, indeed, a better life. We cannot simply sit back and hope that wages rise, that training will magically appear, or that conditions will get better on their own. We have to act to make it so. The Bill and the amendments do exactly that by giving social care workers the power to speak with one voice to negotiate higher wages, better training and better conditions, benefiting employee and employer—pro-worker, pro-business and pro-growth. That is what the Bill stands for. That is what I stand for. That is what we stand for.

6.45 pm

Neil Duncan-Jordan (Poole) (Lab): I draw the House's attention to my entry in the Register of Members' Financial Interests.

Having been a trade union activist for 40 years and a regional official, I have a genuine sense of pride in seeing the Bill make its way through Parliament. It is truly transformational and seeks to address the imbalance that has existed in the workplace for far too long. Many of the amendments before us strengthen existing rights so as to ensure that unscrupulous employers are unable to frustrate, delay or act unreasonably when dealing with their workforce, either collectively or as individuals.

Other amendments, such as new clause 101 in my name, seek to introduce new rights and protections for groups of workers who have hitherto been forgotten or overlooked. My new clause calls for the establishment of a regulatory body for foster carers. Currently, those who employ foster carers—local authorities, charities and independent fostering agencies—also serve as de facto regulators, with the power to register and de-register workers. That puts too much power in the hands of the employers, and, according to the foster carers branch of the Independent Workers Union of Great Britain, it illustrates a structure within the sector that fails to bring consistency, transparency, fairness or decent outcomes for the children and young people in their care.

A new regulatory body would therefore accredit educational institutions to provide standardised training courses. Once completed, those courses would remain on a carer's work record. At the moment, every time a foster carer starts with a new provider, they are required to do the training again. That is both unnecessarily costly and time consuming. The body would also be responsible for maintaining a central register of foster care workers, and would ensure proper standards of care and deal with fitness-to-practice cases. As with the very best regulatory bodies, it would include those with lived experience of foster care.

One of the key roles of that proposed body would be to standardise the employment rights available to carers, such as maximum working hours, entitlement to statutory sick pay and protections against unfair dismissal, while also considering the important issue of collective sectoral bargaining. Through that, we would hope to see improvements in pay, minimum allowances, holidays and pension entitlements. As the UK continues to lose foster carers at an alarming rate, now is the time for that basic oversight, which will help to ensure we have enough safe and loving homes for the vulnerable children who need them.

My amendments 316 to 323 relate to the issue of redundancy. Over the years, I have negotiated with a number of employers over hundreds of redundancies, and I am seeking to improve the legislation based on that first-hand experience. Amendment 316 would require an employer to hold meaningful consultation even if they were preparing to make fewer than 20 staff redundant—something that many good employers already do, of course—whereas amendments 317 and 318 would introduce greater sanctions for those who fail to consult properly. Amendment 319 would treat workers dismissed under fire and rehire as having been made redundant and would ensure that they receive greater remuneration as a result.

Amendments 320 to 323 all seek to improve the level of redundancy pay by removing the 20-year cap on entitlements; by ensuring that someone with 10 years and six months' service, for example, receives 11 years' redundancy pay rather than 10; by basing the statutory redundancy calculation on months rather than weeks; and by ensuring those with less than two years' service also have the right to redundancy payments.

Of course, there are many reasons why redundancies occur, but at the moment, the rules and sanctions around this issue enable some unscrupulous employers to exploit the situation and treat their staff unfairly. These amendments seek to address that imbalance, and I hope the Government will consider ways in which the issues I have highlighted can be included in the legislation.

Nadia Whittome: I am a proud trade unionist, and I refer to my entry in the Register of Members' Financial Interests.

I commend the Minister and the Deputy Prime Minister for introducing this landmark legislation, as well as my hon. Friend the Member for Middlesbrough and Thornaby East (Andy McDonald), who did a huge amount of work on it as shadow Minister. All of them have dedicated their lives to standing up for working people, and this Bill is a culmination of that work and the work of trade unionists over many, many years.

I would like to speak in support of new clause 73. My own experience of taking time off work as an MP and the contrast with the experience of those on statutory sick pay made it clear just how badly reform is needed. Some years ago, when I needed to take a leave of absence because of the severity of my post-traumatic stress disorder symptoms, I received full pay and a phased return, but for many workers, that is a million

miles from their experience. The UK has some of the worst sick pay entitlements in Europe. The fact that the Bill means that sick pay will be paid from day one, instead of after day three, is very welcome, as is the removal of the eligibility threshold, increasing access for more than 1 million low-paid workers. However, we must acknowledge that without increasing the rate, the low level of statutory sick pay will continue to place a terrible burden on those who are already poorly paid. That is why amendment 7, tabled by my hon. Friend the Member for Bradford East (Imran Hussain), is so important.

Those are far from the only issues. Another problem is the inflexibility of statutory sick pay, and that is why I have worked with the mental health charity Mind to table new clause 73. More than 8 million working-age people have long-term health conditions and experience challenges at work. Statutory sick pay currently does not allow for a proper phased return or for workers to reduce their hours during periods of ill health. Statutory sick pay can only be paid for a full day of sickness. If a worker needs a half day, for instance, SSP cannot be used to cover the hours they are not working.

If we force people to return to work before they are ready, whether that is because they cannot afford to remain on statutory sick pay or because a phased return is not an option for them, they are far more likely to be trapped in a cycle of poor mental wellbeing and to fall out of work completely. New clause 73 would mean that sick pay was paid pro rata, by hours rather than days, to allow for that greater flexibility.

Years of successive Government reviews have come to the same conclusion: a flexible statutory sick pay model would improve lives and better support people to remain in work. I have appreciated Ministers' engagement with me on this issue, and I hope the Government will commit to looking at it further, especially as the cost to the Government would only be administrative. However, the impact it would have on people's lives is huge.

The Labour movement fought long and hard for the right to sick pay and proper support for those with long-term illness and disability, whether in work or not, because our movement and our party exists to stand up for the whole of the working class. At a time when more people are affected by sickness and disability, it is crucial that this Government support them and do not scapegoat them for the failures and the political choices of the Conservative party.

Mary Kelly Foy (City of Durham) (Lab): As a young worker in the late 1980s, I experienced the precarious nature of the world of work, along with many of my peers. Lack of knowledge about our rights and the fear of being sacked if we complained about our terms and conditions politicised me and made me a lifelong trade unionist and a member of Unite and Unison. I wish to speak to new clause 92, on rolled-up holiday pay for irregular hours workers and part-year workers, and new clause 93, entitled "Working Time Regulations 1998: records", which are tabled in my name. Like most colleagues in this House, and along with the trade union movement and the millions of workers who will benefit from its provisions, I warmly welcome the Bill and thank everyone who has campaigned for it long and hard.

The majority of people spend a huge portion of their lives in work. Work should be an opportunity to be fulfilled, to live fully, to support ourselves and our family, to develop as individuals, and to contribute to society. In reality, however, for too long and for too many the world of work has been, and is, a world of uncertainty and ruthless exploitation, often stripping people of their dignity and their worth. For millions there is a struggle to obtain secure work, and that strengthens the hand of employers to drive a hard bargain to benefit their balance sheet and their profits. For those who can secure work, working life can remain unclear and insecure. It can include irregular and uncertain employment, uncertainty about hours, payment, and vital matters such as holiday pay and entitlement. While others in the House boast of their endless push for so-called flexible labour markets, the reality is very different for those on the other side of the employment contract—for the workers.

The previous Government spoke about cutting so-called red tape, when they really meant reducing people's working rights and strengthening the powers of boardroom billionaires. My proposed new clauses are in relation to certain sectors, although they would benefit all workers. It is widely known and acknowledged that some employers use so-called rolled-up holiday pay as a device to tackle their obligations to provide paid time off for holidays. Holidays and breaks from work are essential for workers, and a recognised factor in delivering an effective organisation in the public and private sectors. So-called rolled-up holiday pay is a mechanism by which an employer adds holiday pay to basic pay throughout the working year, but does not provide it separately at the time of taking the holiday. It is acknowledged, including by ACAS, that that creates a risk that a worker may feel under pressure not to take any holiday, or to take less holiday than they are entitled to. That is particularly a risk for those who work in sectors of the economy where the work is irregular, and along with that, their work also tends to be lower paid. The pressure on such workers is immense. New clause 92 seeks to address that risk—a risk accepted and addressed by rulings from the European Court of Justice.

New clause 93 would ensure that working time is accurately recorded by employers. Colleagues across the House may recall that the recordkeeping requirements under the Working Time Regulations 1988 were watered down by amendments tabled by the previous Government in November 2023, following the UK's withdrawal from the EU. They believed that it was too cumbersome to require employers to maintain accurate records on behalf of employees, referring to it as "time consuming" and "disproportionate reporting." What a load of rubbish. With advances in modern technology, there is no excuse for an employer to fail to accurately and precisely keep records of the working time contributed by a worker. The onus of managing records should be shifted from employees to allow them to focus on their own roles without added administrative requirements.

This Government's Employment Rights Bill will deliver a new deal for working people, and I wholeheartedly support it, but I urge the Minister to take account of the issues I have raised and to accept new clauses 92 and 93, which would strengthen the Bill's provisions and increase protection for the sections of workers who need it the most.

7 pm

Anna Dixon (Shipley) (Lab): I draw attention to my entry in the Register of Members' Financial Interests, and I am a proud member of Community.

[Anna Dixon]

It is an honour to speak as this landmark Bill hopefully passes its next stage, finally bringing to an end an era of insecurity and low pay under the Conservative party. This landmark Bill brings in day one rights for workers, a fair pay agreement for social care workers and greater entitlement to statutory sick pay. My speech will focus on and highlight the way in which the Bill and some of its amendments strengthen the rights of care workers and carers, the majority of whom are women.

We have heard already in this debate many proposals from hon. Members on the Government Benches to go further than the excellent proposals before us to strengthen day one rights for employees. My hon. Friend the Member for Luton North (Sarah Owen) spoke movingly about pregnancy loss and bereavement, and, along with my hon. Friend the Member for Walthamstow (Ms Creasy), talked about the need for stronger entitlements to parental leave. All of that will have a really positive impact, particularly on women.

I draw attention particularly to the day one right that strengthens flexible working by default. I invite the Minister to consider giving guidance to employers that they should require flexible working to be advertised. The Fawcett Society has made a particularly strong case for the importance of that for women, and I know that that is also true for carers. If, before applying for a job, they do not know that they can secure that flexibility, many will not even apply. Some 40% of women who are not currently working said that if flexible work was available to them, it would enable them to do paid work, so we are missing out on huge potential for businesses.

The Fawcett Society survey in 2023 said that 77% of women agreed that they would be more likely to apply for a job that advertises flexible working options, while 30% had had to turn down a job offer when employers were unable to offer the flexible working that they needed. While the Bill makes excellent provisions, I urge the Minister to respond on how we can implement that in practice, so that carers and particularly women can have the confidence to apply for jobs and know that they can have those flexible working requirements.

Mr Joshua Reynolds (Maidenhead) (LD): I thank the hon. Lady for her warm words about carers. Will she therefore support Liberal Democrat new clause 10, which would make paid carer's leave an entitlement?

Anna Dixon: The hon. Gentleman may know that I am the co-chair of the all-party parliamentary group on carers. We are very pleased that there are now unpaid leave requirements for carers; on other occasions, I have urged the Government to look into going further with paid entitlements for carers. There is a real opportunity to enable the 3 million carers in paid employment to remain in employment and to stop the loss of an estimated 600 people per day who leave work due to their caring responsibilities. While that is not part of this Bill, hopefully the Government and the Minister will respond to that.

That is the first area of the Bill that I really welcome. The second, which has huge benefit for care workers, is its provisions on pay and conditions through pay agreements. I echo some of the comments made by my hon. Friend the Member for Loughborough (Dr Sandher), who is no longer in his place, about the huge benefits that these will bring to so many of our valued adult social care staff.

The establishment of the new Fair Work Agency will ensure that everyone is playing by the same rules, and strengthening powers to deal with modern slavery and labour abuse will further extend protections to care workers. Many care workers have come to this country on overseas visas and, having paid extortionate fees in their country of origin, have found themselves tied into accommodation here, on zero-hours contracts and being exploited by the care companies. As such, the provisions in the Bill are very welcome. We know that too many care workers live in poverty; research by the Health Foundation suggests that one in five care workers cannot afford the essentials, either for themselves or for their children. I am proud to be sitting on the Labour Benches as we bring forward fair pay agreements, along with the abolition of exploitative zero-hours contracts, which will finally provide security for our valued social care workers.

In implementing these changes, it is really important that we establish a framework to help home care workers in particular—some of whom I met recently—who are not paid for their travel time or their sleep-in hours, despite the fact that such practices should be illegal. As we take forward the fair pay agreement in adult social care, I urge the Minister to work with colleagues to ensure it is accompanied by an ethical charter for care providers to sign up to. This Government have already shown how serious they are about valuing those who do so much to care for, and provide support to, disabled adults and older people in this country.

The third area I want to mention, which other colleagues have talked about and which my hon. Friend the Member for Bradford East (Imran Hussain) has addressed in his new clause 102—*[Interruption.]* Madam Deputy Speaker, I keep looking at the clock. I believe there is an issue; would you please advise me on my remaining time?

Madam Deputy Speaker (Ms Nusrat Ghani): Yes, the clock has stopped. You started at 7 pm, but you did take an intervention, so I think you can go for one more minute.

Anna Dixon: Thank you very much, Madam Deputy Speaker.

Very briefly, I am delighted that the Government are strengthening statutory sick pay. During covid, many care workers were forced to go into work—at their own risk, and risking those they were caring for—because they were not eligible for statutory sick pay, so strengthening it is an excellent move.

In conclusion, this Bill, together with the proposed Government amendments and some of those suggested by my hon. Friends, will ensure that the 1.5 million people working in adult social care can get fair pay, guaranteed hours, statutory sick pay and day one rights. It is good for workers, and it is good for women.

Deirdre Costigan (Ealing Southall) (Lab): I draw the House's attention to my entry in the Register of Members' Financial Interests and my Unison membership.

I welcome the Bill, which is a once-in-a-generation chance to give more power to working people—including those in Ealing Southall—and I support the Government amendments to provide decent sick pay to 1.3 million low-paid workers. I do not support the Opposition's amendments, which attempt to tie us up in knots in an effort to block working people from getting the rights they should be entitled to.

I particularly want to consider the impact of the Bill and the Government amendments on disabled people. Currently, almost 3 million people are off work long-term sick—a record high. Of course, some of those are disabled people who are unable to work. However, there are also many disabled people who desperately want to work, but who have been kicked out of their job because their employer refused to make simple changes that would allow them to succeed.

In my previous role as national disability officer for the country's biggest trade union, Unison, we worked with Disability Rights UK and Scope to develop the disability employment charter. That charter is a list of improvements to help disabled people get, and keep, employment. Over 240 employers, both large and small, signed up to say that they backed the ideas in the charter—they backed disabled workers' rights—but the previous Conservative Government saw it all as red tape. They did not listen, and they refused to introduce those changes. They left millions of disabled people who want to work stuck on benefits, and the Opposition's amendments today are just more of the same.

Those 240 employers that signed the disability employment charter, and the many disabled workers who have been pushed out of their jobs, will be heartened to see the changes being introduced in the new Employment Rights Bill. Many of those changes implement the demands of the charter, including allowing flexible working, more support for trade union disability reps, and strengthening sick pay. Those 240 employers would reject the Opposition's many amendments whose aim is to frustrate this support for disabled workers.

People are often surprised to learn that low-paid workers are not entitled to statutory sick pay, and that unless the employer company has its own scheme, they can claim statutory sick pay only after three days of being ill. During the pandemic, that led to social care staff, in particular, feeling forced to work when they had covid, potentially passing the illness on. Lack of access to sick pay is a public health issue, and this new law will ensure that low-paid workers no longer have to choose between not being paid and going to work sick. It will also give disabled workers time off to recover from illness rather than struggling into work., becoming sicker, and potentially falling out of employment for the long term. Being paid to take a few days off to recover could save them, and the economy, a lifetime of being left on the scrapheap.

Anna Dixon: Will my hon. Friend give way?

Deirdre Costigan: No, because many Members are waiting to speak.

I welcome Government amendments 80 to 85, which specify the level of sick pay that low-paid workers will now be able to expect from day one. I know that some employers wanted to pay a bit less and trade unions wanted a bit more, but 80% is a compromise. I certainly do not support the delaying tactics of the Opposition, who have sought impact appraisals that already exist and show that these changes will lead to an increase in productivity and growth if we can get disabled people working when they want to do so.

This transformative Bill responds to a key demand of the disability employment charter for a default right to flexible working. For many disabled workers, the ability to organise their hours around taking medication and dealing with pain or fatigue will mean being able to keep their job rather than ending up sick or being marched out of the door. In line with the charter, this new law also introduces paid time off for trade union equality representatives, a subject that I know we will discuss tomorrow. Negotiating reasonable adjustments can take time, and input from a trained person, whose priority is to keep the worker in his or her job, will make all the difference.

However, Unison research has established that nearly a quarter of disabled workers who asked their employers for reasonable adjustments waited a year or more for help, and some never even received a reply. You cannot do a job that causes you pain, or sets you up to fail, so it is no wonder that disabled people end up out of the door. The disability employment charter calls for a new right to a two-week deadline for at least receiving a reply to a reasonable adjustment request. Currently there is no deadline for such a response, although in the case of flexible working requests the employer must respond within eight weeks. I have had constructive discussions with the Minister for Social Security and Disability, my right hon. Friend the Member for East Ham (Sir Stephen Timms), and I am hopeful that we may see such a deadline included in the "Get Britain Working" plan, which complements the Bill.

Many good employers already support disabled workers, and I pay tribute to the 240 who have backed the disability employment charter and rights for those workers. The Bill and the Government amendments will ensure that there is a level playing field, so that bad employers cannot undercut those who want to do the right thing. They will ensure that more disabled workers can keep jobs that they value, and can contribute to the growth that we need to get our economy working again.

Madam Deputy Speaker: I call Alex Sobel, and ask him to keep his remarks to four minutes.

Alex Sobel (Leeds Central and Headingley) (Lab/Co-op): I refer Members to my entry in the Register of Members' Financial Interests, and my 28-year membership of the GMB union.

New clause 72, which stands in my name, would place a duty on employers to investigate whistleblowing concerns and establish internal channels for reporting and managing whistleblower disclosures. In recent years we have seen scandals rock the country in which whistleblowers raised the alarm at an early stage only for their warnings to be ignored and for disastrous consequences to follow. Scandals with thousands of victims, such as the Post Office Horizon case, the Grenfell Tower fire tragedy and the collapse of Carillion, involved whistleblowers raising the alarm only to face a wall of silence. We saw the very worst of that at Yorkshire cricket club in my constituency when Azeem Rafiq suffered years of racist harassment and abuse. Despite the number of players who admitted to racist remarks or actions, the club's

[Alex Sobel]

leadership refused to accept their mistakes and refused to release the full report, instead releasing an edited summary. Only when Azeem appeared before the Culture, Media and Sport Committee did the full scale of institutional racism at the club become known.

These failures have a tragic human cost, and they often place a significant strain on the taxpayer. According to the report "The Cost of Whistleblowing Failures", the avoidable costs incurred owing to the failure to listen to whistleblowers in the Post Office Horizon, Carillion and Letby cases was £426 million.

It is unacceptable for the taxpayer to have to bear the burden of failed systems and a failed legislative framework, which is why we need a new legal duty on employers to investigate whistleblowing. New clause 72 would ensure that employers must take "reasonable steps" to investigate any protected disclosure made to them. It would compel large employers to establish internal channels and appropriate procedures for reporting. By ensuring that disclosures are investigated, we can prevent scandals such as Horizon from occurring and ensure that harm in the workplace is dealt with early. The new clause is proudly pro-worker and pro-business, and would tackle one of the long-standing issues with our current whistleblowing legal framework for workers. The status quo provides only an after-the-event remedy for whistleblowers, and this new clause would ensure that there are channels for whistleblowers from the start.

7.15 pm

YouGov and Protect's research found that 76% of workers want a legal duty on employers to investigate whistleblowing concerns, and new clause 72 would deliver on the long-standing demands from workers. In the light of recent scandals, businesses are realising the value of whistleblowers in helping to root out wrongdoing and harm within their own companies. In its report on the Post Office scandal, the Institute of Directors recommends that

"all employers should be required to meet standards for whistleblowing and follow recognised procedures."

New clause 72 would require employers to take "reasonable steps", meaning that vexatious or insignificant concerns would not always require an investigation. This is a once-in-a-generation opportunity to revolutionise whistleblowing law.

The Public Interest Disclosure Act 1998 was groundbreaking for its time, but the UK has since fallen behind our comparator jurisdictions, such as the EU and Japan, on whistleblower protections. I hope that the Government will consider supporting new clause 72 or equivalent measures, which would be good for workers, businesses and taxpayers. I also hope that the Minister will meet me to discuss this matter following today's debate. Through this new clause, we can take action to ensure that whistleblowers are supported, that businesses are given the tools to root out wrongdoing, and that taxpayers are spared from having to bail out state scandals.

Catherine Atkinson (Derby North) (Lab): I draw attention to my entry in the Register of Members' Financial Interests and the fact that I am a proud trade union member. I give my full support to the measures in this landmark Bill.

In Derby we make things, from nuclear reactors that power submarines to the trains, cars and aeroplane engines that get people and goods where they need to go, and food production operations that help put food on our tables. We do not just have large companies with big economies of scale; we also have thousands of small and medium-sized companies. Many businesses that I have visited—large and small—are investing in their workforce, want to pay them properly and want to provide stable, secure work that enables their employees to build lives and families, but they want a level playing field so that they are not undercut by competitors that do not play by the rules, that avoid their responsibilities and that exploit those who work for them.

When people are stuck in insecure, low-paid work, planning for their future is impossible. It is wrong that so many people have no idea whether they will have five hours of work or 50 in a week, wrong that they have no idea whether they will earn enough to pay their bills, and wrong that they can have paid for childcare, be on a bus to work and get a call saying they are no longer needed. What is shocking is that we have 2.4 million people in irregular work, such as those on zero-hours or low-hours contracts, or in agency jobs. I am proud that this Government, through this Bill, are taking action to end exploitative zero-hours contracts, and that amendments 32 and 33 will ensure that agency workers are also protected.

On Second Reading of this groundbreaking Bill, I spoke about the importance of enforcement. A right is not worth the paper it is written on unless it is enforced; and the provisions that we make, the guidance that we set and the laws that we pass are only as strong as the enforcement.

For part of my career as a barrister, I had the honour of representing working people, but I always knew that for the many who did seek justice through tribunals, there were many who did not feel able to take action. The Low Pay Commission has found that low-paid and exploited workers can be reluctant to speak out about abuses of their rights. Last year we celebrated the 25th anniversary of a Labour Government bringing in the national minimum wage, but the Low Pay Commission estimates that one in five workers receiving it were not provided with the correct pay in 2022.

On Second Reading, I called for the strengthening of the Fair Work Agency, which will enforce the national minimum wage, statutory sick pay and a wide range of rights, such as holiday pay, so that everyone plays by the same rules. I am hugely pleased to see that new clauses have been tabled that would strengthen the powers of the Fair Work Agency. As we will talk about tomorrow, new clause 57 would give the agency powers to bring proceedings to an employment tribunal on behalf of workers. That could make a huge difference for workers, and it helps protect businesses from being undercut by acting as a real deterrent. The sooner that these measures are in place, the sooner enforcement can begin and justice can be delivered, and this will bring us better protections, better productivity and better growth.

Justin Madders: First, I think I need to mention that my hon. Friend the Member for Gateshead Central and Whickham (Mark Ferguson) is celebrating his 40th birthday today, and what a great way to spend his birthday. He is one of the people who have worked tirelessly over many years in different guises to help us get where we are today.

Given the number of speeches and contributions, it is just not going to be possible to pay tribute to everyone in the time I have, or indeed to reference every speech and every amendment, but I will do my best to cover as much as possible.

I will start with my hon. Friend the Member for Nottingham East (Nadia Whittome), whose new clause 73 relates to significant structural changes to the statutory sick pay system. I thought she made a very personal and persuasive speech, and I agree with her that phased returns to work are an effective tool in supporting people to stay in or return to work, helping to reduce the flow into economic inactivity and the cost to businesses of sickness absence. By removing the waiting period, employees will be entitled to statutory sick pay for every day of work missed. This better enables phased returns to work—for example, by supporting someone who normally works five days a week to work a three-day week, being paid SSP for the other two days. That simply would not have been possible under the existing system. We are committed to continuing to work closely with employees and employers to develop and implement a system that is fair, supportive and effective in kick-starting economic growth and breaking down barriers to opportunity, and we will continue to have conversations about that.

Turning to new clause 102 from my hon. Friend the Member for Bradford East (Imran Hussain), I pay tribute to him for his work as a shadow Minister in this area. The changes we are bringing in through this Bill mean that up to 1.3 million low-paid employees will now be entitled to statutory sick pay, and all eligible employees will be paid from the first day of sickness absence, benefiting millions of employees. The new percentage rate is consistent with the structure used for other statutory payments. It is simple to understand and implement, and with the removal of waiting periods, the internal modelling from the Department for Work and Pensions shows that most employees, even those who may nominally earn less per week, will not be worse off over the course of their sickness absence.

I believe the speech by my right hon. Friend the Member for Sheffield Heeley (Louise Haigh) was her first from the Back Benches, and I do not think she will be on them for very long if she continues to make such contributions. I thought it was an excellent speech, and the way she spoke about her constituent Mr B really hammered home the importance of tackling non-disclosure agreements. I would like to pay tribute to her ongoing efforts to ensure that victims of misconduct and bullying can speak up about their experiences, and get the help and support they need.

I want to thank the hon. Member for Oxford West and Abingdon (Layla Moran) for originally tabling the amendment, and for meeting me last week to share, sadly, another horrific story about the abuse of NDAs. I also thank the hon. Member for Bath (Wera Hobhouse) for her contribution in this area.

There are legitimate uses of NDAs, but I want to be clear—we have heard too many examples of this today—that they should not be used to silence victims of harassment or other misconduct. I understand that hon. Members want to ensure equal protection in relation to NDAs concerning harassment across the economy, and I absolutely hear what they have said. However, we have to acknowledge that this would be a far-reaching change, and it would be to take a significant step without properly engaging with workers, employers and stakeholders, and assessing the impact on sectors across the economy. I want to reiterate that I recognise that non-disclosure agreements are an important question that warrants further consideration, and we will continue to look at the issues raised. My right hon. Friend the Member for Sheffield Heeley said that she wants me to go further, and I look forward to engaging with her and with organisations such as Can't Buy My Silence.

New clause 30, in the name of the hon. Member for Bridgwater (Sir Ashley Fox), would give employees who are special constables the right to time off work to carry out their voluntary police duties. I join him in paying tribute to special constables, who make an invaluable contribution to policing across the country. It would not be appropriate, however, to support additional legislation on this matter without a comprehensive analysis on the impact such a change could bring to policing. As the hon. Gentleman knows, we debated it in Committee and my officials have been in discussion with colleagues at the Home Office to learn more about the topic. Further engagement is continuing with the staff association for special constables and the Association of Special Constabulary Officers. I recognise that the legislation is now half a century old and needs a considerable look. We cannot support the amendment tonight, but I am glad that there is at least one Member on the Conservative Benches who supports increasing employment rights.

Turning to new clause 7, tabled by my hon. Friend the Member for Walthamstow (Ms Creasy), I want to start by recognising the key role that paternal leave plays in supporting working families. The arrival of a child is transformative for all parents. The Government understand and value the vital role that fathers and partners play in raising children, and we want to support them to do that. I commend my hon. Friend for her work in this area.

We already have a statutory framework in place that guarantees eligible employed fathers and partners a protected period of paternity leave, ensuring that they cannot be required to work while claiming that leave, or be discriminated against by their employer for taking it. However, I recognise what my hon. Friend the Member for Darlington (Lola McEvoy) said about the limitations on those protections. I also pay tribute to her for her work on this issue.

Paternity leave is available to the father of the child or the mother's partner irrespective of their gender, and the leave can be taken by the father or partner at any point in the first year following the child's birth or adoption. I acknowledge the wider point made by my hon. Friend the Member for Darlington, which is that we need to do more to ensure that the parental leave system as a whole supports working families. As a Government, we have committed to doing that. I recently met The Dad Shift, Pregnant then Screwed and Working Families to discuss that very issue.

Through the Bill, we are making paternity leave and unpaid parental leave day one rights, meaning that employees will be eligible to give notice of their intent to take leave from their first day of employment, removing any continuity of service requirement. That brings them both into line with maternity leave and adoption leave, simplifying the system. We are also committed to reviewing the parental leave system. The review will be conducted separately from this Bill. Work is already under way

[Justin Madders]

across Government on planning for its delivery and will commence before Royal Assent. We are scoping the work already under way across the Department for Work and Pensions, the Department for Business and Trade, and the Ministry of Housing, Communities and Local Government. We of course want and expect to engage widely with stakeholders as part of that review process, and I would expect my hon. Friend the Member for Walthamstow to engage with us in that respect.

New clause 6, tabled by my hon. Friend the Member for Leeds East (Richard Burgon), would partially reinstate, to the Equality Act 2010, a similar measure that was sponsored by the previous Labour Government. This Government continue to have sympathy with its aims. We all know that the statutory questionnaire was sometimes found to be a helpful, informative tool. While the Government will not support new clause 6, we will be giving close consideration to the impact of the repeal of the statutory questionnaire and any steps that may be needed during this Parliament.

Ms Creasy: I am very pleased to hear confirmation that the review into parental rights, which I understand will begin in June, will go ahead. The Minister talks about stakeholders. Will he confirm whether they will include our trade union colleagues, because many of us are very happy to withdraw our amendments tonight on the basis that working people can be part of the conversation?

Justin Madders: I would fully expect us to consult with all relevant parties, so I do not think my hon. Friend need have any worries in that respect.

I pay tribute to two people who have been instrumental in shaping our thoughts on this issue: my hon. Friend the Member for Middlesbrough and Thornaby East (Andy McDonald) and my right hon. Friend the Member for Birmingham Hodge Hill and Solihull North (Liam Byrne). They tabled amendments on employment status. It is important to say that we are taking action in respect of those who work for umbrella companies. We have been clear that some reforms in the plan to make work pay will take longer to undertake and implement. We see consulting on a simpler two-part framework as a longer-term goal, but I assure them both that I remain committed to that. I also hear what my hon. Friend the Member for Middlesbrough and Thornaby East says in relation to his concerns about fire and rehire. We will be looking very closely at how our reforms work in practice.

New clause 17 seeks to create a legal definition of kinship care to be used to establish eligibility for kinship care leave. New clause 18 aims to establish a new kinship care leave entitlement for employed kinship carers, with a minimum of 52 weeks of leave available for eligible employees. I am pleased to say that the Government's Children's Wellbeing and Schools Bill will, for the first time, create a legal definition of kinship care for the purposes of specific measures in the Bill. By defining kinship care in law, the legislation will ensure that all local authorities have a clear and consistent understanding of what constitutes kinship care. I am also pleased to say that the Government have recently announced a £40 million package to trial a new kinship allowance. This is the single biggest investment made by this Government in kinship care to date and will enable children to be raised within their communities by their extended families.

New clause 10—another Liberal Democrat new clause tabled by the hon. Member for Torbay (Steve Darling)—which we debated in Committee, would commit the Government to introducing an entitlement for employees with caring responsibilities to be paid their usual wage while taking carer's leave. While we have stressed the Government's commitment to supporting employed unpaid carers and I have been engaging with Ministers and relevant bodies on the matter, the Carer's Leave Act 2023 only recently gave employed carers a new right to time off work to care for a dependant with a long-term care need, so we are reviewing this measure and considering whether further support is required.

I recognise that many of their amendments and new clauses come from a good place, but the Liberal Democrats have to decide whether they are going to be Manchester United or Manchester City; their speeches were littered with concerns about the increase in costs from the Bill, yet every new clause and amendment seems only to add to those costs. I understand that they are coming from a good place, but they have to decide whether or not they support the Bill. I hope they can make that decision before tomorrow night. At least the Liberal Democrats are here, unlike the new kids on the block, who are absent from the Benches behind them—I pay tribute to them for actually turning up today.

I will now address the points raised by the Opposition on harassment, as set out in amendments 288 and 289, in the name of the hon. Member for Arundel and South Downs (Andrew Griffith). Those amendments seek either to exclude the hospitality sector and sports venues from the Bill's obligations for employers not to permit the harassment of their employees by third parties or to remove clause 18 altogether, thus depriving employees of protection from all types of harassment by third parties under the Equality Act. Let us be clear: this Government are committed to making workplaces and working conditions free from harassment, and we must therefore protect employees from third-party harassment.

I want to underline two important points in relation to clause 18. First, on the expectations it places on employers, I would like to assure the House that employers cannot and are not expected to police or control every action of third parties; instead, employers simply need to do what is reasonable. What is reasonable will, of course, depend on the specific circumstances of the employer. Further, the steps that an employer can reasonably take in respect of the actions of third parties in its workplace are clearly more limited than the steps it can take in respect of its employees, and employment tribunals will, of course, take that into account when considering the facts of the case.

The second point relates to the threshold for what constitutes harassment. Far too often, I have heard objections to clause 18 implying that employers will be liable if their staff are offended by comments made by third parties, which is not the case at all—a fact reflected, I think, by the Conservatives supporting a similar measure in the previous Parliament. In his opening remarks, the shadow Minister asked what evidence there was that this clause was needed. The NHS staff survey for 2023 revealed that a quarter of all staff had suffered harassment, bullying or abuse from patients or service users, while a Unite survey said that 56% of its members had suffered third-party harassment. Presumably that is why UKHospitality, in its written evidence to the Bill Committee,

said that it supported the measures in principle. I will work with them to ensure that we protect everyone in the sector, because I believe that everyone who works in this country deserves protection from harassment. I think it is incredible that the Opposition cannot see a problem with arguing against that.

I will turn to new clause 105 on substitution clauses, which was tabled by the hon. Member for West Suffolk (Nick Timothy). I think it is fair to say that we are aware of the risks. I have been working closely with the Minister for Border Security on illegal working by irregular migrants in the gig economy and the role that substitution clauses play in facilitating that. We will continue to work closely with the Home Office on this issue.

The Opposition also tabled new clause 87, which seeks to require the Secretary of State to have regard to the UK's international competitiveness and economic growth when making any regulations under parts 1 and 2 of the Bill. The Government are already laser-focused on this key objective. Our plan to make work pay is a pro-growth package and sets out an ambitious agenda to deliver our plan for change by ensuring that employment rights are fit for a modern economy, empower working people and contribute to economic growth.

The plan will bring the UK back into line with our international competitors and directly address our low-growth, low-productivity and low-pay economy. *[Interruption.]* Conservative Members may be laughing, but they are the people who delivered that economy for so many years. International competitors and growth are at the heart of what we do. We will pay close attention to the potential impacts as we develop regulations to implement the measures in the Bill.

On small business support, I remind Members that I had a meeting with representatives from Inkwell, who said that introducing these changes will help create a happy and productive workplace and create a level playing field for employers. That is exactly what we want to achieve with the Bill. We understand that the best businesses want to look after their staff and that treating them well is good for business, good for workers and good for the wider economy. The Opposition's narrow view seems to be that anything that is good for workers is automatically bad for businesses. We absolutely reject that analysis.

In conclusion, giving people a baseline of security and respect at work is fundamental. It is clear that we need a change from the system where people do not know what hours they will get from one week to the next, where people with caring responsibilities never get the same benefits of flexibility as their employers, where a minority of rogue employers can fire and rehire at will, and where care workers and teaching assistants have all been undervalued for far too long. It is time to end these injustices. It is time to make work pay.

7.36 pm

Debate interrupted (Programme Order, this day).

The Deputy Speaker put forthwith the Question already proposed from the Chair (Standing Order No. 83E), That the clause be read a Second time.

Question agreed to.

The Deputy Speaker then put forthwith the Questions necessary for the disposal of the business to be concluded at that time (Standing Order No. 83E).

New Clause 33

COLLECTIVE AGREEMENTS: CONTRACTING OUT

"(1) The Employment Rights Act 1996 is amended as follows.

(2) After section 27BUA (inserted by section (Agency workers: guaranteed hours and rights relating to shifts)) insert—

'CHAPTER 4B

COLLECTIVE AGREEMENTS: CONTRACTING OUT

27BUB Zero hours workers, etc

(1) This section applies in relation to—
- (a) a duty imposed on an employer in respect of a worker, and
- (b) a right conferred on a worker in respect of an employer, by or under any provision of Chapter 2, 3 or 4.

(2) The duty or right is excluded if—
- (a) the worker is employed by the employer under a worker's contract ("the contract"),
- (b) a relevant collective agreement contains—
  - (i) terms that expressly exclude the duty or right, and
  - (ii) terms that expressly replace the excluded duty or right,
- (c) the terms within paragraph (b)(ii) are incorporated into the contract, and
- (d) the employer notifies the worker in writing of the incorporation and effect of those terms.

(3) A relevant collective agreement is a collective agreement that is—
- (a) in writing, and
- (b) made by or on behalf of—
  - (i) one or more trade unions which each have a certificate of independence, and
  - (ii) the worker's employer.

27BUC Agency workers

(1) This section applies in relation to—
- (a) a duty imposed on a hirer or a work-finding agency in respect of an agency worker, and
- (b) a right conferred on an agency worker in respect of a hirer or a work-finding agency, by or under any provision of Chapter 4A (including Schedule A1).

(2) The duty or right is excluded if—
- (a) the agency worker is supplied to work for and under the supervision and direction of the hirer by virtue of a worker's contract ("the contract") that the agency worker has with another person ("the other party"),
- (b) a relevant collective agreement contains—
  - (i) terms that expressly exclude the duty or right, and
  - (ii) terms that expressly replace the excluded duty or right,
- (c) the terms within paragraph (b)(ii) are incorporated into the contract, and
- (d) the other party notifies the agency worker in writing of the incorporation and effect of those terms.

(3) A relevant collective agreement is a collective agreement that is—
- (a) in writing, and
- (b) made by or on behalf of—
  - (i) one or more trade unions which each have a certificate of independence, and
  - (ii) the other party.

27BUD Supplementary provision

(1) For the purposes of sections 27BUB and 27BUC, it does not matter whether—
- (a) terms in a collective agreement that expressly replace a duty or right relate to the same subject matter as the duty or right, or

(b) a collective agreement ceases to be in force after the terms mentioned in section 27BUB(2)(b)(ii) or 27BUC(2)(b)(ii) are incorporated into the contract (within the meaning of section 27BUB or 27BUC, as the case may be), provided the terms continue to be incorporated.

(2) Where the duty to make a guaranteed hours offer under Chapter 2 or 4A is excluded by virtue of terms that are incorporated into a contract with a worker or, as the case may be, an agency worker, as mentioned in section 27BUB(2)(c) or 27BUC(2)(c), during the offer period, the duty ceases to apply.

(3) Where—

(a) the duty to make a guaranteed hours offer under Chapter 2 or 4A is excluded by virtue of terms that are incorporated into a contract with a worker or, as the case may be, an agency worker, as mentioned in section 27BUB(2)(c) or 27BUC(2)(c),

(b) a guaranteed hours offer has already been made in compliance with the duty, and

(c) the worker or agency worker has not accepted the offer, the person who made the offer may withdraw it during the response period by giving a notice to the worker or agency worker.

(4) The notice must include a statement to the effect that the offer is withdrawn in consequence of the exclusion of the duty to make a guaranteed hours offer as a result of the incorporation into the worker's or agency worker's contract, as mentioned in section 27BUB(2)(c) or 27BUC(2)(c), of terms contained in a collective agreement that expressly replace that duty.

(5) A worker or an agency worker to whom a notice is given in reliance on subsection (3) may present a complaint to an employment tribunal that subsection (3) did not permit the notice to be given.

(6) Where a complaint is presented under subsection (5)—

(a) by a worker, sections 27BH and 27BI apply in relation to the complaint as they apply in relation to a complaint under section 27BG(5)(b);

(b) by an agency worker, paragraphs 9 and 10 of Schedule A1 apply in relation to the complaint as they apply in relation to a complaint under paragraph 7(7)(b) of that Schedule.

(7) Subsection (8) applies where—

(a) the duty to make a guaranteed hours offer under Chapter 2 or 4A is excluded by virtue of terms that are incorporated into a contract with a worker or, as the case may be, an agency worker, as mentioned in section 27BUB(2)(c) or 27BUC(2)(c), and

(b) the duty ceases to be excluded as a result of the terms ceasing to be incorporated into the contract (including where the contract ceases to be in force).

(8) In applying Chapter 2 or 4A for the purposes of the duty after it has ceased to be excluded—

(a) in any case where there was a reference period in relation to the duty as it had effect before being excluded, that reference period is to be disregarded,

(b) in relation to a worker and the worker's employer, sections 27BA(5) and 27BF(3) have effect as if the first day on which the worker is employed by the employer is the day after the day on which the terms cease to be incorporated, and

(c) in relation to an agency worker and a hirer for and under the supervision and direction of whom the agency worker works, paragraphs 1(5) and 6(3) of Schedule A1 have effect as if the first day on which the agency worker so works is the day after the day on which the terms cease to be incorporated.

27BUE Regulations

(1) The Secretary of State may by regulations make further provision for the purposes of section 27BUB or 27BUC.

(2) The regulations may, in particular, make provision about—

(a) the effect on a duty in Chapters 2 to 4A of terms being or ceasing to be incorporated as mentioned in section 27BUB(2)(c) or 27BUC(2)(c),

(b) the form and manner in which a notice under section 27BUD(3) is to be given, and

(c) when a notice under section 27BUD(3) is to be treated as having been given.

27BUF Interpretation

(1) Terms used in this Chapter that are used in—

(a) Chapters 2 to 4 (rights relating to zero hours workers, etc), or

(b) Chapter 4A (including Schedule A1) (rights relating to agency workers), have the same meaning as in those Chapters or that Chapter (including that Schedule).

(2) In this Chapter, "certificate of independence" means a certificate issued under section 6 of the Trade Union and Labour Relations (Consolidation) Act 1992.

(3) In section 203 (restrictions on contracting out), in subsection (2), before paragraph (a) insert—

"(za) does not apply to terms of a collective agreement or contract that exclude a duty or right by virtue of provision made by or under Chapter 4B of Part 2A,"."—*(Justin Madders.)*

This new clause adds a new clause (intended to go after NC32) which provides for the exclusion of duties or rights under new Chapters 2 to 4A of Part 2A of the Employment Rights Act 1996 (inserted by clauses 1 to 3 of the Bill and that new clause) under the terms of collective agreements.

Brought up, and added to the Bill.

New Clause 34

COLLECTIVE REDUNDANCY CONSULTATION: PROTECTED PERIOD

"(1) Chapter 2 of Part 4 of the Trade Union and Labour Relations (Consolidation) Act 1992 (procedure for handling redundancies) is amended as follows.

(2) In section 189 (duty to consult representatives: complaint and protective award), in subsection (4), in the words after paragraph (b), for '90' substitute '180'.

(3) In section 197 (power to vary provisions), in subsection (1)(b), for 'periods' substitute 'period'."—*(Justin Madders.)*

This new clause would allow an employment tribunal to impose a higher protective award on an employer who is in breach of the requirements to consult representatives in a collective redundancy.

Brought up, and added to the Bill.

New Clause 35

DUTY TO KEEP RECORDS RELATING TO ANNUAL LEAVE

"(1) The Working Time Regulations 1998 (S.I. 1998/1833) are amended as follows.

(2) In Part 2 (rights and obligations concerning working time), after regulation 16A insert—

'Records relating to annual leave entitlement

16B.—(1) An employer must—

(a) keep records which are adequate to show whether the employer has complied with the entitlements conferred by regulations 13(1), 13A(1), 15B(2) and 16(1) and the requirements in regulations 14(2) and (6) and 15E(2);

(b) retain such records for six years from the date on which they were made.

(2) The records referred to in paragraph (1)(a) may be created, maintained and kept in such manner and format as the employer reasonably thinks fit.'

(3) In regulation 29 (offences), in paragraph (1), after "the relevant requirements" insert "or with regulation 16B(1)".

(4) In regulation 29C (restriction on institution of proceedings in England and Wales)—

(a) the existing provision becomes paragraph (1);

(b) after that paragraph insert—

'(2) But paragraph (1) does not prevent the Secretary of State from instituting proceedings in England and Wales for an offence under regulation 29(1) in respect of a failure to comply with regulation 16B(1) (duty to keep records).'" —*(Justin Madders.)*

This new clause imposes an obligation on employers to keep records to show that they have complied with certain entitlements conferred on workers by the Working Time Regulations 1998 in relation to annual leave. Subsection (3) of the new clause makes it an offence, punishable with a fine, to fail to comply with this duty.

Brought up, and added to the Bill.

New Clause 36

Extension of regulation of employment businesses

"In section 13 of the Employment Agencies Act 1973 (interpretation), for subsection (3) substitute—

'(3) For the purposes of this Act "employment business" means the business (whether or not carried on with a view to profit and whether or not carried on in conjunction with any other business) of participating in employment arrangements.

(3A) "Employment arrangements" means arrangements under which persons who are, or are intended to be, in the employment of a person are, or are intended to be, supplied to act for, and under the control of, another person in any capacity.

(3B) "Participating in" employment arrangements means doing any of the following in connection with the arrangements—

(a) being an employer of the persons who are, or are intended to be, supplied under the arrangements;

(b) paying for, or receiving or forwarding payment for, the services of those persons, in consideration of directly or indirectly receiving a fee from those persons;

(c) supplying those persons (whether or not under the arrangements);

(d) taking steps with a view to doing anything mentioned in paragraphs (a) to (c).'" —*(Justin Madders.)*

This new clause would expand the scope of the Employment Agencies Act 1973 to cover other types of business that participate in arrangements under which persons are supplied by their employer to work for other persons (such as "umbrella companies").

Brought up, and added to the Bill.

New Clause 37

Power to establish Social Care Negotiating Body

"(1) For the purposes of this Chapter, the Secretary of State may by regulations provide for there to be a body in England known as the Adult Social Care Negotiating Body for England.

(2) For the purposes of this Chapter, the Welsh Ministers may, with the agreement of the Secretary of State, by regulations provide for there to be a body in Wales known as the Social Care Negotiating Body for Wales.

(3) For the purposes of this Chapter, the Scottish Ministers may, with the agreement of the Secretary of State, by regulations provide for there to be a body in Scotland known as the Social Care Negotiating Body for Scotland.

(4) Any power of the Welsh Ministers or the Scottish Ministers to make regulations under the remaining provisions of this Chapter may not be exercised without the agreement of the Secretary of State.

(5) In this Chapter—

'the appropriate authority'—

(a) in relation to the Adult Social Care Negotiating Body for England, means the Secretary of State;

(b) in relation to the Social Care Negotiating Body for Wales, means the Welsh Ministers;

(c) in relation to the Social Care Negotiating Body for Scotland, means the Scottish Ministers;

'Negotiating Body' means a body established by regulations under this section."—*(Justin Madders)*

This new clause would enable the Welsh Ministers and the Scottish Ministers, with the agreement of the Secretary of State, to establish a Social Care Negotiating Body for Wales and for Scotland respectively. As a result, Chapter 2 of Part 3 is amended to enable regulation-making powers conferred on the Secretary of State by Chapter 2 also to be exercisable by the Welsh Ministers and the Scottish Ministers. These powers may not be exercised without the Secretary of State's agreement.

Brought up, and added to the Bill.

New Clause 38

Agency workers who are not otherwise "workers"

"(1) This section applies in any case where an individual (the 'agency worker')—

(a) is supplied by a person (the 'agent') to do work for another (the 'principal') under a contract or other arrangements made between the agent and the principal,

(b) is not, as respects that work, a worker, because of the absence of a worker's contract between the individual and the agent or the principal, and

(c) is not a party to a contract under which the agency worker undertakes to do the work for another party to the contract whose status is, by virtue of the contract, that of a client or customer of any profession or business undertaking carried on by the individual.

(2) The provisions of this Chapter (other than this section) have effect as if there were a worker's contract for the doing of the work by the agency worker made between the agency worker and—

(a) whichever of the agent and the principal is responsible for paying the agency worker in respect of the work, or

(b) if neither the agent nor the principal is so responsible, whichever of them pays the agency worker in respect of the work.

(3) For the purposes of Part 2 of the Employment Rights Act 1996 (protection of wages), as it applies in relation to the entitlements conferred by sections 38(2) and 39(5)—

(a) if at any time the agency worker and the person who, as a result of this section, is the person's employer for the purposes of this Chapter would not (apart from this subsection) be regarded as the worker and the employer for the purposes of that Part, they are to be so regarded;

(b) it is to be assumed that there was a worker's contract between those persons at that time.

(4) If there would (in the absence of this section) be no worker's contract between the agency worker and the person who, as a result of this section, is the person's employer for the purposes of this Chapter, for the purpose of enforcing any entitlement conferred by section 38(2) or (3) or 39(5) or (6) in civil proceedings on a claim in contract it is to be assumed that there is (or was) such a contract between those persons.

(5) Any reference in this section to doing work includes a reference to performing services, and 'work' is to be read accordingly."—*(Justin Madders.)*

This new clause reproduces the provision previously found in clause 46(2) to (4) that ensures that the provisions of Chapter 2 of Part 3 also apply in relation to agency workers who are not otherwise "workers" as defined by clause 46. It also ensures that, where an agency worker does not have a worker's contract, this does not prevent the agency worker from bringing a claim in an employment tribunal under Part 2 of the Employment Rights Act 1996, or in civil proceedings on a claim in contract, for a failure to pay the remuneration to which the agency worker would be entitled as a result of an agreement or regulations under Chapter 2.

Brought up, and added to the Bill.

New Clause 10

CARER'S LEAVE: REMUNERATION

"(1) In section 80K of the Employment Rights Act 1996, omit subsection (3) and insert—

"(3) In subsection (1)(a), "terms and conditions of employment" includes—

(a) matters connected with an employee's employment whether or not they arise under the contract of employment, and

(b) terms and conditions about remuneration.""—*(Steve Darling.)*

This new clause would make Carer's Leave a paid entitlement.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 95, Noes 323.

Division No. 114] [7.37 pm

AYES

Adam, Shockat
Allister, Jim
Amos, Gideon
Aquarone, Steff
Babarinde, Josh
Begum, Apsana *(Proxy vote cast by Zarah Sultana)*
Bennett, Alison
Berry, Siân
Blackman, Kirsty
Brown-Fuller, Jess
Campbell, Mr Gregory
Carmichael, rh Mr Alistair
Chadwick, David *(Proxy vote cast by Mr Forster)*
Chamberlain, Wendy
Chambers, Dr Danny
Chowns, Ellie
Coghlan, Chris
Collins, Victoria
Cooper, Daisy
Corbyn, rh Jeremy
Dance, Adam
Darling, Steve
Davey, rh Ed
Davies, Ann
Denyer, Carla
Dillon, Mr Lee
Doogan, Dave
Dyke, Sarah
Easton, Alex
Eastwood, Colum
Farron, Tim
Flynn, rh Stephen
Foord, Richard
Forster, Mr Will
Franklin, Zöe
George, Andrew
Gethins, Stephen
Gibson, Sarah *(Proxy vote cast by Anna Sabine)*
Glover, Olly
Goldman, Marie
Gordon, Tom
Green, Sarah
Hanna, Claire
Harding, Monica
Heylings, Pippa
Hobhouse, Wera
Hussain, Mr Adnan
Jarvis, Liz
Jones, Clive
Khan, Ayoub
Kohler, Mr Paul
Lake, Ben
Law, Chris
Leadbitter, Graham
Logan, Seamus
MacCleary, James
MacDonald, Mr Angus
Maguire, Ben
Martin, Mike
Mathew, Brian
Medi, Llinos
van Mierlo, Freddie
Miller, Calum
Milne, John
Mohamed, Iqbal
Moran, Layla
Morello, Edward
Morgan, Helen
Morrison, Mr Tom *(Proxy vote cast by Mr Forster)*
Munt, Tessa
O'Hara, Brendan
Perteghella, Manuela
Pinkerton, Dr Al
Ramsay, Adrian
Reynolds, Mr Joshua
Robinson, rh Gavin
Roome, Ian
Sabine, Anna
Savage, Dr Roz
Saville Roberts, rh Liz
Shannon, Jim
Slade, Vikki
Smart, Lisa
Sollom, Ian
Stone, Jamie
Sultana, Zarah
Swann, Robin
Taylor, Luke
Thomas, Cameron
Voaden, Caroline
Wilkinson, Max
Wilson, Munira
Wishart, Pete
Wrigley, Martin
Young, Claire

Tellers for the Ayes:
Charlie Maynard and Bobby Dean

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abbott, Jack
Abrahams, Debbie
Ahmed, Dr Zubir
Akehurst, Luke
Alaba, Mr Bayo
Aldridge, Dan
Alexander, rh Mr Douglas
Alexander, rh Heidi
Al-Hassan, Sadik
Ali, Tahir
Anderson, Callum
Anderson, Fleur
Arthur, Dr Scott
Asato, Jess
Asser, James
Athwal, Jas
Atkinson, Catherine
Atkinson, Lewis
Bailey, Mr Calvin
Bailey, Olivia
Baines, David
Baker, Alex
Baker, Richard
Ballinger, Alex
Barker, Paula
Barron, Lee
Barros-Curtis, Mr Alex
Baxter, Johanna
Beales, Danny
Beavers, Lorraine
Betts, Mr Clive
Billington, Ms Polly
Bishop, Matt
Blake, Olivia *(Proxy vote cast by Chris Elmore)*
Bloore, Chris
Blundell, Mrs Elsie *(Proxy vote cast by Chris Elmore)*
Bonavia, Kevin
Botterill, Jade
Brackenridge, Mrs Sureena
Brash, Mr Jonathan
Brickell, Phil
Bryant, Chris
Buckley, Julia
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Caliskan, Nesil
Campbell, rh Sir Alan
Campbell, Irene
Campbell, Juliet
Campbell-Savours, Markus
Carling, Sam
Charalambous, Bambos
Charters, Mr Luke
Coleman, Ben
Collier, Jacob
Collinge, Lizzi
Collins, Tom
Coombes, Sarah
Cooper, Andrew
Cooper, Dr Beccy
Cooper, rh Yvette
Costigan, Deirdre
Cox, Pam
Craft, Jen
Creagh, Mary
Creasy, Ms Stella
Curtis, Chris
Dakin, Sir Nicholas
Darlington, Emily
Davies, Jonathan
Davies, Paul
Davies, Shaun
Davies-Jones, Alex
Dean, Josh
Dearden, Kate
Dhesi, Mr Tanmanjeet Singh
Dickson, Jim
Dixon, Samantha
Dodds, rh Anneliese
Dollimore, Helena
Dowd, Peter
Downie, Graeme
Duffield, Rosie
Duncan-Jordan, Neil
Eagle, Dame Angela
Eagle, rh Maria
Edwards, Lauren
Edwards, Sarah
Egan, Damien
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Fahnbulleh, Miatta
Farnsworth, Linsey
Fenton-Glynn, Josh
Ferguson, Mark
Fleet, Natalie
Foody, Emma
Foster, Mr Paul
Foxcroft, Vicky
Foy, Mary Kelly
Francis, Daniel

Frith, Mr James
Furniss, Gill
Gardner, Dr Allison
Gelderd, Anna
Gemmell, Alan
German, Gill
Gilbert, Tracy
Gill, Preet Kaur
Gittins, Becky
Glindon, Mary
Goldsborough, Ben *(Proxy vote cast by Chris Elmore)*
Gosling, Jodie
Gould, Georgia
Grady, John
Greenwood, Lilian
Griffith, Dame Nia
Gwynne, Andrew *(Proxy vote cast by Chris Elmore)*
Hack, Amanda
Haigh, rh Louise
Hall, Sarah
Hamilton, Fabian
Hamilton, Paulette
Harris, Carolyn
Hatton, Lloyd
Hayes, Helen
Hayes, Tom
Hazelgrove, Claire
Hillier, Dame Meg
Hinchliff, Chris
Hodgson, Mrs Sharon
Hopkins, Rachel
Hughes, Claire
Hume, Alison
Huq, Dr Rupa
Hurley, Patrick
Hussain, Imran
Ingham, Leigh
Irons, Natasha
Jameson, Sally
Jermy, Terry
Jogee, Adam
Johnson, rh Dame Diana
Johnson, Kim
Jones, Gerald
Jones, Lillian
Jones, Louise
Jones, Ruth
Jones, Sarah
Josan, Gurinder Singh
Joseph, Sojan
Juss, Warinder
Kane, Chris
Kane, Mike
Kaur, Satvir *(Proxy vote cast by Chris Elmore)*
Khan, Afzal
Kinnock, Stephen
Kirkham, Jayne
Kumar, Sonia
Kumaran, Uma
Lamb, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Noah
Leadbeater, Kim
Leishman, Brian
Lewell-Buck, Mrs Emma
Lewin, Andrew
Lewis, Clive
MacAlister, Josh
Macdonald, Alice
MacNae, Andy
Madders, Justin
Martin, Amanda
Maskell, Rachael
Mayer, Alex
McAllister, Douglas
McCluskey, Martin
McDonagh, Dame Siobhain
McDonald, Andy
McDonald, Chris
McDonnell, rh John
McDougall, Blair
McEvoy, Lola
McGovern, Alison
McIntyre, Alex
McKee, Gordon
McKenna, Kevin
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
McNally, Frank
McNeill, Kirsty
Miliband, rh Ed
Minns, Ms Julie
Mishra, Navendu
Mohamed, Abtisam
Moon, Perran
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Morris, Joe
Mullane, Margaret
Murphy, Luke
Murray, Chris
Murray, rh Ian *(Proxy vote cast by Chris Elmore)*
Murray, Katrina
Myer, Luke
Naismith, Connor
Narayan, Kanishka
Nash, Pamela *(Proxy vote cast by Chris Elmore)*
Newbury, Josh
Nichols, Charlotte
Norris, Alex
Onn, Melanie
Onwurah, Chi
Opher, Dr Simon
Oppong-Asare, Ms Abena
Osborne, Kate *(Proxy vote cast by Kim Johnson)*
Owen, Sarah
Paffey, Darren
Pakes, Andrew
Patrick, Matthew
Payne, Michael
Peacock, Stephanie
Pearce, Jon
Pennycook, Matthew
Perkins, Mr Toby
Pinto-Duschinsky, David
Pitcher, Lee
Platt, Jo
Pollard, Luke
Powell, rh Lucy
Poynton, Gregor
Prinsley, Peter
Quigley, Mr Richard
Qureshi, Yasmin
Race, Steve
Rand, Mr Connor
Ranger, Andrew
Rayner, rh Angela
Reynolds, Emma
Reynolds, rh Jonathan
Rhodes, Martin
Ribeiro-Addy, Bell
Richards, Jake
Riddell-Carpenter, Jenny
Rigby, Lucy
Robertson, Dave
Roca, Tim
Rodda, Matt
Rushworth, Sam
Russell, Mrs Sarah
Rutland, Tom
Ryan, Oliver
Sackman, Sarah
Sandher, Dr Jeevun
Sewards, Mark
Shah, Naz
Shanker, Baggy
Shanks, Michael
Siddiq, Tulip
Simons, Josh
Slaughter, Andy
Slinger, John
Smith, Cat
Smith, David
Smith, Jeff
Smith, Nick
Smyth, Karin
Snell, Gareth
Sobel, Alex
Stainbank, Euan
Stevens, rh Jo
Stevenson, Kenneth
Stone, Will
Strathern, Alistair
Strickland, Alan
Sullivan, Dr Lauren
Swallow, Peter
Tami, rh Mark
Tapp, Mike
Taylor, David
Thomas-Symonds, rh Nick
Thompson, Adam
Tidball, Dr Marie
Timms, rh Sir Stephen
Toale, Jessica
Trickett, Jon
Tufnell, Henry
Turley, Anna
Turmaine, Matt
Turner, Karl
Turner, Laurence
Twigg, Derek
Twist, Liz
Uppal, Harpreet
Vaughan, Tony
Vince, Chris
Wakeford, Christian
Walker, Imogen
Ward, Chris
Ward, Melanie
Webb, Chris
Welsh, Michelle
Western, Andrew
Western, Matt
Wheeler, Michael
Whitby, John
White, Katie
Whittome, Nadia
Williams, David
Witherden, Steve
Woodcock, Sean
Wrighting, Rosie
Yang, Yuan
Yasin, Mohammad
Yemm, Steve
Zeichner, Daniel

Tellers for the Noes:
Gen Kitchen and
Taiwo Owatemi

Question accordingly negatived.

New Clause 30

SPECIAL CONSTABLES: RIGHT TO TIME OFF FOR PUBLIC DUTIES

"(1) The Employment Rights Act 1996 is amended is follows.

(2) In section 50 (Right to time off for public duties), after subsection (1) insert—

'(1A) An employer shall permit an employee who is a special constable, appointed in accordance with section 27 of the Police Act 1996, section 9 of the Police and Fire Reform (Scotland) Act 2012 or section 25 of the Railways and Transport Safety Act 2003, to take time off during the employee's working hours for the purpose of performing their duties.

(1B) In section (1A), "duties" means any activity under the direction of a chief officer of police.'"—*(Sir Ashley Fox.)*

This new clause gives employees who are special constables the right to time off to carry out their police duties.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 189, Noes 324.

Division No. 115] [7.50 pm

AYES

Adam, Shockat
Allister, Jim
Amos, Gideon
Anderson, Stuart *(Proxy vote cast by Mr Mohindra)*
Andrew, rh Stuart
Aquarone, Steff
Argar, rh Edward
Babarinde, Josh
Bacon, Gareth
Badenoch, rh Mrs Kemi
Baldwin, Dame Harriett
Barclay, rh Steve
Bedford, Mr Peter
Bennett, Alison
Berry, Siân
Blackman, Bob
Blackman, Kirsty
Bool, Sarah
Bowie, Andrew
Brandreth, Aphra
Braverman, rh Suella
Brown-Fuller, Jess
Burghart, Alex
Campbell, Mr Gregory
Carmichael, rh Mr Alistair
Cartlidge, James
Chadwick, David *(Proxy vote cast by Mr Forster)*
Chamberlain, Wendy
Chambers, Dr Danny
Chowns, Ellie
Cleverly, rh Mr James
Clifton-Brown, Sir Geoffrey
Cocking, Lewis
Coghlan, Chris
Collins, Victoria
Cooper, Daisy
Cooper, John
Corbyn, rh Jeremy
Costa, Alberto
Coutinho, rh Claire *(Proxy vote cast by Joy Morrissey)*
Cox, rh Sir Geoffrey
Cross, Harriet
Dance, Adam
Darling, Steve
Davey, rh Ed
Davies, Ann
Davies, Gareth
Davies, Mims
Davis, rh David
Dean, Bobby
Denyer, Carla
Dewhirst, Charlie
Dillon, Mr Lee
Doogan, Dave
Dowden, rh Sir Oliver
Duncan Smith, rh Sir Iain
Dyke, Sarah
Easton, Alex
Evans, Dr Luke
Farron, Tim
Flynn, rh Stephen
Foord, Richard
Forster, Mr Will
Fortune, Peter
Fox, Sir Ashley
Francois, rh Mr Mark
Franklin, Zöe
French, Mr Louie
Fuller, Richard
Gale, rh Sir Roger
Garnier, Mark
George, Andrew
Gethins, Stephen
Gibson, Sarah *(Proxy vote cast by Anna Sabine)*
Glen, rh John
Glover, Olly
Goldman, Marie
Gordon, Tom
Green, Sarah
Griffith, Andrew
Griffiths, Alison
Harding, Monica
Harris, Rebecca
Hayes, rh Sir John
Heylings, Pippa
Hinds, rh Damian
Hoare, Simon
Hobhouse, Wera
Huddleston, Nigel
Hudson, Dr Neil
Hussain, Mr Adnan
Jarvis, Liz
Jenkin, Sir Bernard
Jenrick, rh Robert
Jones, Clive
Jopp, Lincoln
Kearns, Alicia *(Proxy vote cast by Joy Morrissey)*
Khan, Ayoub
Kohler, Mr Paul
Kruger, Danny
Lake, Ben
Lam, Katie
Lamont, John
Law, Chris
Leadbitter, Graham
Leigh, rh Sir Edward
Lewis, rh Sir Julian
Logan, Seamus
Lopez, Julia
MacCleary, James
MacDonald, Mr Angus
Maguire, Ben
Mak, Alan
Malthouse, rh Kit
Martin, Mike
Mathew, Brian
Maynard, Charlie
McVey, rh Esther
Medi, Llinos
van Mierlo, Freddie
Miller, Calum
Milne, John
Mohamed, Iqbal
Mohindra, Mr Gagan
Moore, Robbie
Moran, Layla
Morello, Edward
Morgan, Helen
Morrison, Mr Tom *(Proxy vote cast by Mr Forster)*
Morrissey, Joy
Morton, rh Wendy
Mullan, Dr Kieran
Munt, Tessa
Murrison, rh Dr Andrew
Norman, rh Jesse
Obese-Jecty, Ben
O'Brien, Neil
O'Hara, Brendan
Paul, Rebecca
Perteghella, Manuela
Pinkerton, Dr Al
Raja, Shivani *(Proxy vote cast by Mr Mohindra)*
Ramsay, Adrian
Rankin, Jack
Reed, David
Reynolds, Mr Joshua
Robertson, Joe
Robinson, rh Gavin
Roome, Ian
Rosindell, Andrew
Sabine, Anna
Savage, Dr Roz
Saville Roberts, rh Liz
Shannon, Jim
Shastri-Hurst, Dr Neil
Simmonds, David
Slade, Vikki
Smart, Lisa
Smith, Greg
Smith, rh Sir Julian
Smith, Rebecca
Snowden, Mr Andrew
Sollom, Ian
Spencer, Patrick
Stafford, Gregory
Stephenson, Blake
Stone, Jamie
Stride, rh Mel
Stuart, rh Graham
Swann, Robin
Swayne, rh Sir Desmond
Taylor, Luke
Thomas, Bradley
Thomas, Cameron
Timothy, Nick
Trott, rh Laura
Vickers, Martin
Vickers, Matt
Voaden, Caroline
Whately, Helen
Whittingdale, rh Sir John
Wild, James
Wilkinson, Max
Williamson, rh Sir Gavin
Wishart, Pete
Wood, Mike
Wright, rh Sir Jeremy
Wrigley, Martin
Young, Claire

Tellers for the Ayes:
Paul Holmes and Jerome Mayhew

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abbott, Jack
Abrahams, Debbie
Ahmed, Dr Zubir
Akehurst, Luke
Alaba, Mr Bayo
Aldridge, Dan
Alexander, rh Mr Douglas
Alexander, rh Heidi
Al-Hassan, Sadik
Ali, Tahir
Anderson, Callum
Anderson, Fleur
Arthur, Dr Scott
Asato, Jess
Asser, James
Athwal, Jas
Atkinson, Catherine
Atkinson, Lewis
Bailey, Mr Calvin
Bailey, Olivia
Baines, David
Baker, Alex
Baker, Richard
Ballinger, Alex
Barker, Paula
Barron, Lee
Barros-Curtis, Mr Alex
Baxter, Johanna
Beales, Danny
Beavers, Lorraine
Begum, Apsana *(Proxy vote cast by Zarah Sultana)*
Betts, Mr Clive
Billington, Ms Polly
Bishop, Matt
Blake, Olivia *(Proxy vote cast by Chris Elmore)*
Bloore, Chris
Blundell, Mrs Elsie *(Proxy vote cast by Chris Elmore)*
Bonavia, Kevin
Botterill, Jade
Brackenridge, Mrs Sureena
Brash, Mr Jonathan
Brickell, Phil
Bryant, Chris
Buckley, Julia
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Caliskan, Nesil
Campbell, rh Sir Alan
Campbell, Irene
Campbell, Juliet
Campbell-Savours, Markus
Carling, Sam
Charalambous, Bambos
Charters, Mr Luke
Coleman, Ben
Collier, Jacob
Collinge, Lizzi
Collins, Tom
Coombes, Sarah
Cooper, Andrew
Cooper, Dr Beccy
Cooper, rh Yvette
Costigan, Deirdre
Cox, Pam

Craft, Jen
Creasy, Ms Stella
Curtis, Chris
Dakin, Sir Nicholas
Darlington, Emily
Davies, Jonathan
Davies, Paul
Davies, Shaun
Davies-Jones, Alex
Dean, Josh
Dearden, Kate
Dhesi, Mr Tanmanjeet Singh
Dickson, Jim
Dixon, Anna
Dixon, Samantha
Dodds, rh Anneliese
Dollimore, Helena
Dowd, Peter
Downie, Graeme
Duffield, Rosie
Duncan-Jordan, Neil
Eagle, Dame Angela
Eagle, rh Maria
Edwards, Lauren
Edwards, Sarah
Egan, Damien
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Fahnbulleh, Miatta
Farnsworth, Linsey
Fenton-Glynn, Josh
Ferguson, Mark
Fleet, Natalie
Foody, Emma
Foster, Mr Paul
Foxcroft, Vicky
Foy, Mary Kelly
Francis, Daniel
Frith, Mr James
Furniss, Gill
Gardner, Dr Allison
Gelderd, Anna
Gemmell, Alan
German, Gill
Gilbert, Tracy
Gill, Preet Kaur
Gittins, Becky
Glindon, Mary
Goldsborough, Ben *(Proxy vote cast by Chris Elmore)*
Gosling, Jodie
Gould, Georgia
Grady, John
Greenwood, Lilian
Griffith, Dame Nia
Gwynne, Andrew *(Proxy vote cast by Chris Elmore)*
Hack, Amanda
Haigh, rh Louise
Hall, Sarah
Hamilton, Fabian
Hamilton, Paulette
Harris, Carolyn
Hatton, Lloyd
Hayes, Helen
Hayes, Tom
Hazelgrove, Claire
Hillier, Dame Meg
Hinchliff, Chris
Hodgson, Mrs Sharon
Hopkins, Rachel
Hughes, Claire
Hume, Alison
Huq, Dr Rupa
Hurley, Patrick
Hussain, Imran
Ingham, Leigh
Irons, Natasha
Jameson, Sally
Jermy, Terry
Jogee, Adam
Johnson, rh Dame Diana
Johnson, Kim
Jones, Gerald
Jones, Lillian
Jones, Louise
Jones, Ruth
Jones, Sarah
Josan, Gurinder Singh
Joseph, Sojan
Juss, Warinder
Kane, Chris
Kane, Mike
Kaur, Satvir *(Proxy vote cast by Chris Elmore)*
Khan, Afzal
Kinnock, Stephen
Kirkham, Jayne
Kumar, Sonia
Kumaran, Uma
Lamb, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Noah
Leadbeater, Kim
Leishman, Brian
Lewell-Buck, Mrs Emma
Lewin, Andrew
Lewis, Clive
MacAlister, Josh
Macdonald, Alice
MacNae, Andy
Madders, Justin
Martin, Amanda
Maskell, Rachael
Mayer, Alex
McAllister, Douglas
McCluskey, Martin
McDonagh, Dame Siobhain
McDonald, Andy
McDonald, Chris
McDonnell, rh John
McDougall, Blair
McEvoy, Lola
McGovern, Alison
McIntyre, Alex
McKee, Gordon
McKenna, Kevin
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
McNally, Frank
McNeill, Kirsty
Miliband, rh Ed
Minns, Ms Julie
Mishra, Navendu
Mohamed, Abtisam
Moon, Perran
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Morris, Joe
Mullane, Margaret
Murphy, Luke
Murray, Chris
Murray, rh Ian *(Proxy vote cast by Chris Elmore)*
Murray, Katrina
Myer, Luke
Naismith, Connor
Narayan, Kanishka
Nash, Pamela *(Proxy vote cast by Chris Elmore)*
Newbury, Josh
Nichols, Charlotte
Norris, Alex
Onn, Melanie
Onwurah, Chi
Opher, Dr Simon
Oppong-Asare, Ms Abena
Osborne, Kate *(Proxy vote cast by Kim Johnson)*
Owen, Sarah
Paffey, Darren
Pakes, Andrew
Patrick, Matthew
Payne, Michael
Peacock, Stephanie
Pearce, Jon
Pennycook, Matthew
Perkins, Mr Toby
Pinto-Duschinsky, David
Pitcher, Lee
Platt, Jo
Pollard, Luke
Powell, rh Lucy
Poynton, Gregor
Prinsley, Peter
Quigley, Mr Richard
Qureshi, Yasmin
Race, Steve
Rand, Mr Connor
Ranger, Andrew
Rayner, rh Angela
Reynolds, Emma
Reynolds, rh Jonathan
Rhodes, Martin
Ribeiro-Addy, Bell
Richards, Jake
Riddell-Carpenter, Jenny
Rigby, Lucy
Robertson, Dave
Roca, Tim
Rodda, Matt
Rushworth, Sam
Russell, Mrs Sarah
Rutland, Tom
Ryan, Oliver
Sandher, Dr Jeevun
Sewards, Mark
Shah, Naz
Shanker, Baggy
Shanks, Michael
Siddiq, Tulip
Slaughter, Andy
Slinger, John
Smith, Cat
Smith, David
Smith, Jeff
Smith, Nick
Smyth, Karin
Snell, Gareth
Sobel, Alex
Stainbank, Euan
Stevens, rh Jo
Stevenson, Kenneth
Strathern, Alistair
Strickland, Alan
Sullivan, Dr Lauren
Sultana, Zarah
Swallow, Peter
Tami, rh Mark
Tapp, Mike
Taylor, David
Thomas-Symonds, rh Nick
Thompson, Adam
Tidball, Dr Marie
Timms, rh Sir Stephen
Toale, Jessica
Trickett, Jon
Tufnell, Henry
Turley, Anna
Turmaine, Matt
Turner, Karl
Turner, Laurence
Twigg, Derek
Twist, Liz
Uppal, Harpreet
Vaughan, Tony
Vince, Chris
Wakeford, Christian
Walker, Imogen
Ward, Chris
Ward, Melanie
Webb, Chris
Welsh, Michelle
Western, Andrew
Western, Matt
Wheeler, Michael
Whitby, John
White, Jo
White, Katie
Whittome, Nadia
Williams, David
Witherden, Steve
Woodcock, Sean
Wrighting, Rosie
Yang, Yuan
Yasin, Mohammad
Yemm, Steve
Zeichner, Daniel

Tellers for the Noes:
Gen Kitchen and Taiwo Owatemi

Question accordingly negatived.

New Clause 87

REGULATIONS UNDER PART 1 AND 2

"When making regulations under Parts 1 and 2 of this Act, the Secretary of State must have regard to the following objectives—

(a) the international competitiveness of the economy of the United Kingdom; and

(b) the economic growth of the United Kingdom in the medium to long term."—*(Greg Smith.)*

This new clause would require the Secretary of State, when making regulations under Part 1 and 2 of the Bill, to have regard to the objective of the international competitiveness of the economy and its growth in the medium to long term.

Brought up.

Question put, That the clause be added to the Bill.

The House divided: Ayes 106, Noes 340.

Division No. 116] [8.5 pm

AYES

Allister, Jim
Anderson, Lee
Anderson, Stuart *(Proxy vote cast by Mr Mohindra)*
Andrew, rh Stuart
Argar, rh Edward
Bacon, Gareth
Badenoch, rh Mrs Kemi
Baldwin, Dame Harriett
Barclay, rh Steve
Bedford, Mr Peter
Blackman, Bob
Bool, Sarah
Bowie, Andrew
Brandreth, Aphra
Braverman, rh Suella
Burghart, Alex
Campbell, Mr Gregory
Cartlidge, James
Cleverly, rh Mr James
Clifton-Brown, Sir Geoffrey
Cocking, Lewis
Cooper, John
Costa, Alberto
Coutinho, rh Claire *(Proxy vote cast by Joy Morrissey)*
Cox, rh Sir Geoffrey
Cross, Harriet
Davies, Gareth
Davies, Mims
Davis, rh David
Dewhirst, Charlie
Dowden, rh Sir Oliver
Duncan Smith, rh Sir Iain
Easton, Alex
Evans, Dr Luke
Fortune, Peter
Fox, Sir Ashley
Francois, rh Mr Mark
French, Mr Louie
Fuller, Richard
Gale, rh Sir Roger
Garnier, Mark
Glen, rh John
Griffith, Andrew
Griffiths, Alison
Harris, Rebecca
Hayes, rh Sir John
Hinds, rh Damian
Hoare, Simon
Huddleston, Nigel
Hudson, Dr Neil
Jenkin, Sir Bernard
Jenrick, rh Robert
Jopp, Lincoln
Kearns, Alicia *(Proxy vote cast by Joy Morrissey)*
Kruger, Danny
Lam, Katie
Lamont, John
Leigh, rh Sir Edward
Lewis, rh Sir Julian
Lopez, Julia
Mak, Alan
Malthouse, rh Kit
McMurdock, James *(Proxy vote cast by Lee Anderson)*
McVey, rh Esther
Mohindra, Mr Gagan
Moore, Robbie
Morrissey, Joy
Morton, rh Wendy
Mullan, Dr Kieran
Murrison, rh Dr Andrew
Obese-Jecty, Ben
O'Brien, Neil
Paul, Rebecca
Raja, Shivani *(Proxy vote cast by Mr Mohindra)*
Rankin, Jack
Reed, David
Robertson, Joe
Robinson, rh Gavin
Rosindell, Andrew
Shannon, Jim
Shastri-Hurst, Dr Neil
Simmonds, David
Smith, Greg
Smith, rh Sir Julian
Smith, Rebecca
Snowden, Mr Andrew
Spencer, Patrick
Stafford, Gregory
Stephenson, Blake
Stride, rh Mel
Stuart, rh Graham
Swann, Robin
Swayne, rh Sir Desmond
Thomas, Bradley
Tice, Richard
Timothy, Nick
Trott, rh Laura
Tugendhat, rh Tom
Vickers, Martin
Vickers, Matt
Whately, Helen
Whittingdale, rh Sir John
Wild, James
Williamson, rh Sir Gavin
Wood, Mike
Wright, rh Sir Jeremy

Tellers for the Ayes:
Paul Holmes and Jerome Mayhew

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abbott, Jack
Abrahams, Debbie
Adam, Shockat
Ahmed, Dr Zubir
Akehurst, Luke
Alaba, Mr Bayo
Aldridge, Dan
Alexander, rh Mr Douglas
Alexander, rh Heidi
Al-Hassan, Sadik
Ali, Tahir
Anderson, Callum
Anderson, Fleur
Arthur, Dr Scott
Asato, Jess
Asser, James
Athwal, Jas
Atkinson, Catherine
Atkinson, Lewis
Bailey, Mr Calvin
Bailey, Olivia
Baines, David
Baker, Alex
Baker, Richard
Ballinger, Alex
Barker, Paula
Barron, Lee
Barros-Curtis, Mr Alex
Baxter, Johanna
Beales, Danny
Beavers, Lorraine
Begum, Apsana *(Proxy vote cast by Zarah Sultana)*
Berry, Siân
Betts, Mr Clive
Billington, Ms Polly
Bishop, Matt
Blake, Olivia *(Proxy vote cast by Chris Elmore)*
Bloore, Chris
Blundell, Mrs Elsie *(Proxy vote cast by Chris Elmore)*
Bonavia, Kevin
Botterill, Jade
Brackenridge, Mrs Sureena
Brash, Mr Jonathan
Brickell, Phil
Bryant, Chris
Buckley, Julia
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Caliskan, Nesil
Campbell, rh Sir Alan
Campbell, Irene
Campbell, Juliet
Campbell-Savours, Markus
Carling, Sam
Charalambous, Bambos
Charters, Mr Luke
Chowns, Ellie
Coleman, Ben
Collier, Jacob
Collinge, Lizzi
Collins, Tom
Coombes, Sarah
Cooper, Andrew
Cooper, Dr Beccy
Cooper, rh Yvette
Corbyn, rh Jeremy
Costigan, Deirdre
Cox, Pam
Craft, Jen
Creagh, Mary
Creasy, Ms Stella
Curtis, Chris
Dakin, Sir Nicholas
Darlington, Emily
Davies, Ann
Davies, Jonathan
Davies, Paul
Davies, Shaun
Davies-Jones, Alex
Dean, Josh
Dearden, Kate
Denyer, Carla
Dhesi, Mr Tanmanjeet Singh
Dickson, Jim
Dixon, Anna
Dixon, Samantha
Dodds, rh Anneliese
Dollimore, Helena
Dowd, Peter
Downie, Graeme
Duffield, Rosie
Duncan-Jordan, Neil
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Edwards, Lauren
Edwards, Sarah
Egan, Damien
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Fahnbulleh, Miatta
Farnsworth, Linsey
Fenton-Glynn, Josh
Ferguson, Mark
Fleet, Natalie
Foody, Emma
Foster, Mr Paul
Foxcroft, Vicky
Foy, Mary Kelly
Francis, Daniel
Frith, Mr James
Furniss, Gill
Gardner, Dr Allison
Gelderd, Anna
Gemmell, Alan
German, Gill
Gilbert, Tracy
Gill, Preet Kaur
Gittins, Becky
Glindon, Mary
Goldsborough, Ben *(Proxy vote cast by Chris Elmore)*
Gosling, Jodie
Gould, Georgia
Grady, John
Greenwood, Lilian
Griffith, Dame Nia
Gwynne, Andrew *(Proxy vote cast by Chris Elmore)*
Hack, Amanda
Haigh, rh Louise
Hall, Sarah

Hamilton, Fabian
Hamilton, Paulette
Hanna, Claire
Harris, Carolyn
Hatton, Lloyd
Hayes, Helen
Hayes, Tom
Hazelgrove, Claire
Hillier, Dame Meg
Hinchliff, Chris
Hodgson, Mrs Sharon
Hopkins, Rachel
Hughes, Claire
Hume, Alison
Huq, Dr Rupa
Hurley, Patrick
Hussain, Mr Adnan
Hussain, Imran
Ingham, Leigh
Irons, Natasha
Jameson, Sally
Jermy, Terry
Jogee, Adam
Johnson, rh Dame Diana
Johnson, Kim
Jones, Gerald
Jones, Lillian
Jones, Louise
Jones, Ruth
Jones, Sarah
Josan, Gurinder Singh
Joseph, Sojan
Juss, Warinder
Kane, Chris
Kane, Mike
Kaur, Satvir *(Proxy vote cast by Chris Elmore)*
Khan, Afzal
Khan, Ayoub
Kinnock, Stephen
Kirkham, Jayne
Kumar, Sonia
Kumaran, Uma
Lamb, Peter
Lammy, rh Mr David
Lavery, Ian
Law, Noah
Leadbeater, Kim
Leishman, Brian
Lewell-Buck, Mrs Emma
Lewin, Andrew
Lewis, Clive
MacAlister, Josh
Macdonald, Alice
MacNae, Andy
Madders, Justin
Martin, Amanda
Maskell, Rachael
Mayer, Alex
McAllister, Douglas
McCluskey, Martin
McDonagh, Dame Siobhain
McDonald, Andy
McDonald, Chris
McDonnell, rh John
McDougall, Blair
McEvoy, Lola
McGovern, Alison
McIntyre, Alex
McKee, Gordon
McKenna, Kevin
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
McNally, Frank
McNeill, Kirsty
Medi, Llinos
Miliband, rh Ed
Minns, Ms Julie
Mishra, Navendu
Mohamed, Abtisam
Mohamed, Iqbal
Moon, Perran
Morden, Jessica
Morgan, Stephen
Morris, Grahame
Morris, Joe
Mullane, Margaret
Murphy, Luke
Murray, Chris
Murray, rh Ian *(Proxy vote cast by Chris Elmore)*
Murray, Katrina
Myer, Luke
Naismith, Connor
Narayan, Kanishka
Nash, Pamela *(Proxy vote cast by Chris Elmore)*
Newbury, Josh
Nichols, Charlotte
Norris, Alex
Onn, Melanie
Onwurah, Chi
Opher, Dr Simon
Oppong-Asare, Ms Abena
Osborne, Kate *(Proxy vote cast by Kim Johnson)*
Owen, Sarah
Paffey, Darren
Pakes, Andrew
Patrick, Matthew
Payne, Michael
Peacock, Stephanie
Pearce, Jon
Pennycook, Matthew
Perkins, Mr Toby
Pinto-Duschinsky, David
Pitcher, Lee
Platt, Jo
Pollard, Luke
Powell, rh Lucy
Poynton, Gregor
Prinsley, Peter
Quigley, Mr Richard
Qureshi, Yasmin
Race, Steve
Ramsay, Adrian
Rand, Mr Connor
Ranger, Andrew
Rayner, rh Angela
Reynolds, Emma
Reynolds, rh Jonathan
Rhodes, Martin
Ribeiro-Addy, Bell
Richards, Jake
Riddell-Carpenter, Jenny
Rigby, Lucy
Robertson, Dave
Roca, Tim
Rodda, Matt
Rushworth, Sam
Russell, Mrs Sarah
Rutland, Tom
Ryan, Oliver
Sackman, Sarah
Sandher, Dr Jeevun
Saville Roberts, rh Liz
Sewards, Mark
Shah, Naz
Shanker, Baggy
Shanks, Michael
Siddiq, Tulip
Simons, Josh
Slaughter, Andy
Slinger, John
Smith, Cat
Smith, David
Smith, Jeff
Smith, Nick
Smyth, Karin
Snell, Gareth
Sobel, Alex
Stainbank, Euan
Stevens, rh Jo
Stevenson, Kenneth
Strathern, Alistair
Strickland, Alan
Sullivan, Dr Lauren
Sultana, Zarah
Swallow, Peter
Tami, rh Mark
Tapp, Mike
Taylor, David
Thomas-Symonds, rh Nick
Thompson, Adam
Tidball, Dr Marie
Timms, rh Sir Stephen
Toale, Jessica
Trickett, Jon
Tufnell, Henry
Turley, Anna
Turmaine, Matt
Turner, Karl
Turner, Laurence
Twigg, Derek
Twist, Liz
Uppal, Harpreet
Vaughan, Tony
Vince, Chris
Wakeford, Christian
Walker, Imogen
Ward, Chris
Ward, Melanie
Webb, Chris
Welsh, Michelle
Western, Andrew
Western, Matt
Wheeler, Michael
Whitby, John
White, Jo
White, Katie
Whittome, Nadia
Williams, David
Witherden, Steve
Woodcock, Sean
Wrighting, Rosie
Yang, Yuan
Yasin, Mohammad
Yemm, Steve
Zeichner, Daniel

Tellers for the Noes:
Gen Kitchen and Taiwo Owatemi

Question accordingly negatived.

Clause 1

RIGHT TO GUARANTEED HOURS

Amendments made: 8, page 3, line 5, leave out "section 27BW for power to make provision about" and insert "Part 1 of Schedule A1 for provision about guaranteed hours and".

This amendment is consequential on NC32 and NS1.

Amendment 9, page 3, line 30, at end insert—

"(7A) If, during a reference period—

(a) a worker was employed by an employer under one or more worker's contracts of the type described in subsection (3)(a)(i) and one or more worker's contracts of the type described in subsection (3)(a)(ii), and

(b) the hours that the worker worked under the worker's contract, or the worker's contracts, that are of the type described in subsection (3)(a)(ii) did not exceed the minimum number of hours,

the worker's contract, or the worker's contracts, that are of the type described in subsection (3)(a)(ii) are to be disregarded in the application of this Chapter (other than this subsection) in relation to the worker and the reference period (and accordingly that worker's contract, or those worker's contracts, are to be treated as not existing)."

This amendment deals with the possibility of a worker being employed by an employer during a reference period under a zero hours contract or zero hours arrangement and under another type of contract where the requirement on the employer to make work available is limited to a number of hours not exceeding a number specified in regulations.

Amendment 10, page 4, line 8, leave out

"make work available to the qualifying worker"

and insert

"provide the qualifying worker with work, and the qualifying worker to do work,"

This amendment confirms that the number of hours in a guaranteed hours offer are hours that the employer will be required to provide and the qualifying worker will be required to work.

Amendment 11, page 4, line 18, leave out from "the" to "or" in line 20 and insert "offered number of hours are to be provided and worked,".

This amendment is consequential on amendment 10.

Amendment 12, page 4, line 22, leave out from "the" to "and" in line 24 and insert "offered number of hours are to be provided and worked,".

This amendment is consequential on amendment 10.

Amendment 13, page 4, line 27, at end insert—

"(3A) Where no regulations are in force under subsection (2) that apply in relation to an offer by an employer to a qualifying worker, the offer is a guaranteed hours offer for the purposes of this Chapter only if it also proposes terms and conditions relating to when the offered number of hours are to be provided and worked (which need not be on particular days of the week, or at particular times on those days, or by reference to a particular working pattern of days or times of day)."

This amendment caters for the scenario where there are no regulations in force under proposed section 27BB(2) of the Employment Rights Act 1996 or none that apply to the offer in question. In this scenario, a guaranteed hours offer will still have to propose terms and conditions relating to when the worker will work the guaranteed hours even though it will not have to set out particular days and times, or a particular working pattern.

Amendment 14, page 4, line 32, leave out ", whether an" and insert

"that apply in relation to an offer, whether the".

This amendment makes a minor drafting change because regulations under proposed section 27BB(2) of the Employment Rights Act 1996 may make provision subject to exceptions (see proposed section 27BX of that Act inserted by clause 4).

Amendment 15, page 4, line 42, at end insert ", and

(c) the qualifying worker did not work for the employer under any other worker's contract during the period beginning with the first day of the relevant reference period and ending with the day the offer is made."

This amendment adds a further condition that must be satisfied if a guaranteed hours offer is to take the form of an offer to vary a worker's terms and conditions of employment as opposed to an offer to enter into a new worker's contract.

Amendment 16, page 5, line 10, after "(2)" insert

"or subsections (1) and (3A)".

This amendment is consequential on amendment 13.

Amendment 17, page 5, line 17, after "(2)" insert

"or subsections (1) and (3A)".

This amendment is consequential on amendment 13.

Amendment 18, page 6, line 27, after "(2)" insert

"or section 27BB(1) and (3A)".

This amendment is consequential on amendment 13.

Amendment 19, page 11, line 26, at end insert—

"( ) Where—

(a) an employer is permitted by section 27BUD(3) to withdraw a guaranteed hours offer (withdrawal of offer following incorporation of terms of collective agreement), and

(b) the employer withdraws the offer by giving notice under that section, subsection (1) of this section ceases to apply in relation to the offer when the notice is given."

This amendment clarifies that where an offer is withdrawn as a result of the duty to make the offer being excluded by terms of a collective agreement that are incorporated into a worker's contract the worker cannot accept the offer.

Amendment 20, page 12, line 39, leave out from beginning to end of line 2 on page 13 and insert—

"(i) where regulations are in force under subsection (2) of section 27BB that apply in relation to the offer, subsections (1) and (3) of that section (read with any regulations in force under subsection (4)(a) or (b) of that section), or

(ii) where no regulations are in force under subsection (2) of section 27BB that apply in relation to the offer, subsections (1) and (3A) of that section (read with any regulations in force under subsection (4)(a) of that section)."

This amendment is consequential on amendment 13. It also makes a minor drafting change (see the explanatory statement for amendment 14).

Amendment 21, page 13, line 13, at end insert—

"(3A) A worker may present a complaint to an employment tribunal that—

(a) the duty imposed by section 27BA(1) applies to the worker's employer in relation to the worker and a particular reference period, but

(b) the guaranteed hours offer that the employer has made to the worker in relation to that reference period is on terms requiring the employer to provide, and the worker to do, less work than would have been the case if the employer had not, during that reference period—

(i) limited (by whatever means, including termination of a worker's contract or an arrangement) the number of hours of work made available to the worker, or

(ii) decided to make work available to the worker in the way that the employer did, for the sole or main purpose of being able to comply with the duty by making such a reduced offer.

(3B) A worker may present a complaint to an employment tribunal that the duty imposed by section 27BA(1) would have applied to the worker's employer in relation to the worker and a particular reference period if the employer had not, during that reference period—

(a) limited (by whatever means, including termination of a worker's contract or an arrangement) the number of hours of work made available to the worker, or

(b) decided to make work available to the worker in the way that the employer did, for the sole or main purpose of preventing the worker from satisfying, in relation to that reference period, one or more of the conditions in section 27BA(3)(b) to (d)."

This amendment adds additional grounds of complaint to the ones listed in proposed section 27BG of the Employment Rights Act 1996 to cater for cases where an employer has sought to manipulate or avoid their obligations to make a guaranteed hours offer.

Amendment 22, page 13, line 14, leave out "or (3)" and insert ", (3) or (3A)".

This amendment is consequential on amendment 21.

Amendment 23, page 13, line 17, leave out from "is" to end of line 19 and insert "—

(i) treated as having been withdrawn by virtue of section 27BD(2) or regulations under section 27BD(6) , or

(ii) withdrawn in accordance with section 27BUD(3) (withdrawal of offer following incorporation of terms of collective agreement)."

This amendment is consequential on NC33.

Amendment 24, page 14, line 6, after "27BG(3)" insert "or (3A)".

This amendment is consequential on amendment 21. It has the effect of providing for a six month time limit (from the making of the guaranteed hours offer) to apply in relation to complaints under the subsection (3A) inserted by that amendment.

Amendment 25, page 14, line 8, at end insert—

"(3A) An employment tribunal must not consider a complaint under section 27BG(3B) unless it is presented before the end of the period of six months beginning with the day after what would have been the last day of the offer period (as defined in section 27BG(7)) if the duty imposed by section 27BA(1) had applied."

This amendment is consequential on amendment 21.

Amendment 26, page 15, line 8, leave out from "is" to end of line 10 and insert "—

(a) where the complaint is under section 27BG(1), (2), (3), (5) or (6), such number of weeks' pay as the Secretary of State may specify in regulations;

(b) where the complaint is under section 27BG(3A) or (3B), such amount as the Secretary of State may specify in regulations."—*(Justin Madders.)*

This amendment is consequential on amendment 21.

Clause 2

SHIFTS: RIGHTS TO REASONABLE NOTICE

Amendments made: 27, page 15, line 39, at end insert—

"and the shift is to be worked under the contract referred to in paragraph (a) or (b)."

This amendment clarifies that a shift of which reasonable notice must be given under proposed new section 27BJ(1) of the Employment Rights Act 1996 is one that is to be worked under a contract referred to in that provision.

Amendment 28, page 16, leave out lines 9 to 12 and insert—

"(c) the shift is to be worked under that contract but no part of it corresponds to the time of a shift provided for by the contract as described in paragraph (b)."

Proposed new section 27BJ(2) of the Employment Rights Act 1996 is about employers giving reasonable notice of shifts to workers who have contracts of a specified description that guarantee some work and provide when some or all of that work will be done. This amendment limits the notice requirement to shifts that are to happen at times that do not overlap with the times provided for by the contract. But see also amendment 29.

Amendment 29, page 16, line 30, at end insert—

"(5A) Where—

(a) the conditions in subsection (2)(a) and (b) are met in relation to a worker and a worker's contract,

(b) the worker is to work (or is working) a shift under that contract all or part of which corresponds to the time of a shift (a "guaranteed shift") provided for by the contract as described in subsection (2)(b),

(c) the employer requests or requires the worker to start earlier, or end later, than is provided for by the contract (as described in subsection (2)(b)) in relation to the guaranteed shift, and

(d) the earlier start or later end is to result in an additional number of hours being worked above the number of hours to be worked in the guaranteed shift, the additional hours are to be treated for the purposes of this Chapter as a separate shift (and accordingly as one that meets the condition in subsection (2)(c)).

This amendment will produce the result that workers who have contracts of a specified description that guarantee some work and provide when some or all of that work will be done will be entitled to reasonable notice of extensions of their guaranteed shifts.

Amendment 30, page 17, line 35, leave out from "see" to end of line 36 and insert

"Part 2 of Schedule A1 for provision about rights of agency workers to reasonable notice in relation to shifts)."

This amendment is consequential on NC32 and NS1.

Amendment 31, page 17, line 37, leave out ", or a longer shift,".

This amendment is consequential on amendments 29 and 33.

Amendment 32, page 17, line 41, leave out from "applies" to end of line 42 and insert

"(even though the conditions in section 27BK(1) have not been met)."

This amendment clarifies the effect of proposed section 27BL(2) of the Employment Rights Act 1996.

Amendment 33, page 17, line 42, at end insert—

"(2A) Section 27BJ(5A) applies for the purposes of subsection (2) of this section as if section 27BJ(5A)(c) referred to what the worker suggests rather than what the employer requests or requires."

This amendment is consequential on amendment 29.

Amendment 34, page 18, line 2, after "request" insert "(a "multi-worker request")"

This amendment is consequential on amendment 35.

Amendment 35, page 18, line 5, at end insert—

"(3A) For the purposes of section 27BK, where an employer has made a multi-worker request to a worker in relation to a shift, references to the cancellation of the shift include the worker not being needed to work the shift because one or more others have agreed to work it."

This amendment clarifies how the provision in proposed section 27BK of the Employment Rights Act 1996 about cancellation of a shift is to operate where the request to work the shift was made to more workers than were needed to work it.

Amendment 36, page 18, leave out lines 6 to 17.—*(Justin Madders.)*

This amendment removes proposed section 27BL(4) of the Employment Rights Act 1996 from the Bill. This provision is no longer considered necessary; where appropriate, a request will in any event be treated as a request to work a new shift.

Clause 3

RIGHT TO PAYMENT FOR CANCELLED, MOVED AND CURTAILED SHIFTS

Amendments made: 37, page 20, leave out lines 28 to 40 and insert—

"(3) A shift is also a "qualifying shift", in relation to a worker and an employer, if—

(a) it would be (or would have been) worked, or is being worked, by the worker for the employer under a worker's contract of a specified description,

(b) the contract provides on what days and at what times, or in accordance with what pattern of days and times, that work, or some of that work, is to be done by the worker, and

(c) no part of the shift corresponds to the time of a shift provided for by the contract as described in paragraph (b).

(4) Where—

(a) the conditions in subsection (3)(a) and (b) are met in relation to a shift,

(b) all or part of the shift corresponds to the time of a shift (a "guaranteed shift") provided for by the contract as described in subsection (3)(b),

(c) the employer requests or requires, or the worker suggests, that the worker starts earlier, or ends later, than is provided for by the contract (as described in subsection (3)(b)) in relation to the guaranteed shift, and

(d) the earlier start or later end is to result in an additional number of hours being worked above the number of hours to be worked in the guaranteed shift, the additional hours are to be treated for the purposes of this Chapter as a separate shift (and accordingly as a "qualifying shift")."

This amendment is the equivalent for clause 3 of amendments 28, 29 and 33 to clause 2.

Amendment 38, page 21, leave out lines 41 to 44 and insert—

"(10) In this Chapter, references to a request to work a shift made by an employer to a worker include a request (a "multi-worker request") made by the employer to the worker and one or more others in circumstances where the employer does not need the shift to be worked by all of those to whom the request is made."

This amendment is partly consequential on amendments 39 and 41. It is also being made for reasons of consistency with the equivalent provision in clause 2.

Amendment 39, page 21, line 44, at end insert—

"(11) For the purposes of this Chapter, where an employer has made a multi-worker request to a worker in relation to a shift, references to the cancellation of the shift (however expressed) include the worker not being needed to work the shift because one or more others have agreed to work it."

This amendment clarifies how the provision in proposed section 27BP of the Employment Rights Act 1996 about cancellation of a shift is to operate where the request to work the shift was made to more workers than were needed to work it.

Amendment 40, page 23, line 7, leave out from "see" to end of line 8 and insert "Part 3 of Schedule A1 for provision about rights of agency workers to payment for cancelled, moved and curtailed shifts);".

This amendment is consequential on NC32 and NS1.

Amendment 41, page 23, line 8, at end insert—

"(aa) in relation to the cancellation, movement or curtailment of a shift that an employer has requested a worker to work, unless the worker reasonably believed, whether on agreeing to work the shift or at some later time before the cancellation, movement or curtailment, that they would be needed to work the shift;"

This amendment produces the result that, in cases within proposed section 27BP(1)(b) of the Employment Rights Act 1996, a worker will not be entitled to a payment for a short notice cancellation, movement or curtailment of a shift unless at some point prior to that they reasonably believed they would be needed to work the shift.

Amendment 42, page 23, line 14, leave out from "regulations" to "the" in line 15 and insert

"has produced the effect that the employer is not required to make".

This amendment makes a drafting change to proposed section 27BR(2)(a) of the Employment Rights Act 1996 for reasons of consistency.

Amendment 43, page 23, leave out lines 19 and 20 and insert—

"(a) any information the disclosure of which by the employer would contravene the data protection legislation (but in determining whether a disclosure would do so, the duty imposed by that subsection is to be taken into account);".

This amendment has the effect that personal data may be included in a notice given by an employer under proposed section 27BR(2) of the Employment Rights Act 1996 but only in so far as the disclosure of the information would not contravene data protection legislation.

Amendment 44, page 23, line 24, at end insert—

"(3A) In subsection (3)(a) "the data protection legislation" has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act)."

This amendment is consequential on amendment 43.

Amendment 45, page 25, line 2, leave out "is inadequate or untrue" and insert "—

(i) does not refer to any provision of the regulations;

(ii) does not contain an explanation or contains an explanation that is inadequate or untrue."

This amendment sets out what a worker can present a complaint about in relation to a notice under proposed section 27BR(2) of the Employment Rights Act 1996.

Amendment 46, page 25, leave out lines 25 to 29.—*(Justin Madders.)*

This amendment removes proposed section 27BT(7) of the Employment Rights Act 1996 from the Bill. This provision is no longer considered necessary and, depending on how the power in proposed section 27BR(1)(b) was exercised, it might not have produced an appropriate outcome in some cases.

Clause 4

AMENDMENTS RELATING TO SECTIONS 1 TO 3

Amendments made: 47, page 26, line 17, leave out from first "the" to end of line 19 and insert

"meaning given by section 27BUA;".

This amendment is consequential on NC32.

Amendment 48, page 27, leave out lines 9 to 14.

See the explanatory statement for NC32.

Amendment 49, page 27, line 22, after "3" insert

"and (Agency workers: guaranteed hours and rights relating to shifts)".

This amendment is consequential on NC32.

Amendment 50, page 27, line 22, after "3" insert

"and (Collective agreements: contracting out)".—*(Justin Madders.)*

This amendment is consequential on NC33.

Clause 7

RIGHT TO REQUEST FLEXIBLE WORKING

Amendment made: 79, page 29, line 12, at end insert—

"(7) In section 202 of the Employment Rights Act 1996 (national security), in subsection (2), after paragraph (e) insert—

"(eza) Part 8A,"."—*(Justin Madders.)*

Clause 7 of the Bill amends Part 8A of the Employment Rights Act 1996 to require an employer who refuses an employee's application for flexible working to explain why the employer considers it is reasonable to refuse the application. This amendment would enable the disclosure of information under Part 8A to be restricted where it would be contrary to the interests of national security.

Clause 9

STATUTORY SICK PAY IN GREAT BRITAIN: LOWER EARNINGS LIMIT ETC

Amendments made: 80, page 30, line 1, leave out "£116.75" and insert "£118.75".

Clause 9 in its current form amends section 157(1) of the Social Security Contributions and Benefits Act 1992 so that the weekly rate of statutory sick pay in Great Britain would be the lower of £116.75 and a percentage of an employee's normal earnings to be set out in regulations. This amendment, together with the Minister's other amendments to clause 9, would mean that the weekly rate of statutory sick pay in Great Britain would be the lower of £118.75 and 80% of an employee's weekly earnings. The change from £116.75 to £118.75 is to account for annual uprating that is expected to come into effect on 6 April 2025.

Amendment 81, page 30, line 2, leave out "the prescribed percentage" and insert "80%".

See the explanatory statement for Amendment 80.

Amendment 82, page 30, line 4, leave out paragraph (b). *—(Justin Madders.)*

See the explanatory statement for Amendment 80.

Clause 11

STATUTORY SICK PAY IN NORTHERN IRELAND: LOWER EARNINGS LIMIT ETC

Amendments made: 83, page 30, line 34, leave out "£116.75" and insert "£118.75".

Clause 11 in its current form amends section 153(1) of the Social Security Contributions and Benefits (Northern Ireland) Act 1992 so that the weekly rate of statutory sick pay in Northern Ireland would be the lower of £116.75 and a percentage of an employee's normal earnings to be set out in regulations. This amendment, together with the Minister's other amendments to clause 11, would mean that the weekly rate of statutory sick pay in Northern Ireland would be the lower of £118.75 and 80% of an employee's weekly earnings. The change from £116.75 to £118.75 is to account for annual uprating that is expected to come into effect on 6 April 2025.

Amendment 84, page 30, line 35, leave out "the prescribed percentage" and insert "80%".

See the explanatory statement for Amendment 83.

Amendment 85, page 30, line 37, leave out paragraph (b). *—(Justin Madders.)*

See the explanatory statement for Amendment 83.

Clause 18

HARASSMENT BY THIRD PARTIES

Amendment proposed: 288, page 34, line 32, leave out Clause 18*—(Greg Smith.)*

Question put, That the amendment be made.

The House divided: Ayes 105, Noes 409.

Division No. 117] [8.18 pm

AYES

Allister, Jim
Anderson, Lee
Anderson, Stuart *(Proxy vote cast by Mr Mohindra)*
Andrew, rh Stuart
Argar, rh Edward
Bacon, Gareth
Badenoch, rh Mrs Kemi
Baldwin, Dame Harriett
Barclay, rh Steve
Bedford, Mr Peter
Blackman, Bob
Bool, Sarah
Bowie, Andrew
Brandreth, Aphra
Braverman, rh Suella
Burghart, Alex
Campbell, Mr Gregory
Cartlidge, James
Cleverly, rh Mr James
Clifton-Brown, Sir Geoffrey
Cocking, Lewis
Cooper, John
Costa, Alberto
Coutinho, rh Claire *(Proxy vote cast by Joy Morrissey)*
Cox, rh Sir Geoffrey
Cross, Harriet
Davies, Gareth
Davies, Mims
Davis, rh David
Dewhirst, Charlie
Dowden, rh Sir Oliver
Duncan Smith, rh Sir Iain
Easton, Alex
Evans, Dr Luke
Farage, Nigel
Fortune, Peter
Fox, Sir Ashley
Francois, rh Mr Mark
French, Mr Louie
Fuller, Richard
Gale, rh Sir Roger
Garnier, Mark
Glen, rh John
Griffith, Andrew
Griffiths, Alison
Harris, Rebecca
Hayes, rh Sir John
Hinds, rh Damian
Hoare, Simon
Huddleston, Nigel
Hudson, Dr Neil
Jenkin, Sir Bernard
Jenrick, rh Robert
Jopp, Lincoln
Kearns, Alicia *(Proxy vote cast by Joy Morrissey)*
Kruger, Danny
Lam, Katie
Lamont, John
Leigh, rh Sir Edward
Lewis, rh Sir Julian
Lopez, Julia
Mak, Alan
Malthouse, rh Kit
McMurdock, James *(Proxy vote cast by Lee Anderson)*
McVey, rh Esther
Mohindra, Mr Gagan
Moore, Robbie
Morrissey, Joy
Morton, rh Wendy
Mullan, Dr Kieran
Murrison, rh Dr Andrew
Obese-Jecty, Ben
O'Brien, Neil
Paul, Rebecca
Raja, Shivani *(Proxy vote cast by Mr Mohindra)*
Rankin, Jack
Reed, David
Robertson, Joe
Robinson, rh Gavin
Rosindell, Andrew
Shannon, Jim
Shastri-Hurst, Dr Neil
Simmonds, David
Smith, Greg
Smith, rh Sir Julian
Smith, Rebecca
Snowden, Mr Andrew
Spencer, Patrick
Stafford, Gregory
Stephenson, Blake
Stride, rh Mel
Stuart, rh Graham
Swayne, rh Sir Desmond
Thomas, Bradley
Tice, Richard
Timothy, Nick
Trott, rh Laura
Tugendhat, rh Tom
Vickers, Martin
Vickers, Matt
Whately, Helen
Wild, James
Williamson, rh Sir Gavin
Wood, Mike
Wright, rh Sir Jeremy

Tellers for the Ayes:
Paul Holmes and Jerome Mayhew

NOES

Abbott, rh Ms Diane *(Proxy vote cast by Bell Ribeiro-Addy)*
Abbott, Jack
Abrahams, Debbie
Ahmed, Dr Zubir
Akehurst, Luke
Alaba, Mr Bayo
Aldridge, Dan
Alexander, rh Mr Douglas
Alexander, rh Heidi
Al-Hassan, Sadik
Ali, Tahir
Amos, Gideon
Anderson, Callum
Anderson, Fleur
Aquarone, Steff
Arthur, Dr Scott
Asato, Jess
Asser, James
Athwal, Jas
Atkinson, Catherine
Atkinson, Lewis
Bailey, Mr Calvin
Bailey, Olivia
Baines, David
Baker, Alex
Baker, Richard
Ballinger, Alex
Barker, Paula
Barron, Lee
Barros-Curtis, Mr Alex
Baxter, Johanna
Beales, Danny
Beavers, Lorraine
Begum, Apsana *(Proxy vote cast by Zarah Sultana)*
Bennett, Alison
Berry, Siân
Betts, Mr Clive
Billington, Ms Polly
Bishop, Matt
Blackman, Kirsty
Blake, Olivia *(Proxy vote cast by Chris Elmore)*
Bloore, Chris
Blundell, Mrs Elsie *(Proxy vote cast by Chris Elmore)*
Bonavia, Kevin
Botterill, Jade
Brackenridge, Mrs Sureena
Brash, Mr Jonathan
Brickell, Phil
Brown-Fuller, Jess
Bryant, Chris
Buckley, Julia
Burgon, Richard
Byrne, Ian
Byrne, rh Liam
Cadbury, Ruth
Caliskan, Nesil
Campbell, rh Sir Alan
Campbell, Irene
Campbell, Juliet
Carling, Sam
Carmichael, rh Mr Alistair
Chadwick, David *(Proxy vote cast by Mr Forster)*
Chamberlain, Wendy
Chambers, Dr Danny
Charalambous, Bambos

Charters, Mr Luke
Chowns, Ellie
Coghlan, Chris
Coleman, Ben
Collier, Jacob
Collinge, Lizzi
Collins, Tom
Collins, Victoria
Coombes, Sarah
Cooper, Andrew
Cooper, Dr Beccy
Cooper, Daisy
Cooper, rh Yvette
Costigan, Deirdre
Cox, Pam
Craft, Jen
Creagh, Mary
Creasy, Ms Stella
Curtis, Chris
Dakin, Sir Nicholas
Dance, Adam
Darling, Steve
Darlington, Emily
Davey, rh Ed
Davies, Ann
Davies, Jonathan
Davies, Paul
Davies, Shaun
Davies-Jones, Alex
Dean, Bobby
Dean, Josh
Dearden, Kate
Denyer, Carla
Dhesi, Mr Tanmanjeet Singh
Dickson, Jim
Dillon, Mr Lee
Dixon, Anna
Dixon, Samantha
Dodds, rh Anneliese
Dollimore, Helena
Doogan, Dave
Dowd, Peter
Downie, Graeme
Duffield, Rosie
Duncan-Jordan, Neil
Dyke, Sarah
Eagle, Dame Angela
Eagle, rh Maria
Eastwood, Colum
Edwards, Lauren
Edwards, Sarah
Egan, Damien
Elmore, Chris
Eshalomi, Florence
Esterson, Bill
Evans, Chris
Fahnbulleh, Miatta
Farnsworth, Linsey
Farron, Tim
Fenton-Glynn, Josh
Ferguson, Mark
Fleet, Natalie
Flynn, rh Stephen
Foody, Emma
Foord, Richard
Forster, Mr Will
Foster, Mr Paul
Foxcroft, Vicky
Foy, Mary Kelly
Francis, Daniel
Franklin, Zöe
Frith, Mr James
Furniss, Gill
Gardner, Dr Allison
Gelderd, Anna
Gemmell, Alan
George, Andrew
German, Gill
Gethins, Stephen
Gibson, Sarah *(Proxy vote cast by Anna Sabine)*
Gilbert, Tracy
Gill, Preet Kaur
Gittins, Becky
Glindon, Mary
Glover, Olly
Goldman, Marie
Goldsborough, Ben *(Proxy vote cast by Chris Elmore)*
Gordon, Tom
Gosling, Jodie
Gould, Georgia
Grady, John
Green, Sarah
Greenwood, Lilian
Griffith, Dame Nia
Gwynne, Andrew *(Proxy vote cast by Chris Elmore)*
Hack, Amanda
Haigh, rh Louise
Hall, Sarah
Hamilton, Fabian
Hamilton, Paulette
Hanna, Claire
Harding, Monica
Harris, Carolyn
Hatton, Lloyd
Hayes, Helen
Hayes, Tom
Hazelgrove, Claire
Heylings, Pippa
Hillier, Dame Meg
Hinchliff, Chris
Hobhouse, Wera
Hodgson, Mrs Sharon
Hopkins, Rachel
Hughes, Claire
Hume, Alison
Huq, Dr Rupa
Hurley, Patrick
Hussain, Imran
Ingham, Leigh
Irons, Natasha
Jameson, Sally
Jarvis, Liz
Jermy, Terry
Jogee, Adam
Johnson, Kim
Jones, Clive
Jones, Gerald
Jones, Lillian
Jones, Louise
Jones, Ruth
Josan, Gurinder Singh
Joseph, Sojan
Juss, Warinder
Kane, Chris
Kane, Mike
Kaur, Satvir *(Proxy vote cast by Chris Elmore)*
Khan, Afzal
Kinnock, Stephen
Kirkham, Jayne
Kohler, Mr Paul
Kumar, Sonia
Kumaran, Uma
Lake, Ben
Lamb, Peter
Lavery, Ian
Law, Chris
Law, Noah
Leadbeater, Kim
Leadbitter, Graham
Leishman, Brian
Lewell-Buck, Mrs Emma
Lewin, Andrew
Lewis, Clive
Logan, Seamus
MacAlister, Josh
MacCleary, James
Macdonald, Alice
MacDonald, Mr Angus
MacNae, Andy
Madders, Justin
Maguire, Ben
Martin, Amanda
Martin, Mike
Maskell, Rachael
Mathew, Brian
Mayer, Alex
Maynard, Charlie
McAllister, Douglas
McCluskey, Martin
McDonagh, Dame Siobhain
McDonald, Andy
McDonald, Chris
McDonnell, rh John
McDougall, Blair
McEvoy, Lola
McGovern, Alison
McIntyre, Alex
McKee, Gordon
McKenna, Kevin
McKinnell, Catherine
McMahon, Jim
McMorrin, Anna
McNally, Frank
McNeill, Kirsty
Medi, Llinos
van Mierlo, Freddie
Miliband, rh Ed
Miller, Calum
Milne, John
Minns, Ms Julie
Mishra, Navendu
Mohamed, Abtisam
Moon, Perran
Moran, Layla
Morden, Jessica
Morello, Edward
Morgan, Helen
Morgan, Stephen
Morris, Grahame
Morris, Joe
Morrison, Mr Tom *(Proxy vote cast by Mr Forster)*
Mullane, Margaret
Murphy, Luke
Murray, Chris
Murray, rh Ian *(Proxy vote cast by Chris Elmore)*
Murray, Katrina
Myer, Luke
Naismith, Connor
Narayan, Kanishka
Nash, Pamela *(Proxy vote cast by Chris Elmore)*
Newbury, Josh
Nichols, Charlotte
O'Hara, Brendan
Onn, Melanie
Onwurah, Chi
Opher, Dr Simon
Oppong-Asare, Ms Abena
Osborne, Kate *(Proxy vote cast by Kim Johnson)*
Paffey, Darren
Pakes, Andrew
Patrick, Matthew
Payne, Michael
Peacock, Stephanie
Pearce, Jon
Pennycook, Matthew
Perkins, Mr Toby
Perteghella, Manuela
Pinkerton, Dr Al
Pinto-Duschinsky, David
Pitcher, Lee
Platt, Jo
Pollard, Luke
Powell, rh Lucy
Poynton, Gregor
Prinsley, Peter
Quigley, Mr Richard
Qureshi, Yasmin
Race, Steve
Ramsay, Adrian
Rand, Mr Connor
Ranger, Andrew
Rayner, rh Angela
Reynolds, Emma
Reynolds, rh Jonathan
Reynolds, Mr Joshua
Rhodes, Martin
Ribeiro-Addy, Bell
Richards, Jake
Riddell-Carpenter, Jenny
Rigby, Lucy
Robertson, Dave
Roca, Tim
Rodda, Matt
Roome, Ian
Rushworth, Sam
Russell, Mrs Sarah
Rutland, Tom
Ryan, Oliver
Sabine, Anna
Sackman, Sarah
Sandher, Dr Jeevun
Savage, Dr Roz
Saville Roberts, rh Liz
Sewards, Mark
Shah, Naz
Shanker, Baggy
Shanks, Michael
Siddiq, Tulip
Simons, Josh
Slade, Vikki
Slaughter, Andy
Slinger, John
Smart, Lisa
Smith, Cat
Smith, David
Smith, Jeff
Smith, Nick
Smyth, Karin
Snell, Gareth

Sobel, Alex
Sollom, Ian
Stainbank, Euan
Stevens, rh Jo
Stevenson, Kenneth
Stone, Jamie
Strathern, Alistair
Strickland, Alan
Sullivan, Dr Lauren
Sultana, Zarah
Swallow, Peter
Swann, Robin
Tami, rh Mark
Tapp, Mike
Taylor, David
Taylor, Luke
Thomas, Cameron
Thomas, Fred
Thomas-Symonds, rh Nick
Thompson, Adam
Tidball, Dr Marie
Timms, rh Sir Stephen
Toale, Jessica
Trickett, Jon
Tufnell, Henry
Turley, Anna
Turmaine, Matt
Turner, Karl
Turner, Laurence
Twigg, Derek
Twist, Liz
Uppal, Harpreet
Vaughan, Tony
Vince, Chris
Voaden, Caroline
Wakeford, Christian
Walker, Imogen
Ward, Chris
Ward, Melanie
Webb, Chris
Welsh, Michelle
Western, Andrew
Western, Matt
Wheeler, Michael
Whitby, John
White, Jo
White, Katie
Whittome, Nadia
Wilkinson, Max
Williams, David
Wishart, Pete
Witherden, Steve
Woodcock, Sean
Wrighting, Rosie
Wrigley, Martin
Yang, Yuan
Yasin, Mohammad
Yemm, Steve
Young, Claire
Zeichner, Daniel

Tellers for the Noes:
Gen Kitchen and
Taiwo Owatemi

Question accordingly negatived.

Clause 22

DISMISSAL DURING PREGNANCY

Amendments made: 86, page 36, line 15, at end insert—

"( ) Part 5B of the Employment Rights Act 1996 (redundancy during a protected period of pregnancy) is amended as follows."

This amendment is consequential on amendment 87.

Amendment 87, page 36, line 24, at end insert—

"( ) After section 49D insert—

"49E Section 49D: supplemental

Regulations under section 49D may—

(a) make provision about notices to be given, evidence to be produced and other procedures to be followed by employees and employers;

(b) make provision for the consequences of failure to give notices, to produce evidence or to comply with other procedural requirements;

(c) make provision for the consequences of failure to act in accordance with a notice given by virtue of paragraph (a);

(d) make special provision for cases where an employee has a right which corresponds to a right under section 49D and which arises under a contract of employment or otherwise;

(e) make provision modifying the effect of Chapter 2 of Part 14 (calculation of a week's pay) in relation to an employee who is or has been absent from work during, or after, a protected period of pregnancy;

(f) make provision applying, modifying or excluding an enactment, in such circumstances as may be specified and subject to any conditions specified, in relation to a person during, or after, a protected period of pregnancy;

(g) make different provision for different cases or circumstances.""

Section 49D of the Employment Rights Act 1996, as amended by clause 22, enables the Secretary of State to make regulations about redundancy or dismissal during, or after, a protected period of pregnancy. This amendment would enable the regulations to make supplementary provision in connection with that, such as procedures to be followed by employers and the consequences of failing to follow those procedures. These powers mirror supplementary powers conferred by Part 8 of the 1996 Act in relation to types of family leave such as maternity and paternity leave.

Amendment 88, page 36, line 25, leave out from beginning to "after" and insert "In the heading of Part 5B,".—*(Justin Madders.)*

This amendment is consequential on amendment 87.

Clause 24

DISMISSAL FOR FAILING TO AGREE TO VARIATION OF CONTRACT, ETC

Amendment made: 89, page 37, line 29, leave out "substantially the same duties" and insert

"the same duties, or substantially the same duties,".—*(Justin Madders.)*

This amendment makes a minor drafting change.

Clause 25

COLLECTIVE REDUNDANCY: EXTENDED APPLICATION OF REQUIREMENTS

Amendments made: 90, page 39, line 8, leave out paragraphs (a) and (b) and insert—

"(a) before subsection (1) insert—

'(A1) Subsection (1) applies where an employer is proposing to dismiss as redundant within a period of 90 days or less—

(a) at least the threshold number of employees (see section 195A), or

(b) 20 or more employees at one establishment.';

(b) in subsection (1), for the words from 'Where' to 'the employer' substitute 'The employer';

(c) in subsection (1A), for '(1)' substitute '(A1)';

(d) after subsection (2) insert—

'(2A) This section does not require the employer to—

(a) consult all of the appropriate representatives together, or

(b) undertake the consultation with a view to reaching the same agreement with all of the appropriate representatives.';

(e) in subsection (4)—

(i) in paragraph (c), at the beginning insert 'where the employees whom it is proposed to dismiss as redundant are at only one establishment,';

(ii) after paragraph (c) insert—

'(ca) where the employees whom it is proposed to dismiss as redundant are at more than one establishment—

(i) the total number of employees of any such description employed by the employer, and

(ii) details of the establishments at which those employees are employed,'."

This amendment and other amendments to this clause would mean that the Secretary of State can by regulations, in a case where employees are being made redundant at more than one establishment, prescribe a higher number than 20 of those employees for the purposes of determining when the obligations in sections 188 and 193 of the Trade Union and Labour Relations (Consolidation) Act 1992 apply in relation to those employees. The number may be determined by reference to criteria set out in the regulations (for example,

by reference to a particular percentage of total employees). This amendment also clarifies that, although consultation under section 188 must be carried out with all appropriate representatives, it need not be carried out with all appropriate representatives together or with a view to reaching the same agreement with all appropriate representatives.

Amendment 91, page 39, line 12, leave out paragraphs (a) and (b) and insert—

"(a) omit subsection (1);

(b) before subsection (2) insert—

'(1A) Subsection (2) applies where an employer is proposing to dismiss as redundant within a period of 90 days or less—

(a) at least the threshold number of employees (see section 195A), or

(b) 20 or more employees at one establishment.';

(ba) in subsection (2)—

(i) for the words from 'An employer' to 'period' substitute 'The employer';

(ii) omit paragraphs (a) and (b);

(bb) after subsection (2) insert—

'(2A) The notice must be given—

(a) before the employer gives notice to terminate an employee's contract of employment in respect of any of the dismissals;

(b) at least 30 days before the first of the dismissals takes effect, or, where the employer is proposing to dismiss 100 or more employees as mentioned in subsection (1A), at least 45 days before the first of the dismissals takes effect.';

(bc) in subsection (3), for '(1) or (2)' substitute '(1A)';".

See the explanatory statement for amendment 90.

Amendment 92, page 39, line 15, at end insert—

"(d) in subsection (6), omit '(1) or';

(e) in subsection (7), for '(1)' substitute '(2)'.".

See the explanatory statement for amendment 90.

Amendment 93, page 39, line 15, at end insert—

"( ) After section 195 insert—

'195A Construction of references to threshold number of employees

(1) In this Chapter references to the threshold number of employees are references to the number of employees determined in accordance with regulations made by the Secretary of State under this section.

(2) Regulations under this section may (among other things) provide that the number is—

(a) a specified number;

(b) a number determined by reference to a specified percentage of employees;

(c) a number that is the highest or lowest of two or more numbers, whether those numbers are specified numbers, determined by reference to a specified percentage of employees, or determined in another way specified in the regulations.

(3) But the regulations may not provide in any case for the threshold number of employees to be lower than 20.

(4) For the purposes of determining a number by reference to a specified percentage of employees, the regulations may make provision for determining how many employees an employer has, including (among other things)—

(a) provision about the time by reference to which that determination is to be made;

(b) provision excluding employees of a specified description from being taken into account in that determination.

(5) Regulations under this section may make different provision for different purposes, including (among other things)—

(a) different provision in respect of different provisions of this Chapter;

(b) different provision in respect of different descriptions of employer.

(6) Regulations under this section may contain such incidental, supplementary or transitional provision as appears to the Secretary of State to be necessary or expedient.

(7) Regulations under this section are to be made by statutory instrument.

(8) A statutory instrument containing regulations under this section (whether alone or with other provision) may not be made unless a draft of the instrument is laid before and approved by a resolution of each House of Parliament.

(9) In this section "specified" means specified in the regulations.'"

See the explanatory statement for amendment 90.

Amendment 94, page 39, line 15, at end insert—

"( ) In section 193A (redundancies of ships' crew)—

(a) in subsection (1)(a), omit '193(1) or';

(b) in subsection (2), for 'section 193(1) or (2)' substitute 'section 193(2)'."

See the explanatory statement for amendment 90.

Amendment 95, page 39, line 17, leave out paragraphs (a) and (b) and insert—

"(a) in paragraph (a), for '188(2) and 193(1)' substitute '188(1A) and 193(2A)(b)';

(b) in the words after paragraph (b), for '188(2) and 193(1)' substitute '188(1A) and 193(2A)(b)'."

See the explanatory statement for amendment 90.

Amendment 96, page 39, line 21, leave out paragraphs (a) and (b) and insert—

"(a) in subsection (1)(b), for the words from '20 or more employees' to 'or less,' substitute 'within a period of 90 days or less—

(i) at least the threshold number of employees (see section 195A), or

(ii) 20 or more employees at one establishment,';

(b) in subsection (4)(a)—

(i) for 'and as if' substitute 'and, where relevant, as if';

(ii) for '(1)(b)' substitute '(1)(b)(ii)'."—*(Justin Madders.)*

See the explanatory statement for amendment 90.

Clause 26

COLLECTIVE REDUNDANCY NOTIFICATIONS: SHIPS' CREW

Amendment made: 97, page 40, line 1, leave out "after 'or (2)'" and insert "before 'to the competent authority'".—*(Justin Madders.)*

This amendment is consequential on amendment 94.

Clause 31

POWER TO ESTABLISH THE ADULT SOCIAL CARE NEGOTIATING BODY

Amendments made: 98, page 48, line 32, leave out subsection (1) and insert—

"(1) Where the appropriate authority provides for there to be a Negotiating Body under section (Power to establish Social Care Negotiating Body), the authority may by regulations make further provision about the Negotiating Body."

This amendment is consequential on NC37.

Amendment 99, page 49, line 16, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 100, page 49, line 19, leave out "Secretary of State" and insert "appropriate authority ".—*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 32

MATTERS WITHIN THE NEGOTIATING BODY'S REMIT

Amendments made: 101, page 49, line 39, leave out third "the" and insert "a".

This amendment is consequential on NC37.

Amendment 102, page 49, line 41, before first "social" insert "relevant".

This amendment is consequential on amendment 108.

Amendment 103, page 49, line 41, before second "social" insert "relevant".

This amendment is consequential on amendment 108.

Amendment 104, page 50, line 1, before "social" insert "relevant".

This amendment is consequential on amendment 108.

Amendment 105, page 50, line 2, before "social" insert "relevant".

This amendment is consequential on amendment 108.

Amendment 106, page 50, line 3, before "social" insert "relevant".

This amendment is consequential on amendment 108.

Amendment 107, page 50, line 4, before "social" insert "relevant".

This amendment is consequential on amendment 108.

Amendment 108, page 50, line 5, after "(1)" insert—

> "'relevant social care worker', in relation to a Negotiating Body, means a social care worker employed in, or in connection with, the provision of social care in the area for which the Negotiating Body is established;"

This amendment is consequential on NC37. It ensures that the matters within each Negotiating Body's remit must relate to social care workers employed in, or in connection with, the provision of social care in England, Wales or Scotland as applicable.

Amendment 109, page 50, line 6, leave out "Secretary of State" and insert "appropriate authority".
—*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 33

MEANING OF "SOCIAL CARE WORKER"

Amendments made: 110, page 50, line 8, leave out from "means" to end of line 10 and insert—

> "(a) in relation to England, a person who is employed wholly or mainly in, or in connection with, the provision of social care to individuals aged 18 or over;
>
> (b) in relation to Wales or Scotland, a person who is employed wholly or mainly in, or in connection with, the provision of social care to any individual."

The effect of this amendment is that a Negotiating Body established for Wales or Scotland may consider matters relating to people working in adult or children's social care.

Amendment 111, page 50, line 11, leave out "adult".

This amendment is consequential on amendment 110.

Amendment 112, page 50, line 13, leave out "aged 18 or over".

This amendment is consequential on amendment 110.

Amendment 113, page 50, line 16, leave out from "assistance," to end of line 20.—*(Justin Madders.)*

This amendment is consequential on amendment 110.

Clause 34

CONSIDERATION OF MATTERS BY THE NEGOTIATING BODY

Amendments made: 114, page 50, line 23, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 115, page 50, line 24, leave out "the" and insert "a".

This amendment is consequential on NC37.

Amendment 116, page 50, line 30, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 117, page 50, line 31, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 118, page 50, line 34, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 119, page 51, line 4, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 120, page 51, line 6, leave out "Secretary of State" and insert "appropriate authority".
—*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 35

RECONSIDERATION BY THE NEGOTIATING BODY

Amendments made: 121, page 51, line 9, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 122, page 51, line 9, leave out "the" and insert "a".

This amendment is consequential on NC37.

Amendment 123, page 51, line 10, leave out "Secretary of State, the Secretary of State" and insert "appropriate authority, the authority".

This amendment is consequential on NC37.

Amendment 124, page 51, line 13, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 125, page 51, line 14, leave out "the" and insert "a".

This amendment is consequential on NC37.

Amendment 126, page 51, line 19, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 127, page 51, line 22, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 128, page 51, line 32, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 129, page 51, line 34, leave out "Secretary of State" and insert "appropriate authority". —*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 36

FAILURE TO REACH AN AGREEMENT

Amendments made: 130, page 51, line 37, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 131, page 51, line 38, leave out "the" and insert "a".

This amendment is consequential on NC37.

Amendment 132, page 52, line 2, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 133, page 52, line 5, leave out "Secretary of State" and insert "appropriate authority". —*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 37

POWER TO RATIFY AGREEMENTS

Amendments made: 134, page 52, line 9, leave out first "the" and insert "a".

This amendment is consequential on NC37.

Amendment 135, page 52, line 10, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 136, page 52, line 11, leave out "Secretary of State" and insert "appropriate authority". —*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 38

EFFECT OF REGULATIONS RATIFYING AGREEMENT

Amendments made: 137, page 52, line 15, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 138, page 52, line 16, leave out "the" and insert "a".

This amendment is consequential on NC37.

Amendment 139, page 52, line 17, after second "the" insert "social care".

This amendment makes a minor drafting change.

Amendment 140, page 52, line 20, after "the" insert "social care".—*(Justin Madders.)*

This amendment makes a minor drafting change.

Clause 39

POWER OF SECRETARY OF STATE TO DEAL WITH MATTERS

Amendments made: 141, page 52, line 27, leave out first "the" and insert "a".

This amendment is consequential on NC37.

Amendment 142, page 52, line 27, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 143, page 52, line 31, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 144, page 52, line 32, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 145, page 53, line 3, after second "the" insert "social care".

This amendment makes a minor drafting change.

Amendment 146, page 53, line 6, after "the" insert "social care".—*(Justin Madders.)*

This amendment makes a minor drafting change.

Clause 40

GUIDANCE AND CODES OF PRACTICE

Amendments made: 147, page 53, line 12, leave out "Secretary of State" and insert "appropriate authority".

This amendment is consequential on NC37.

Amendment 148, page 53, line 13, leave out "Secretary of State" and insert "authority".

This amendment is consequential on NC37.

Amendment 149, page 53, line 14, leave out "the" and insert "a".

This amendment is consequential on NC37.

Amendment 150, page 53, line 16, after "made" insert "by the authority".—*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 41

DUTY OF EMPLOYERS TO KEEP RECORDS

Amendment made: 151, page 54, line 6, at end insert—

"(2A) Regulations under this section that provide for any of those provisions of that Act to apply in relation to such records may provide for section 49 of that Act (restrictions on contracting out) to apply, with or without modifications, in relation to the application of those provisions by the regulations."—*(Justin Madders.)*

Clause 41 enables the Secretary of State to make regulations requiring employers to keep records for the purposes of Chapter 2 of Part 3. The regulations may also provide for provisions of the National Minimum Wage Act 1998 relating to the keeping of records, for example section 10, which confers a right to access records, to apply in relation to records kept for the purposes of Chapter 2. The amendment would enable section 49 of that Act also to be applied by the regulations. Section 49 operates to prevent an agreement from seeking to limit or exclude the operation of the 1998 Act or prevent a person from bringing proceedings under that Act in an employment tribunal. Any provision of a social care worker's contract that sought to prevent the worker from, say, accessing records kept by virtue of clause 41 would therefore be void.

Clause 42

ENFORCEMENT OF MATTERS RELATING TO PAY

Amendment made: 152, page 54, line 8, leave out clause 42.—*(Justin Madders.)*

See the explanatory statement for amendment 250.

Clause 43

REGULATIONS UNDER SECTION 37 OR 39: SUPPLEMENTARY

Amendment made: 153, page 55, line 4, leave out from "submitted" to "or" in line 5 and insert

"by a Negotiating Body to the appropriate authority,".—*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 45

STATUS OF AGREEMENTS, ETC

Amendments made: 154, page 55, line 18, leave out first "the" and insert "a".

This amendment is consequential on NC37.

Amendment 155, page 55, line 18, leave out second "the" and insert "a".

This amendment is consequential on NC37.

Amendment 156, page 55, line 23, leave out "the" and insert "a".—*(Justin Madders.)*

This amendment is consequential on NC37.

Clause 46

INTERPRETATION OF THIS CHAPTER

Amendments made: 157, page 55, line 25, at end insert—

"'the appropriate authority' has the meaning given by section (Power to establish Social Care Negotiating Body)(5);".

This amendment is consequential on NC37.

Amendment 158, page 55, line 32, at end insert—

"'enactment' means—

(a) an Act of Parliament,

(b) a Measure or Act of the National Assembly for Wales or an Act of Senedd Cymru, or

(c) an Act of the Scottish Parliament;".

This amendment is consequential on NC37. It would enable, for example, regulations made by the Scottish Ministers setting up a Negotiating Body to make consequential amendments of Acts of the Scottish Parliament.

Amendment 159, page 55, leave out line 33 and insert—

"'Negotiating Body' has the meaning given by section (Power to establish Social Care Negotiating Body)(5);".

This amendment is consequential on NC37.

Amendment 160, page 56, line 1, after "'agency worker'" insert ", 'relevant social care worker'".

This amendment is consequential on amendment 108.

Amendment 161, page 56, line 12, leave out subsections (2) to (4).—*(Justin Madders.)*

This amendment is consequential on NC38.

New Schedule 1

AGENCY WORKERS: GUARANTEED HOURS AND RIGHTS RELATING TO SHIFTS

"Before Schedule 1 to the Employment Rights Act 1996 insert—

"SCHEDULE A1

AGENCY WORKERS: GUARANTEED HOURS AND RIGHTS RELATING TO SHIFTS

PART 1

RIGHT TO GUARANTEED HOURS

Right for qualifying agency workers to be offered guaranteed hours

1 (1) A hirer must make a guaranteed hours offer to an agency worker in accordance with paragraph 2 after the end of every period—

(a) that is a reference period in relation to that agency worker and that hirer, and

(b) in relation to which the agency worker is a qualifying agency worker of the hirer.

(2) Paragraph 4 makes provision for exceptions to this duty, including in certain cases where the agency worker stops working for and under the supervision and direction of the hirer.

(3) An agency worker is a qualifying agency worker of a hirer in relation to a reference period if—

(a) during the reference period the agency worker worked for and under the supervision and direction of the hirer for a number of hours (the "reference period hours"),

(b) the reference period hours satisfy such conditions as to number, regularity or otherwise as are specified, and

(c) when the agency worker worked the reference period hours, it was not as an excluded agency worker.

(4) In relation to an agency worker and a hirer for and under the supervision and direction of whom the agency worker works, each of the following is a "reference period"—

(a) the initial reference period, and

(b) each subsequent reference period.

(5) "The initial reference period", in relation to an agency worker and a hirer for and under the supervision and direction of whom the agency worker works, means the period—

(a) beginning with—

(i) where the agency worker is working for and under the supervision and direction of the hirer on the day on which sub-paragraph (1) comes into force ("the commencement day"), the commencement day, or

(ii) where the agency worker is not so working, the first day after the commencement day on which the agency worker is working for and under the supervision and direction of the hirer, and

(b) ending with the specified day.

(6) A "subsequent reference period", in relation to an agency worker and a hirer for and under the supervision and direction of whom the agency worker works, means a period beginning and ending with the specified days.

(7) For the purposes of this Part of this Schedule—

(a) references to a "hirer" are to a person for and under the supervision and direction of whom agency workers are supplied to work;

(b) references to a "qualifying agency worker" are to an agency worker who is a qualifying agency worker of a hirer in relation to a reference period by virtue of sub-paragraph (3), and

(c) the reference period in relation to which the agency worker is a qualifying agency worker of the hirer is referred to as "the relevant reference period".

(8) Nothing in this Part of this Schedule prevents a hirer from making one or more other offers to a qualifying agency worker to enter into a worker's contract, at the same time as making a guaranteed hours offer.

(9) Regulations made under sub-paragraph (3)(b), (5) or (6) may, in particular, include provision to take account of time when an agency worker does not work for a specified reason.

(10) In this paragraph, "excluded agency worker" means an agency worker who is of a specified description.

Requirements relating to a guaranteed hours offer

2 (1) An offer by a hirer to a qualifying agency worker is a guaranteed hours offer for the purposes of this Part of this Schedule if it is an offer to enter into a worker's contract and the worker's contract will require the hirer to provide the qualifying agency worker with work, and the qualifying agency worker to do work, for a number of hours that reflects the reference period hours in the relevant reference period.

(2) The Secretary of State may by regulations provide that an offer by a hirer to a qualifying agency worker is a guaranteed hours offer for the purposes of this Part of this Schedule only if it also satisfies the condition in sub-paragraph (3).

(3) The condition referred to in sub-paragraph (2) is that—

(a) the offer sets out—

(i) the days of the week, and the times on those days, when the offered number of hours are to be provided and worked, or

(ii) a working pattern of days, and times of day, by reference to which the offered number of hours are to be provided and worked, and

(b) those days and times reflect, or that pattern reflects, when the qualifying agency worker worked the reference period hours in the relevant reference period.

(4) Where no regulations are in force under sub-paragraph (2) that apply in relation to an offer by a hirer to a qualifying agency worker, the offer is a guaranteed hours offer for the purposes of this Part of this Schedule only if it also proposes terms and conditions relating to when the offered number of hours are to be provided and worked (which need not be on particular days of the week, or at particular times on those days, or by reference to a particular working pattern of days or times of day).

(5) The Secretary of State may by regulations make provision about how it is to be determined—

(a) whether an offer reflects the number of hours worked by a qualifying agency worker during a reference period;

(b) where regulations are in force under sub-paragraph (2) that apply in relation to an offer, whether the offer reflects when hours were worked by a qualifying agency worker during a reference period.

(6) A guaranteed hours offer—

(a) must not propose a worker's contract that is a limited-term contract unless it is reasonable for it to be entered into as such a contract, and

(b) must (in addition to what is required by or under sub-paragraphs (1) and (2) or sub-paragraphs (1) and (4)) propose terms and conditions of employment—

(i) that, taken as a whole, are no less favourable than the terms and conditions relating to matters other than working hours and length of employment under which the qualifying agency worker worked for and under the supervision and direction of the hirer during the relevant reference period, or

(ii) where paragraph 3 applies, that comply with sub-paragraph (2) of that paragraph.

(7) For the purposes of sub-paragraph (6)(a) it is reasonable for a worker's contract to be entered into, between a hirer and a qualifying agency worker, as a limited-term contract only if—

(a) it is reasonable for the hirer to consider that the qualifying agency worker is only needed to perform a specific task and the worker's contract provides for termination when the task has been performed,

(b) it is reasonable for the hirer to consider that the qualifying agency worker is only needed until the occurrence of an event (or the failure of an event to occur) and the worker's contract provides for termination on the occurrence of the event (or the failure of the event to occur), or

(c) it is reasonable for the hirer to consider that there is only a temporary need of a specified description (not falling within paragraph (a) or (b)) for the qualifying agency worker to do work under the worker's contract and the worker's contract is to expire at a time when it is reasonable for the hirer to consider that the temporary need will come to an end.

(8) A guaranteed hours offer—

(a) must be made by no later than the specified day,

(b) must be made in the specified form and manner, and

(c) must be accompanied by specified information relating to the offer.

(9) The Secretary of State may by regulations make provision about when a guaranteed hours offer is to be treated as having been made.

(10) In this paragraph, "reference period hours", in relation to a qualifying agency worker and a relevant reference period, has the same meaning as in paragraph 1(3).

Requirements relating to a guaranteed hours offer: supplementary

3 (1) This paragraph applies where, during the relevant reference period, the terms and conditions relating to matters other than working hours and length of employment under which the qualifying agency worker worked for and under the supervision and direction of the hirer were not the same throughout the relevant reference period.

(2) Where this paragraph applies, the guaranteed hours offer may propose terms and conditions of employment (in addition to what is required by or under paragraph 2(1) and (2) or paragraph 2(1) and (4)) that, taken as a whole, are less favourable than the most favourable terms and conditions relating to matters other than working hours and length of employment that the qualifying agency worker had when working for and under the supervision and direction of the hirer during the relevant reference period, but only if—

(a) those proposed terms and conditions, taken as a whole, are no less favourable than the least favourable terms and conditions relating to matters other than working hours and length of employment that the qualifying agency worker had when working for and under the supervision and direction of the hirer during the relevant reference period, and

(b) the proposal of those terms by the hirer constitutes a proportionate means of achieving a legitimate aim.

(3) If a hirer relies on sub-paragraph (2) when making a guaranteed hours offer to a qualifying agency worker, the hirer must give to the qualifying agency worker a notice that—

(a) states that the hirer has done so, and

(b) explains how the proposed terms and conditions constitute a proportionate means of achieving a legitimate aim.

(4) A notice under sub-paragraph (3) must be given by no later than the same day, and in the same form and manner, as the guaranteed hours offer (see paragraph 2(8)).

Guaranteed hours offer: exceptions to duty to make offer and withdrawal of offer

4 (1) The duty imposed by paragraph 1(1) on a hirer in relation to a qualifying agency worker does not apply if, during the relevant reference period or the offer period, the qualifying agency worker stops working for and under the supervision and direction of the hirer in relevant circumstances.

(2) A guaranteed hours offer made by a hirer to a qualifying agency worker is to be treated as having been withdrawn if, during the response period, the qualifying agency worker stops working for and under the supervision and direction of the hirer in relevant circumstances.

(3) Relevant circumstances occur where—

(a) the qualifying agency worker declines to continue working under the supervision and direction of the hirer other than in circumstances in which the qualifying agency worker is entitled to do so without notice by reason of the hirer's conduct;

(b) the hirer tells the work-finding agency, or other person, that has been supplying the qualifying agency worker to the hirer to stop supplying the qualifying agency worker and—

(i) the hirer's reason for doing so (or, if more than one, the hirer's principal reason for doing so) is a qualifying reason, and

(ii) in the circumstances (including the size and administrative resources of the hirer's undertaking) the hirer has acted reasonably in treating the reason (or the principal reason) as a sufficient reason for telling the work-finding agency, or other person, to stop supplying the qualifying agency worker.

(4) In sub-paragraph (3)(b), "qualifying reason", in relation to a qualifying agency worker, means a reason falling within sub-paragraph (5) or some other substantial reason of a kind

such as to justify telling a work-finding agency, or other person, to stop supplying an agency worker doing work of the kind which the qualifying agency worker was supplied to the hirer to do.

(5) A reason falls within this sub-paragraph if it—

(a) relates to the capability or qualifications of the qualifying agency worker to do work of the kind which the qualifying agency worker was supplied to the hirer to do,

(b) relates to the conduct of the qualifying agency worker, or

(c) is that the qualifying agency worker could not continue to do work of the kind which the qualifying agency worker was supplied to the hirer to do without contravention (whether on the part of the qualifying agency worker, on the part of the hirer or on the part of the work-finding agency or other person that supplied the qualifying agency worker) of a duty or restriction imposed by or under any legislation.

(6) The Secretary of State may by regulations make provision for the duty imposed by paragraph 1(1) not to apply, or for a guaranteed hours offer that has been made to be treated as having been withdrawn, in other specified circumstances.

(7) Where, by virtue of sub-paragraph (2), a guaranteed hours offer made by a hirer to a qualifying agency worker is treated as having been withdrawn, the hirer must, by no later than the end of the response period, give a notice to the qualifying agency worker stating this to be the case.

(8) Where, by virtue of regulations under sub-paragraph (6)—

(a) a hirer who would otherwise have been subject to the duty imposed by paragraph 1(1) in relation to a qualifying agency worker and a particular reference period is not required to make a guaranteed hours offer to the qualifying agency worker, or

(b) a guaranteed hours offer made by a hirer to a qualifying agency worker is treated as having been withdrawn, the hirer must give a notice to the qualifying agency worker that states which provision of the regulations has produced the effect referred to in paragraph (a) or (b) (as the case may be).

(9) A notice under sub-paragraph (8) must be given by a hirer to a qualifying agency worker—

(a) where it is required to be given by virtue of paragraph (a) of that sub-paragraph, by no later than the end of the offer period;

(b) where it is required to be given by virtue of paragraph (b) of that sub-paragraph, by no later than the end of the response period.

(10) The Secretary of State may by regulations make provision about—

(a) the form and manner in which a notice under sub-paragraph (7) or (8) must be given;

(b) when a notice under sub-paragraph (7) or (8) is to be treated as having been given.

(11) In this paragraph—

"capability", in relation to a qualifying agency worker, means the qualifying agency worker's capability assessed by reference to skill, aptitude, health or any other physical or mental quality;

"the offer period", in relation to a qualifying agency worker and the hirer for and under the supervision and direction of whom the agency worker worked, means the period beginning with the day after the day on which the relevant reference period ends and ending with—

(a) the day on which a guaranteed hours offer is made to the qualifying agency worker by the hirer, or

(b) if no guaranteed hours offer is made before the day specified under paragraph 2(8)(a) as the last day on which the hirer may make such an offer to the qualifying agency worker, that last day;

"qualifications", in relation to a qualifying agency worker, means any degree, diploma or other academic, technical or professional qualification relevant to the work which the qualifying agency worker is supplied to the hirer to do;

"the response period", in relation to a guaranteed hours offer made to a qualifying agency worker, means the period—

(a) beginning with the day after the day on which the offer is made, and

(b) ending with the specified day.

Acceptance or rejection of a guaranteed hours offer

5 (1) Where a hirer makes a guaranteed hours offer to a qualifying agency worker and the offer is not treated as having been withdrawn by virtue of paragraph 4(2) or regulations under paragraph 4(6), the qualifying agency worker may, by giving notice to the hirer before the end of the response period, accept or reject the offer.

(2) Where a qualifying agency worker gives notice under sub-paragraph (1) accepting an offer, the qualifying agency worker and the hirer that made the offer are to be treated as entering into a worker's contract in the terms of the offer on the day after the day on which notice is given.

(3) But a qualifying agency worker and a hirer may agree, for the purposes of sub-paragraph (2), that the worker's contract is to be treated as being entered into on a later day than the day mentioned in that sub-paragraph.

(4) If a qualifying agency worker to whom a guaranteed hours offer has been made does not give notice under sub-paragraph (1) before the end of the response period, the qualifying agency worker is to be treated as having rejected the offer.

(5) The Secretary of State may by regulations make provision about—

(a) the form and manner in which notice under sub-paragraph (1) must be given by a qualifying agency worker to a hirer;

(b) when notice given by a qualifying agency worker to a hirer under sub-paragraph (1) is to be treated as having been given.

(6) In this paragraph, "the response period" has the same meaning as in paragraph 4.

(7) Where—

(a) a hirer is permitted by section 27BUD(3) to withdraw a guaranteed hours offer (withdrawal of offer following incorporation of terms of collective agreement), and

(b) the hirer withdraws the offer by giving notice under that section, sub-paragraph (1) of this paragraph ceases to apply in relation to the offer when the notice is given.

Information about rights conferred by Part 1 of Schedule A1

6 (1) Where—

(a) a work-finding agency has a worker's contract or an arrangement with an agency worker by virtue of which the agency worker is (or is to be) supplied to work for and under the supervision and direction of a hirer, and

(b) it is reasonable to consider that the agency worker might become a qualifying agency worker of a hirer in relation to a reference period (whether the initial reference period, or a subsequent reference period, as defined in paragraph 1), the work-finding agency must take reasonable steps, within the initial information period, to ensure that the agency worker is aware of specified information relating to the rights conferred on agency workers by this Part of this Schedule.

(2) A work-finding agency that is subject to the duty in sub-paragraph (1) in relation to an agency worker must take reasonable steps to ensure that, after the end of the initial information period, the agency worker continues to have access to the specified information referred to in that sub-paragraph at all times when—

(a) the worker's contract or (as the case may be) the arrangement so referred to continues to be in force, and

(b) it is reasonable to consider that the agency worker might become (or might again become) a qualifying agency worker of a hirer in relation to a reference period.

(3) "The initial information period", in relation to an agency worker and the work-finding agency with which the agency worker has a worker's contract or an arrangement by virtue of which the agency worker is (or is to be) supplied to work for and under the supervision and direction of a hirer, means the period of two weeks beginning with—

(a) where the worker's contract or arrangement is in force on the day on which paragraph 1(1) comes into force ("the commencement day"), the commencement day, or

(b) where it is not in force on that day, the first day after the commencement day on which it is in force.

(4) But where, on the day referred to in sub-paragraph (3)(a) or (b), it was not reasonable to consider that the agency worker might become a qualifying agency worker of a hirer in relation to any reference period, sub-paragraph (3) is to be read as if it provided for "the initial information period" to mean the period of two weeks beginning with the day on which it becomes reasonable so to consider.

Complaints to employment tribunals against a hirer: grounds

7 (1) An agency worker may present a complaint to an employment tribunal that—

(a) the duty imposed by paragraph 1(1) applies to a hirer in relation to the agency worker and a particular reference period, but

(b) by the end of the last day of the offer period, the hirer has not made an offer to enter into a worker's contract in compliance (or purported compliance) with that duty (whether because the hirer does not consider that the agency worker is a qualifying agency worker in relation to the reference period or for any other reason).

(2) An agency worker may present a complaint to an employment tribunal that—

(a) the duty imposed by paragraph 1(1) applies to a hirer in relation to the agency worker and a particular reference period, but

(b) the offer that the hirer has made to the agency worker in relation to that reference period to enter into a worker's contract is not a guaranteed hours offer as described in—

(i) where regulations are in force under sub-paragraph (2) of paragraph 2 that apply in relation to the offer, sub-paragraphs (1) and (3) of that paragraph (read with any regulations in force under sub-paragraph (5)(a) or (b) of that paragraph), or

(ii) where no regulations are in force under sub-paragraph (2) of paragraph 2 that apply in relation to the offer, sub-paragraphs (1) and (4) of that paragraph (read with any regulations in force under sub-paragraph (5)(a) of that paragraph).

(3) An agency worker may present a complaint to an employment tribunal that—

(a) the duty imposed by paragraph 1(1) applies to a hirer in relation to the agency worker and a particular reference period, but

(b) the guaranteed hours offer that the hirer has made to the agency worker in relation to that reference period does not comply with paragraph 2(6).

(4) An agency worker may present a complaint to an employment tribunal that—

(a) the duty imposed by paragraph 1(1) applies to a hirer in relation to the agency worker and a particular reference period, but

(b) the guaranteed hours offer that the hirer has made to the agency worker in relation to that reference period is on terms requiring the hirer to provide, and the agency worker to do, less work than would have been the case if the hirer had not, during that reference period—

(i) limited (by whatever means) the number of hours of work that the agency worker was requested or required, by virtue of a worker's contract or arrangement between the agency worker and a work-finding agency, to work for and under the supervision and direction of the hirer, or

(ii) caused the agency worker to be requested or required, by virtue of a worker's contract or arrangement between the agency worker and a work-finding agency, to work for and under the supervision and direction of the hirer in the way that the agency worker was,

for the sole or main purpose of the hirer being able to comply with the duty by making such a reduced offer.

(5) An agency worker may present a complaint to an employment tribunal that the duty imposed by paragraph 1(1) would have applied to a hirer in relation to the agency worker and a particular reference period if the hirer had not, during that reference period—

(a) limited (by whatever means) the number of hours of work that the agency worker was requested or required, by virtue of a worker's contract or arrangement between the agency worker and a work-finding agency, to work for and under the supervision and direction of the hirer, or

(b) caused the agency worker to be requested or required, by virtue of a worker's contract or arrangement between the agency worker and a work-finding agency, to work for and under the supervision and direction of the hirer in the way that the agency worker was,

for the sole or main purpose of preventing the agency worker from satisfying, in relation to that reference period, the condition in paragraph 1(3)(a) or (b).

(6) A complaint under sub-paragraph (2), (3) or (4)—

(a) may be presented whether or not the offer in question has been accepted by the agency worker, but

(b) may not be presented in relation to an offer that is—

(i) treated as having been withdrawn by virtue of paragraph 4(2) or regulations under paragraph 4(6), or

(ii) withdrawn in accordance with section 27BUD(3) (withdrawal of offer following incorporation of terms of collective agreement).

(7) An agency worker may present a complaint to an employment tribunal that a hirer—

(a) has failed to give to the agency worker a notice under paragraph 4(7) or (8);

(b) has given to the agency worker a notice under paragraph 4(7) or (8)(b) in circumstances in which the hirer should not have done so;

(c) has given to the agency worker a notice in purported compliance with paragraph 4(8) that does not refer to any provision of the regulations or refers to the wrong provision.

(8) In this paragraph, "the last day of the offer period", in relation to a reference period, means the day specified under paragraph 2(8)(a) as the last day on which a guaranteed hours offer may be made in relation to that reference period.

Complaints to employment tribunals against a work-finding agency: grounds

8 (1) An agency worker may present a complaint to an employment tribunal, against a relevant work-finding agency, that—

(a) the duty imposed by paragraph 1(1) applies to a hirer in relation to the agency worker and a particular reference period, but

(b) during that reference period the relevant work-finding agency—

(i) limited (by whatever means, including termination of a worker's contract or an arrangement) the number of hours of work that the agency worker was requested or required, by virtue of a worker's contract or arrangement between the agency worker and the relevant work-finding agency, to work for and under the supervision and direction of the hirer, or

(ii) caused the agency worker to be requested or required, by virtue of a worker's contract or arrangement between the agency worker and the relevant work-finding agency, to work for and under the supervision and direction of the hirer in the way that the agency worker was,

for the sole or main purpose of enabling the hirer to comply with the duty by making an offer to the agency worker on terms requiring the hirer to provide, and the agency worker to do, less work than would otherwise have been the case.

(2) An agency worker may present a complaint to an employment tribunal, against a relevant work-finding agency, that the duty imposed by paragraph 1(1) would have applied to a hirer in relation to the agency worker and a particular reference period if the relevant work-finding agency had not, during that reference period—

(a) limited (by whatever means, including termination of a worker's contract or an arrangement) the number of hours of work that the agency worker was requested or required, by virtue of a worker's contract or arrangement between the agency worker and the relevant work-finding agency, to work for and under the supervision and direction of the hirer, or

(b) caused the agency worker to be requested or required, by virtue of a worker's contract or arrangement between the agency worker and the relevant work-finding agency, to work for and under the supervision and direction of the hirer in the way that the agency worker was,

for the sole or main purpose of preventing the agency worker from satisfying, in relation to that reference period, the condition in paragraph 1(3)(a) or (b).

(3) A complaint under sub-paragraph (1)—

(a) may be presented whether or not an offer has been made by the hirer to the agency worker and, if it has, whether or not the offer has been accepted by the agency worker, but

(b) where an offer has been made, may not be presented where the offer is—

(i) treated as having been withdrawn by virtue of paragraph 4(2) or regulations under paragraph 4(6), or

(ii) withdrawn in accordance with section 27BUD(3) (withdrawal of offer following incorporation of terms of collective agreement).

(4) For the purposes of sub-paragraphs (1) and (2), references to a "relevant work-finding agency", in relation to an agency worker, a hirer and a reference period, are to a work-finding agency with which the agency worker had a worker's contract or arrangement by virtue of which the agency worker was (or could have been) supplied to work for and under the supervision and direction of the hirer during the reference period in question.

(5) An agency worker may present a complaint to an employment tribunal that a work-finding agency has failed to comply with—

(a) the duty imposed by paragraph 6(1);

(b) the duty imposed by paragraph 6(2).

Complaints to employment tribunals: time limits

9 (1) An employment tribunal must not consider a complaint under paragraph 7(1) unless it is presented before the end of the period of six months beginning with the day after the last day of the offer period (as defined in paragraph 7(8)).

(2) An employment tribunal must not consider a complaint under paragraph 7(2) unless it is presented before the end of the period of six months beginning with the day after the day when the offer referred to in that provision is made.

(3) An employment tribunal must not consider a complaint under paragraph 7(3) or (4) unless it is presented before the end of the period of six months beginning with the day after the day when the guaranteed hours offer referred to in that provision is made.

(4) An employment tribunal must not consider a complaint under paragraph 7(5) or 8(2) unless it is presented before the end of the period of six months beginning with the day after what would have been the last day of the offer period (as defined in paragraph 7(8)) if the duty in paragraph 1(1) had applied.

(5) An employment tribunal must not consider a complaint under paragraph 7(7)(a) relating to a notice unless it is presented before the end of the period of six months beginning with the day after the day on or before which the notice should have been given (see paragraph 4(7) and (9)).

(6) An employment tribunal must not consider a complaint under paragraph 7(7)(b) or (c) relating to a notice unless it is presented before the end of the period of six months beginning with the day after the day on which the notice is given.

(7) An employment tribunal must not consider a complaint under paragraph 8(1) unless it is presented before the end of the period of six months beginning with the day after the last day of the offer period (as defined in paragraph 7(8)).

(8) An employment tribunal must not consider a complaint under paragraph 8(5)(a) unless it is presented before the end of the period of six months beginning with the day after the last day of the initial information period (see paragraph 6(3) and (4)).

(9) An employment tribunal must not consider a complaint under paragraph 8(5)(b) unless it is presented before the end of the period of six months beginning with the day on which the agency worker first becomes aware of the failure to which the complaint relates.

(10) But, if the employment tribunal is satisfied that it was not reasonably practicable for a complaint under paragraph 7 or 8 to be presented before the end of the relevant period of six months, the tribunal may consider the complaint if it is presented within such further period as the tribunal considers reasonable.

(11) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of sub-paragraphs (1) to (9).

Remedies

10 (1) Where an employment tribunal finds a complaint under paragraph 7 or 8 well-founded, the tribunal—

(a) must make a declaration to that effect, and

(b) may make an award of compensation to be paid by the respondent to the agency worker.

(2) The amount of compensation under sub-paragraph (1)(b) is to be such amount, not exceeding the permitted maximum, as the tribunal considers just and equitable in all the circumstances to compensate the agency worker for any financial loss sustained by the agency worker which is attributable to the matter complained of.

(3) In ascertaining the financial loss sustained, the tribunal must apply the same rule concerning the duty of a person to mitigate their loss as applies to damages recoverable under the common law of England and Wales or (as the case may be) Scotland.

(4) For the purposes of sub-paragraph (2), "the permitted maximum" is—

(a) where the complaint is under paragraph 7(1), (2), (3) or (7) or 8(5), such number of weeks' pay as the Secretary of State may specify in regulations;

(b) where the complaint is under paragraph 7(4) or (5) or 8(1) or (2), such amount as the Secretary of State may specify in regulations.

(5) For the purposes of determining the permitted maximum for an award of compensation to be paid by a hirer (where the complaint is under paragraph 7(1), (2), (3) or (7))—

(a) the amount of a week's pay is (subject to paragraph (b)) the amount of average weekly remuneration received by the agency worker for working for and under the supervision and direction of the hirer in the reference period in question;

(b) the amount of a week's pay is not to exceed the amount specified in section 227(1) (as amended from time to time).

(6) For the purposes of determining the permitted maximum for an award of compensation to be paid by a work-finding agency (where the complaint is under paragraph 8(5))—

(a) the amount of a week's pay is (subject to paragraph (b)) the amount of average weekly remuneration received by the agency worker, in the relevant period, for working for and under the supervision and direction of a hirer (or, if more than one, all of the hirers taken together) by virtue of the worker's contract or arrangement between the work-finding agency and the agency worker;

(b) the amount of a week's pay is not to exceed the amount specified in section 227(1) (as amended from time to time);

(c) "the relevant period" means—

(i) where the worker's contract or arrangement between the agency worker and the work-finding agency ceased to be in force on or before the date the complaint was presented to the employment tribunal, the period of 12 weeks (or, if it was not in force for 12 weeks, the shorter period for which it was in force) ending with the latest day before the last day on which it was in force on which the agency worker worked for and under the supervision and direction of the hirer, or (if more than one) one of the hirers, referred to in paragraph (a);

(ii) where the worker's contract or arrangement between the agency worker and the work-finding agency did not so cease to be in force, the period of 12 weeks (or, if it had not then been in force for 12 weeks, the shorter period for which it had been in force) ending with the latest day before the date on which the complaint was presented to the employment tribunal on which the agency worker worked for and under the supervision and direction of the hirer, or (if more than one) one of the hirers, referred to in paragraph (a);

(d) Chapter 2 of Part 14 does not apply (and this paragraph applies instead), where the agency worker to whom compensation is to be paid is an employee of the work-finding agency.

Power to change the effect of Part 1 of Schedule A1

11 (1) The Secretary of State may by regulations make provision that, in relation to specified descriptions of agency workers, has the effect that—

(a) a hirer is not required by this Part of this Schedule to make a guaranteed hours offer, and

(b) a work-finding agency, or another person involved in the supply or payment of an agency worker, is instead required to make a corresponding or similar offer (and is liable to have a complaint against them presented to an employment tribunal on grounds corresponding or similar to those in paragraph 7).

(2) The provision referred to in sub-paragraph (1) may be made by amending this Act (or otherwise).

(3) Regulations under sub-paragraph (1) may make consequential provision, including provision amending—

(a) an Act of Parliament (including this Act);

(b) a Measure or Act of the National Assembly for Wales or an Act of Senedd Cymru;

(c) an Act of the Scottish Parliament.

Part 2

Shifts: rights to reasonable notice

Application of Part 2 of Schedule A1

12 (1) This Part of this Schedule applies in relation to a shift that would be (or would have been) worked, or is being worked, by an individual as an agency worker.

(2) But nothing in this Part of this Schedule applies in relation to a shift that would be (or would have been) worked, or is being worked, by an individual as an agency worker if, in relation to the agency worker, the shift is an excluded shift.

(3) For the purposes of this Part of this Schedule, "excluded shift", in relation to an agency worker, means a shift of a specified description.

(4) Regulations under sub-paragraph (3) may, in particular, specify a description of shift by reference to—

(a) the amount payable for working the shift being more than a specified amount;

(b) the number of hours to be worked during the shift, whether alone or taken together with other shifts of a specified description, being more than a specified number;

(c) the shift corresponding to the time of a shift provided for by a worker's contract between the agency worker and a work-finding agency or another person involved in the supply or payment of the agency worker (and where the regulations so specify a description of shift, the regulations may include provision similar or corresponding to section 27BJ(5A)).

(5) In the application of this Part of this Schedule in relation to an agency worker and a shift, references to—

(a) "the work-finding agency" are to the work-finding agency with which the agency worker has a worker's contract or an arrangement and by virtue of which the agency worker would work (or would have worked) or is working the shift;

(b) "the hirer" are to the person for and under the supervision and direction of whom the agency worker would work (or would have worked) or is working the shift.

Right to reasonable notice of a shift

13 (1) An agency worker is entitled to be given, by the work-finding agency or the hirer, reasonable notice of a shift that the agency worker is requested or required to work by virtue of the worker's contract or arrangement that the agency worker has with the work-finding agency.

(2) It is to be presumed, unless the contrary is shown, that notice of a shift is not reasonable notice if it is given less than a specified amount of time before the shift is due to start.

(3) In this paragraph and paragraphs 14 and 15, "notice of a shift" means notice of how many hours are to be worked during the shift and when the shift is to start and end.

Right to reasonable notice of cancellation of or change to a shift

14 (1) Sub-paragraph (2) applies in relation to an agency worker where—

(a) the agency worker has been given notice of a shift by the work-finding agency or the hirer, and

(b) where the shift is one that the agency worker has been requested (rather than required) to work, the agency worker has agreed to work it.

(2) The agency worker is entitled to be given, by the work-finding agency or the hirer, reasonable notice of—

(a) the cancellation of the shift;

(b) any change requested or required by virtue of the worker's contract or arrangement that the agency worker has with the work-finding agency consisting of—

(i) a change to when the shift is to start or end;

(ii) a reduction in the number of hours to be worked during the shift because of a break in the shift;

(but this is subject to paragraph 17).

(3) It is to be presumed, unless the contrary is shown, that—

(a) notice of the cancellation of a shift is not reasonable notice for the purposes of sub-paragraph (2) if it is given less than a specified amount of time before the shift would have started (if the shift had not been cancelled);

(b) notice of a change to when a shift is to start is not reasonable notice for the purposes of sub-paragraph (2) if it is given less than a specified amount of time before the earlier of—

(i) when the shift would have started (if the shift had not been changed), and

(ii) when the shift is due to start (having been changed);

(c) notice of any other change to a shift is not reasonable notice for the purposes of sub-paragraph (2) if it is given—

(i) less than a specified amount of time before the shift is due to start;

(ii) on or after the start of the shift.

Paragraphs 13 and 14: liability of work-finding agency and hirer

15 (1) The work-finding agency is liable for a breach of paragraph 13 or 14, in relation to an agency worker and a shift, to the extent that it is responsible for the breach.

(2) The hirer is liable for a breach of paragraph 13 or 14, in relation to an agency worker and a shift, to the extent that it is responsible for the breach.

(3) For the purposes of this Part of this Schedule, the hirer is not responsible for a breach of paragraph 13 or 14 in relation to an agency worker and a shift (and accordingly is not liable for the breach) if—

(a) the hirer gives notice to the work-finding agency of the shift or (as the case may be) of the cancellation of, or change to, the shift, and

(b) that notice is such as to enable the work-finding agency to give reasonable notice to the agency worker under paragraph 13 or 14.

(4) The Secretary of State may by regulations provide, in relation to an agency worker and a shift, that the work-finding agency is solely responsible for a breach of paragraph 13 or 14 (and accordingly is solely liable for the breach) where the hirer is a person of a specified description.

Paragraphs 13 to 15: supplementary

16 (1) Where an agency worker suggests working a shift and the work-finding agency or the hirer agrees to the suggestion—

(a) nothing in paragraph 13 applies in relation to the shift as suggested by the agency worker, but

(b) paragraph 14(2) applies (even though the conditions in paragraph 14(1) have not been met).

(2) In paragraphs 13 and 14, references to a request made to an agency worker to work a shift include a request (a "multi-worker request") made to the agency worker and one or more others in circumstances where not all of those to whom the request is made are needed to work the shift.

(3) For the purposes of paragraph 14, where a multi-worker request has been made to an agency worker in relation to a shift, references to the cancellation of the shift include the agency worker not being needed to work the shift because one or more others have agreed to work it.

(4) The Secretary of State may by regulations make provision about—

(a) the form and manner in which notices under paragraphs 13 to 15 must be given;

(b) when notice under those paragraphs is to be treated as having been given.

Interaction with Part 3 of Schedule A1

17 (1) Where a work-finding agency—

(a) is required to make a payment to an agency worker under paragraph 21(1) in relation to a shift that is cancelled, moved or curtailed at short notice, or

(b) would have been required to make such a payment in relation to the shift but for provision made under paragraph 23(1)(c),

nothing in paragraph 14(2) is to be taken to have applied in relation to the cancellation, movement or curtailment of the shift that gave rise to, or would have given rise to, the requirement to make the payment.

(2) Terms used in this paragraph have the same meaning as in paragraph 21.

Complaints to employment tribunals

18 (1) An agency worker may present a complaint to an employment tribunal that the work-finding agency or the hirer is liable for a breach of paragraph 13 or 14 in relation to the agency worker and a shift.

(2) Where, in determining whether a complaint under this paragraph is well-founded, the tribunal must determine whether reasonable notice has been given, the tribunal must have regard, in particular, to such of the specified matters as are appropriate in the circumstances.

(3) An employment tribunal must not consider a complaint under this paragraph unless it is presented before the end of the period of six months beginning with—

(a) where the complaint is that the work-finding agency or the hirer is liable for a breach of paragraph 13 in relation to the agency worker and a shift, the day on which the shift was due to start;

(b) where the complaint is that the work-finding agency or the hirer is liable for a breach of paragraph 14(2) in relation to the agency worker and the cancellation of a shift, the day on which the shift would have started (if the shift had not been cancelled);

(c) where the complaint is that the work-finding agency or the hirer is liable for a breach of paragraph 14(2) in relation to the agency worker and a change to a shift, the day on which the shift as changed was due to start or, where the shift was changed on or after its start, the day on which the shift started.

(4) But, if the employment tribunal is satisfied that it was not reasonably practicable for a complaint to be presented before the end of the relevant period of six months, the tribunal may consider the complaint if it is presented within such further period as the tribunal considers reasonable.

(5) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of sub-paragraph (3).

Remedies

19 (1) Where an employment tribunal finds a complaint under paragraph 18 well-founded, the tribunal—

(a) must make a declaration to that effect, and

(b) may make an award of compensation to be paid by the respondent to the agency worker.

(2) The amount of compensation under sub-paragraph (1)(b) in relation to a complaint is to be such amount, not exceeding the specified amount, as the tribunal considers just and equitable in all the circumstances to compensate the agency worker for any financial loss sustained by the agency worker which is attributable to the matter complained of.

(3) In ascertaining the financial loss sustained, the tribunal must apply the same rule concerning the duty of a person to mitigate their loss as applies to damages recoverable under the common law of England and Wales or (as the case may be) Scotland.

(4) Where an employment tribunal makes an award of compensation under sub-paragraph (1)(b) to an agency worker in relation to a shift and both the work-finding agency and the hirer are respondents, the amount of compensation payable by each respondent is to be such amount (if any) as the tribunal considers just and equitable having regard to the extent of each respondent's responsibility for the breach to which the complaint relates.

Part 3

Right to payment for cancelled, moved and curtailed shifts

Application of Part 3 of Schedule A1

20 (1) This Part of this Schedule applies in relation to a shift that would be (or would have been) worked, or is being worked, by an individual as an agency worker.

(2) In the application of this Part of this Schedule in relation to an agency worker and a shift, references to—

(a) "the work-finding agency" are to the work-finding agency with which the agency worker has a worker's contract or an arrangement and by virtue of which the agency worker would work (or would have worked) or is working the shift;

(b) "the hirer" are to the person for and under the supervision and direction of whom the agency worker would work (or would have worked) or is working the shift.

Right to payment for a cancelled, moved or curtailed shift

21 (1) A work-finding agency must make a payment of a specified amount to an agency worker each time that, by virtue of the worker's contract or arrangement that the agency worker has with the work-finding agency, there is a cancellation, movement or curtailment at short notice of a shift—

(a) that the agency worker has been informed they are required to work for the hirer (by virtue of that worker's contract or arrangement),

(b) that the agency worker has been requested to work for the hirer (by virtue of that worker's contract or arrangement) and the agency worker has agreed to work, or

(c) that the agency worker has suggested working for the hirer and it has been agreed (by virtue of that worker's contract or arrangement) that the agency worker is to work,

(but see paragraph 23 for exceptions to this duty).

(2) A payment that a work-finding agency is required to make under sub-paragraph (1) must be made by no later than the specified day.

(3) For the purposes of this Part of this Schedule, "short notice" means—

(a) in relation to the cancellation of a shift, notice given less than a specified amount of time before the shift would have started (if the shift had not been cancelled);

(b) in relation to the movement of a shift, or the movement and curtailment (at the same time) of a shift, notice given less than a specified amount of time before the earlier of—

(i) when the shift would have started (if the shift had not been moved, or moved and curtailed), and

(ii) when the shift is due to start (having been moved, or moved and curtailed);

(c) in relation to the curtailment of a shift where there is a change to when the shift is to start (but there is no movement of the shift), notice given less than a specified amount of time before the earlier of—

(i) when the shift would have started (if there had not been the change), and

(ii) when the shift is due to start (the change having been made);

(d) in relation to the curtailment of a shift where there is no change to when the shift is to start, notice given—

(i) less than a specified amount of time before the shift is due to start;

(ii) on or after the start of the shift.

(4) The Secretary of State may by regulations make provision about when notice of the cancellation, movement or curtailment of a shift is to be treated as having been given to an agency worker for the purposes of this Part of this Schedule.

(5) In this Part of this Schedule, references to the "movement" of a shift (however expressed) are to any change to the day on which or the time at which the shift is to start that is a change of more than a specified amount of time.

(6) In this Part of this Schedule, references to a request made to an agency worker to work a shift include a request (a "multi-worker request") made to the agency worker and one or more others in circumstances where not all of those to whom the request is made are needed to work the shift.

(7) For the purposes of this Part of this Schedule, where a multi-worker request has been made to an agency worker in relation to a shift, references to the cancellation of the shift include the agency worker not being needed to work the shift because one or more others have agreed to work it.

Regulations under paragraph 21: supplementary

22 (1) Regulations under paragraph 21(1) may not specify an amount to be paid to an agency worker in relation to the cancellation, movement or curtailment of a shift that exceeds—

(a) where the shift is cancelled, the amount of remuneration to which the agency worker would have been entitled had they worked the hours that will not be worked because of the cancellation;

(b) where the shift is moved, or moved and curtailed (at the same time), and no part of the shift as moved, or as moved and curtailed, corresponds to the time of the shift ("the original shift") before it was moved, or moved and curtailed, the amount of remuneration to which the agency worker would have been entitled had they worked the original shift;

(c) where the shift is moved, or moved and curtailed (at the same time), and part of the shift as moved, or as moved and curtailed, corresponds to the time of the original shift (but part does not), the amount of remuneration to which the agency worker would have been entitled had they worked the part of the original shift that does not correspond to the shift as moved, or as moved and curtailed;

(d) where the shift is—

(i) curtailed but not moved, or

(ii) moved and curtailed (at the same time) and the shift as moved and curtailed is to start and end within the time of the original shift,

the amount of remuneration to which the agency worker would have been entitled had they worked the hours that will not be worked because of the curtailment, or the movement and curtailment.

(2) Regulations under paragraph 21(1) may, in particular, include provision specifying different amounts depending on the amount of notice that was given of the cancellation, movement or curtailment.

(3) Regulations under paragraph 21(3) may not specify an amount of time that exceeds 7 days.

Exceptions to duty to make payment for a cancelled, moved or curtailed shift

23 (1) The requirement to make a payment under paragraph 21(1) does not apply—

(a) in relation to the cancellation, movement or curtailment of a shift if, in relation to the agency worker, the shift is an excluded shift;

(b) in relation to the cancellation, movement or curtailment of a shift that an agency worker has been requested to work, unless the agency worker reasonably believed, whether on agreeing to work the shift or at some later time before the cancellation, movement or curtailment, that they would be needed to work the shift;

(c) in other specified circumstances (whether circumstances relating to the work-finding agency, the hirer or otherwise).

(2) In sub-paragraph (1)(a), "excluded shift", in relation to an agency worker, means a shift of a specified description.

(3) Regulations under sub-paragraph (2) may, in particular, specify a description of shift by reference to—

(a) the amount payable for working the shift being more than a specified amount;

(b) the number of hours to be worked during the shift, whether alone or taken together with other shifts of a specified description, being more than a specified number;

(c) the shift corresponding to the time of a shift provided for by a worker's contract between the agency worker and a work-finding agency or another person involved in the supply or payment of the agency worker (and where the regulations so specify a description of shift, the regulations may include provision similar or corresponding to section 27BP(4)).

(4) Where, by virtue of regulations made under sub-paragraph (1)(c), a work-finding agency is not required to make a payment to an agency worker in relation to a shift under paragraph 21(1), the work-finding agency must give a notice to the agency worker that—

(a) states which provision of the regulations has produced the effect that the work-finding agency is not required to make the payment, and

(b) explains why the work-finding agency was entitled to rely on that provision so as not to make the payment to the agency worker under paragraph 21(1).

(5) But sub-paragraph (4) does not require a work-finding agency to disclose—

(a) any information the disclosure of which by the work-finding agency would contravene the data protection legislation (but in determining whether a disclosure would do so, the duty imposed by that sub-paragraph is to be taken into account);

(b) any information that is commercially sensitive;

(c) any information the disclosure of which by the work-finding agency would constitute a breach of a duty of confidentiality owed by the work-finding agency to any other person.

(6) In sub-paragraph (5)(a) "the data protection legislation" has the same meaning as in the Data Protection Act 2018 (see section 3(9) of that Act).

(7) The Secretary of State may by regulations make provision about—

(a) the form and manner in which a notice under this paragraph must be given;

(b) the day on or before which it must be given;

(c) when a notice under this paragraph is to be treated as having been given.

(8) The duty in sub-paragraph (4) does not apply if, before the day on or before which the notice must be given, the work-finding agency or another person has paid to the agency worker an amount in relation to a number of hours that is at least equal to the amount of the payment that the work-finding agency would have been required to make to the agency worker under paragraph 21(1) in relation to the same number of hours but for regulations made under sub-paragraph (1)(c).

(9) Sub-paragraph (4) of paragraph 24 applies for the purposes of sub-paragraph (8) of this paragraph as it applies for the purposes of sub-paragraphs (2) and (3) of that paragraph.

Contractual remuneration

24 (1) The right of an agency worker to receive a payment from a work-finding agency under paragraph 21(1) does not affect any right of the agency worker in relation to remuneration under a worker's contract (whether with the work-finding agency or another person) ("contractual remuneration").

(2) Any contractual remuneration paid to an agency worker in relation to a number of hours goes towards discharging any liability of the work-finding agency to make a payment to the agency worker under paragraph 21(1) in relation to the same hours.

(3) Any payment made by a work-finding agency to an agency worker under paragraph 21(1) in relation to a number of hours goes towards discharging any liability to pay contractual remuneration to the agency worker in relation to the same hours.

(4) For the purposes of sub-paragraphs (2) and (3), the hours to which a payment under paragraph 21(1) relates are—

(a) where a shift has been cancelled, the hours that would have been worked (by virtue of the worker's contract or arrangement between the work-finding agency and the agency worker) if the shift had not been cancelled;

(b) where a shift has been moved, or moved and curtailed (at the same time), and no part of the shift as moved, or as moved and curtailed, corresponds to the time of the shift ("the original shift") before it was moved, or moved and curtailed, the hours that would have been worked (by virtue of the worker's contract or arrangement between the work-finding agency and the agency worker) during the original shift;

(c) where a shift has been moved, or moved and curtailed (at the same time), and part of the shift as moved, or as moved and curtailed, corresponds to the time of the original shift (but part does not), the hours that would have been worked (by virtue of the worker's contract or arrangement between the work-finding agency and the agency worker) during the part of the original shift that does not correspond to the shift as moved, or as moved and curtailed;

(d) where a shift has been—

(i) curtailed but not moved, or

(ii) moved and curtailed (at the same time) and the shift as moved and curtailed is to start and end within the time of the original shift,

the hours that would have been worked (by virtue of the worker's contract or arrangement between the work-finding agency and the agency worker) if the shift had not been curtailed, or moved and curtailed.

Complaints to employment tribunal

25 (1) An agency worker may present a complaint to an employment tribunal that, in relation to a shift, the work-finding agency—

(a) has failed to make the whole or any part of a payment that the work-finding agency is liable to make to the agency worker under paragraph 21(1);

(b) has unreasonably failed to give to the agency worker a notice under paragraph 23(4);

(c) has given to the agency worker a notice in purported compliance with paragraph 23(4) that—

(i) does not refer to any provision of the regulations or refers to the wrong provision;

(ii) does not contain an explanation or contains an explanation that is inadequate or untrue.

(2) An employment tribunal must not consider a complaint under sub-paragraph (1)(a) relating to a payment unless it is presented before the end of the period of six months beginning with the day after the day on or before which the payment should have been made (see paragraph 21(2)).

(3) An employment tribunal must not consider a complaint under sub-paragraph (1)(b) relating to a notice unless it is presented before the end of the period of six months beginning with the day after the day on or before which the notice should have been given (see paragraph 23(7)(b)).

(4) An employment tribunal must not consider a complaint under sub-paragraph (1)(c) relating to a notice unless it is presented before the end of the period of six months beginning with the day after the day on which the notice is given.

(5) But, if the employment tribunal is satisfied that it was not reasonably practicable for a complaint under this paragraph to be presented before the end of the relevant period of six months, the tribunal may consider the complaint if it is presented within such further period as the tribunal considers reasonable.

(6) Section 207B (extension of time limits to facilitate conciliation before institution of proceedings) applies for the purposes of sub-paragraphs (2) to (4).

(7) Where—

(a) an agency worker presents a complaint to an employment tribunal under sub-paragraph (1)(c) that, in relation to a shift, the work-finding agency has given to the agency worker a notice in purported compliance with paragraph 23(4) that refers to the wrong provision of the regulations or contains an explanation that is inadequate or untrue, and

(b) the work-finding agency claims that it was provided by the hirer with information for the purposes of the notice that was wrong, inadequate or untrue,

the work-finding agency may request the employment tribunal to direct that the hirer be added as a party to the proceedings.

(8) A request under sub-paragraph (7) must be granted if it is made before the hearing of the complaint begins, but may be refused if it is made after that time; and no such request may be made after the tribunal has made its decision as to whether the complaint is well-founded.

(9) The Secretary of State may by regulations provide that sub-paragraph (7) does not apply in relation to a hirer of a specified description.

Remedies

26 (1) Where an employment tribunal finds a complaint under paragraph 25(1)(a) well-founded, the tribunal must—

(a) make a declaration to that effect, and

(b) order the work-finding agency to pay to the agency worker the amount of the payment under paragraph 21(1) which it finds is due to the agency worker.

(2) Where an employment tribunal finds a complaint under paragraph 25(1)(b) or (c) well-founded, the tribunal—

(a) must make a declaration to that effect, and

(b) may order the work-finding agency to make a payment to the agency worker of such amount, not exceeding the specified amount, as the tribunal considers just and equitable in all the circumstances.

(3) But an employment tribunal may not make an order under sub-paragraph (2)(b) relating to a notice given in purported compliance with paragraph 23(4) if the tribunal makes an order under sub-paragraph (1)(b) relating to the same payment to which the notice related.

(4) In determining—

(a) whether to make an order under sub-paragraph (2)(b), and

(b) if so, how much to order the work-finding agency to pay, an employment tribunal must have regard, in particular, to the seriousness of the matter complained of.

(5) If, following the making of a request under paragraph 25(7), an employment tribunal has added the hirer as a party to the proceedings and the tribunal—

(a) finds the complaint under paragraph 25(1)(c) well-founded (so far as relating to the notice referring to the wrong provision of the regulations or containing an explanation that is inadequate or untrue),

(b) makes an award of compensation under sub-paragraph (2)(b), and

(c) also finds that the hirer did provide the work-finding agency with information for the purposes of the notice that was wrong, inadequate or untrue,

it may order that the compensation is to be paid by the hirer instead of by the work-finding agency, or partly by the hirer and partly by the work-finding agency (with the amount of the compensation payable by each being such amount as the tribunal considers just and equitable in the circumstances).

Recovery of payment by work-finding agency from hirer: pre-existing arrangements

27 (1) Where, in compliance with paragraph 21(1), a work-finding agency makes a payment to an agency worker in relation to a shift that the agency worker was to be, or was, supplied to work by virtue of a pre-existing arrangement involving the work-finding agency and the hirer, the work-finding agency is entitled to recover from the hirer the proportion of the payment (up to the full amount of it) that reflects the hirer's responsibility for the shift having been cancelled, moved or curtailed at short notice.

(2) The Secretary of State may by regulations provide that sub-paragraph (1) does not apply in relation to a hirer of a specified description.

(3) A ″pre-existing arrangement″ means an arrangement—

(a) that was entered into on or before the last day of the period of two months beginning with the day on which the Employment Rights Act 2025 was passed, and

(b) that has not been modified by the work-finding agency and the hirer after the last day of that period.

(4) The reference in sub-paragraph (1) to a payment made in compliance with paragraph 21(1) includes a payment made by virtue of an order under paragraph 26(1)(b).

(5) Sub-paragraph (1) applies whether the agency worker was to be, or was, supplied to work for and under the supervision and direction of the hirer by the work-finding agency or by another person.""*—(Justin Madders.)*

This new schedule inserts new Schedule A1 into the Employment Rights Act 1996 which makes provision for agency workers which is similar to the provision made in relation to certain non-agency workers by clauses 1 to 3.

Brought up, and added to the Bill.

Schedule 1

Consequential Amendments Relating to Sections 1 to 3

Amendments made: 51, page 121, line 6, after "27BT," insert "No. 51, 27BUD(5),".

This amendment is consequential on NC33.

Amendment 52, page 121, line 6, at end insert—

"(b) after "177 of" insert ", or paragraph 7, 8, 18 or 25 of Schedule A1 to,"."

This amendment is consequential on NS1.

Amendment 53, page 121, line 14, at end insert—

"(aa) after paragraph (cf) (inserted by sub-paragraph (a)) insert—

(cg) a payment under paragraph 21(1) of Schedule A1 to this Act (agency workers: payment for a cancelled, moved or curtailed shift),";".

This amendment is consequential on NS1.

Amendment 54, page 121, line 16, leave out "(cg)" and insert "(ch)".

This amendment is consequential on amendment 53.

Amendment 55, page 122, line 9, at end insert—

"(iv) section 27BUD(5), or".

This amendment clarifies that the right not to be subjected to any detriment applies where a worker brings a complaint under section 27BUD(5).

Amendment 56, page 122, line 17, leave out from "has" to end of line 21 and insert

"(as the case may be)—

(a) failed to comply with the duty imposed by section 27BA(1), 27BD(7) or (8) or 27BF(1) or (2), a duty imposed by section 27BJ or 27BK or the duty imposed by section 27BP(1) or 27BR(2), or

(b) behaved as described in section 27BG(3A) or (3B),

but, for subsection (1)(d) or (e) to apply, the claim must be made in good faith."

This amendment is consequential on amendment 21. It restructures and restates what is in the existing provision and adds the provision in paragraph (b).

Amendment 57, page 122, line 23, after "non-compliance" insert

", or (as the case may be) alleged behaviour,".

This amendment is consequential on amendment 21.

Amendment 58, page 123, line 5, at end insert—

"6A After section 47H (inserted by paragraph 6) insert—

"47I Agency workers and Schedule A1 rights

(1) An agency worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by a relevant person done on the ground that the agency worker—

(a) accepted, or proposed to accept, an offer to enter into a worker's contract made in compliance (or purported compliance) with the duty imposed by paragraph 1(1) of Schedule A1,

(b) rejected, or proposed to reject, an offer to enter into a worker's contract made in compliance (or purported compliance) with the duty imposed by paragraph 1(1) of Schedule A1,

(c) declined to work a shift (or part of a shift) on the basis of a reasonable belief that there had been a failure to comply with a duty imposed by paragraph 13 or 14 of Schedule A1 in relation to the shift,

(d) brought proceedings under—

(i) paragraph 7 or 8 of Schedule A1,

(ii) paragraph 18 of Schedule A1,

(iii) paragraph 25 of Schedule A1, or

(iv) section 27BUD(5), or

(e) alleged the existence of any circumstance which would constitute a ground for bringing any proceedings within paragraph (d).

(2) The reference in subsection (1)(b) to an agency worker who rejected an offer includes a reference to an agency worker who is to be treated as having rejected an offer (see paragraph 5(4) of Schedule A1).

(3) It is immaterial for the purposes of subsection (1)(d) or (e) whether or not there has been (as the case may be)—

(a) a failure to comply with the duty imposed by paragraph 1(1), 4(7) or (8) or 6(1) or (2) of Schedule A1, a duty imposed by paragraph 13 or 14 of Schedule A1 or the duty imposed by paragraph 21(1) or 23(4) of Schedule A1, or

(b) behaviour of the type described in paragraph 7(4) or (5) or 8(1) or (2) of Schedule A1,

but, for subsection (1)(d) or (e) to apply, the claim must be made ingood faith.

(4) It is sufficient for subsection (1)(e) to apply that the agency worker made the nature of the alleged non-compliance, or (as the case may be) the alleged behaviour, reasonably clear to either the relevant person or (if different) the person against whom proceedings could be brought.

(5) An agency worker has the right not to be subjected to any detriment by any act, or any deliberate failure to act, by a relevant person done on the ground that—

(a) the duty imposed by paragraph 1(1) of Schedule A1 applies in relation to the agency worker and a particular reference period, or

(b) the relevant person believes that that duty so applies.

(6) This section does not apply where—

(a) the worker is an employee of the relevant person, and

(b) the detriment in question amounts to dismissal within the meaning of Part 10.

(7) For the purposes of this section, a person is a "relevant person", in relation to an agency worker, if the person is (or has been)—

(a) a work-finding agency with which the agency worker has a worker's contract or an arrangement by virtue of which the agency worker is (or is to be) supplied to work for and under the supervision and direction of another person;

(b) a person for and under the supervision and direction of whom the agency worker is (or is to be) supplied to work;

(c) a person who is (or is to be) involved in the supply of the agency worker to a person falling within paragraph (b) or the payment of the agency worker for work done for such a person.

(8) In this section—

"agency worker" has the same meaning as in Part 2A (see section 27BUA);

"reference period" has the same meaning as in Part 1 of Schedule A1 (see paragraph 1(4));

"work-finding agency" has the same meaning as in Part 2A (see section 27BUA).""

This amendment is consequential on NS1.

Amendment 59, page 123, line 10, at end insert—

"(2A) After subsection (1BA) (inserted by sub-paragraph (2)) insert—

(1BB) An agency worker (within the meaning of Part 2A) may present a complaint to an employment tribunal that the agency worker has been subjected to a detriment in contravention of section 47I.""

This amendment is consequential on amendment 58.

Amendment 60, page 123, line 11, at end insert—

"(4) After subsection (2A) insert—

"(2B) On a complaint under subsection (1BB) it is for the relevant person (within the meaning of section 47I) to show the ground on which any act, or deliberate failure to act, was done."

(5) In subsection (4), in the words after paragraph (b), after "hirer" insert ", or a relevant person (within the meaning of section 47I),".

(6) In subsection (6), after "49" insert ", except so far as relating to an alleged detriment in contravention of section 47I,"."

This amendment is consequential on amendment 58.

Amendment 61, page 123, line 13, at end insert—

"(2A) After subsection (1A) insert—

"(1B) Where an employment tribunal finds a complaint under section 48(1BB) well-founded, the tribunal—

(a) must make a declaration to that effect, and

(b) may make an award of compensation to be paid by the relevant person (within the meaning of section 47I) to the complainant in respect of the act or failure to act to which the complaint relates.""

This amendment is consequential on amendment 58.

Amendment 62, page 123, line 14, at end insert—

"(3A) In that subsection, after "(7A)" insert "and (7B)"."

This amendment is consequential on amendment 58.

Amendment 63, page 123, line 24, at end insert—

"(5) After subsection (7A) (inserted by sub-paragraph (4)) insert—

"(7B) Where—

(a) the complaint is made under section 48(1BB),

(b) the detriment to which the agency worker is subjected is the termination of a worker's contract between the agency worker and the relevant person, and

(c) that contract is not a contract of employment,

any compensation must not exceed the compensation that would be payable under Chapter 2 of Part 10 if the agency worker had been an employee and had been dismissed for a reason specified in section 104BB (and "agency worker" and "relevant person" have the same meaning in this subsection as in section 47I).""

This amendment is consequential on amendment 58.

Amendment 64, page 124, line 3, at end insert—

"(2A) An employee who is dismissed is also to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee—

(a) brought proceedings against the employer under section 27BG(3A) or (3B), or

(b) alleged the existence of any circumstance which would constitute a ground for bringing such proceedings.

(In relation to other proceedings under section 27BG, see section 104.)

(2B) It is immaterial for the purposes of subsection (2A) whether or not the employer has behaved as described in section 27BG(3A) or (3B) but, for subsection (2A) to apply, the claim must be made in good faith.

(2C) It is sufficient for subsection (2A)(b) to apply that the employee made the nature of the employer's alleged behaviour reasonably clear to the employer."

This amendment is consequential on amendment 21.

Amendment 65, page 124, line 15, at end insert—

"9A After section 104BA (inserted by paragraph 9) insert—

"104BB Guaranteed hours: agency workers

(1) An employee who is dismissed by a relevant person (who is their employer) is to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee—

(a) accepted, or proposed to accept, an offer to enter into a worker's contract made in compliance (or purported compliance) with the duty imposed by paragraph 1(1) of Schedule A1, or

(b) rejected, or proposed to reject, an offer to enter into a worker's contract made in compliance (or purported compliance) with the duty imposed by paragraph 1(1) of Schedule A1.

(2) The reference in subsection (1)(b) to an employee who rejected an offer includes a reference to an employee who is to be treated as having rejected an offer (see paragraph 5(4) of Schedule A1).

(3) An employee who is dismissed by a relevant person (who is their employer) is also to be regarded for the purposes of this Part as unfairly dismissed if the reason (or, if more than one, the principal reason) for the dismissal is that the employee—

(a) brought proceedings against the employer under paragraph 8(1) or (2), or

(b) alleged the existence of any circumstance which would constitute a ground for bringing such proceedings.

(In relation to other proceedings under paragraph 8, see section 104.)

(4) It is immaterial for the purposes of subsection (3) whether or not the employer has behaved as described in paragraph 8(1) or (2) but, for subsection (3) to apply, the claim must be made in good faith.

(5) It is sufficient for subsection (3)(b) to apply that the employee made the nature of the employer's alleged behaviour reasonably clear to the employer.

(6) An employee who is dismissed by a relevant person (who is their employer) is also to be regarded for the purposes of this Part as unfairly dismissed if—

(a) the duty imposed by paragraph 1(1) of Schedule A1 applies in relation to the employee and a particular reference period, or the employer believes that that duty so applies, and

(b) the reason (or, if more than one, the principal reason) for the dismissal is that the employer sought to avoid the necessity of that duty having to be complied with in relation to the employee and the reference period.

(7) In this section—

"reference period" has the same meaning as in Part 1 of Schedule A1 (see paragraph 1(4));

"relevant person" means a person falling within subsection (7)(a) or (c) of section 47I.""

This amendment is consequential on NS1.

Amendment 66, page 124, line 23, at end insert ", or

(c) the reason specified in subsection (2A) of that section (read with subsections (2B) and (2C) of that section)."

This amendment is consequential on amendment 64.

Amendment 67, page 124, line 23, at end insert—

"(b) after subsection (7BZA) (inserted by paragraph (a)) insert—

"(7BZB) This subsection applies if the reason (or, if more than one, the principal reason) for which the employee was selected for dismissal was—

(a) the reason specified in subsection (1)(a) or (6) of section 104BB,

(b) the reason specified in subsection (1)(b) of that section (read with subsection (2) of that section), or

(c) the reason specified in subsection (3) of that section (read with subsections (4) and (5) of that section).""

This amendment is consequential on amendment 65.

Amendment 68, page 124, leave out lines 26 to 28 and insert—

"(gha) any of the following provisions of section 104BA applies—

(i) subsection (1)(a) or (3),

(ii) subsection (1)(b) (read with subsection (2) of that section), or

(iii) subsection (2A) (read with subsections (2B) and (2C) of that section),".

This amendment is consequential on amendment 64.

Amendment 69, page 124, line 28, at end insert—

"(b) after paragraph (gha) (inserted by paragraph (a)) insert—

"(ghb) any of the following provisions of section 104BB applies—

(i) subsection (1)(a) or (6),

(ii) subsection (1)(b) (read with subsection (2) of that section), or

(iii) subsection (3) (read with subsections (4) and (5) of that section),"."

This amendment is consequential on amendment 65.

Amendment 70, page 124, line 38, at end insert—

"(4) After subsection (2) insert—

"(3) The remedy of an agency worker (within the meaning of Part 2A) for infringement of any of the rights conferred by Parts 1 to 3 of Schedule A1 and section 47I is, where provision is made for a complaint to an employment tribunal, by way of such a complaint and not otherwise.""

This amendment is consequential on NS1 and amendment 58.

Amendment 71, page 125, line 4, leave out from "is" to end of line 6 and insert "—

(a) where the complaint is under section 27BG(1), (2), (3) or (5), the latest day of the reference period to which the complaint relates on which the worker was employed by the employer under a worker's contract;

(b) where the complaint is under section 27BG(6)—

(i) the date on which the complaint was presented to the employment tribunal, or

(ii) if the worker was not employed by the employer under a worker's contract on that date, the latest day before that date on which the worker was so employed.""

This amendment supplements the amendment of section 225 of the Employment Rights Act 1996 by adding a calculation date for determining the permitted maximum for an award of compensation

where an employer breaches an information duty imposed by proposed section 27BF of that Act (resulting in a complaint under proposed section 27BG(6)).

Amendment 72, page 125, line 6, at end insert—

"(A2) Where the calculation is for the purposes of section 27BI as applied by section 27BUD(6)(a) in relation to a complaint under section 27BUD(5), the calculation date is the latest day of the reference period to which the complaint relates on which the worker was employed by the employer under a worker's contract."

This amendment is consequential on NC33.

Amendment 73, page 125, line 10, at end insert—

"( ) in subsection (1), in paragraph (b) of the definition of "week", after "86" insert "and paragraph 10 of Schedule A1"".

This amendment is consequential on NS1.

Amendment 74, page 125, line 19, after "27BU(2)," insert "27BUE,".

This amendment will make regulations under section 27BUE (see NC33) subject to the affirmative procedure.

Amendment 75, page 125, line 19, leave out "27BW,"

This amendment is consequential on amendment 48.

Amendment 76, page 125, line 19, at end insert—

"(b) after "209," insert "or under paragraph 1(3)(b), (6) or (10), 2(2), (5) or (7)(c), 4(6), 11(1), 12(3), 13(2), 14(3), 15(4), 21(1), (3) or (5), 23(1)(c) or (2), 25(9), 26(2) or 27(2) of Schedule A1,".—*(Justin Madders.)*

This amendment is consequential on NS1. The regulation-making powers referred to in this amendment are the ones that will be subject to affirmative parliamentary procedure.

Schedule 2

RIGHT NOT TO BE UNFAIRLY DISMISSED: REMOVAL OF QUALIFYING PERIOD, ETC

Amendments made: 77, page 126, line 15, at end insert "or subsection (2A) of that section (read with subsections (2B) and (2C) of that section)".

This amendment is consequential on amendment 64.

Amendment 78, page 126, line 15, at end insert—

"(ja) subsection (1)(a) or (6) of section 104BB, subsection (1)(b) of that section (read with subsection (2) of that section) or subsection (3) of that section (read with subsections (4) and (5) of that section);".

This amendment is consequential on amendment 65.

Amendment 240, page 126, leave out lines 23 and 24.

This amendment ensures that, when section 108A of the Employment Rights Act 1996 (inserted by paragraph 2 of Schedule 2 to the Bill) comes into force, section 104I of that Act (inserted by clause 24 of the Bill) will not apply to the dismissal of an employee if, at the time of dismissal, the employee has not yet started work.

Amendment 241, page 128, line 39, at end insert—

"( ) in paragraph 160 (right not to be subjected to detriment: compensation), in sub-paragraph (2)(b)—

(i) for "124(1)" substitute "124";

(ii) at the end insert "(ignoring any different sum specified as the limit for a dismissal that meets the conditions in section 98ZZA(2) and (3) of that Act).";".

Paragraph 156 of Schedule A1 to the Trade Union and Labour Relations (Consolidation) Act 1992 provides that a worker has the right not to be subjected to any detriment by the worker's employer resulting from, among other things, the worker supporting recognition of a trade union. Paragraph 160 of that Schedule provides that the compensation payable where such detriment consists of the termination of the worker's contract is subject to a limit calculated by reference to the maximum amount of a compensatory award for an employee who has been unfairly dismissed. This amendment would make it clear that the relevant figure for this calculation remains the standard maximum, not any different amount specified for cases where an employee is dismissed during the initial period of employment.

Amendment 242, page 130, line 5, at beginning insert—

"(1) The National Minimum Wage Act 1998 is amended as follows.

(2) In section 24 (enforcement of right not to be subjected to detriment), in subsection (4)(b)—

(a) for "124(1)" substitute "124";

(b) after "section 123 of that Act" insert "(ignoring any different sum specified as the limit for a dismissal that meets the conditions in section 98ZZA(2) and (3) of that Act)"."

Section 23 of the National Minimum Wage Act 1998 provides that a worker has the right not to be subjected to any detriment by the worker's employer resulting from, among other things, the worker seeking to enforce the right to the minimum wage. Section 24(3) and (4) of that Act provides that the compensation payable where such detriment consists of the termination of the worker's contract is subject to a limit calculated by reference to the maximum amount of a compensatory award for an employee who has been unfairly dismissed. This amendment would make it clear that the relevant figure for this calculation remains the standard maximum, not any different amount specified for cases where an employee is dismissed during the initial period of employment.

Amendment 243, page 130, line 28, at beginning insert—

"(1) In Part 1 of the Pensions Act 2008 (pension scheme membership for jobholders), Chapter 3 (safeguards: employment and pre-employment) is amended as follows.

(2) In section 56 (enforcement of right not to be subjected to detriment), in subsection (4)(b)—

(a) for "124(1)" substitute "124";

(b) at the end insert "(ignoring any different sum specified as the limit for a dismissal that meets the conditions in section 98ZZA(2) and (3) of that Act).""—*(Justin Madders.)*

Section 55 of the Pensions Act 2008 provides that a worker has the right not to be subjected to any detriment by the worker's employer resulting from, among other things, the worker seeking to enforce the duties imposed by that Act in relation to pension enrolment. Section 56(3) and (4) of that Act provides that the compensation payable where such detriment consists of the termination of the worker's contract is subject to a limit calculated by reference to the maximum amount of a compensatory award for an employee who has been unfairly dismissed. This amendment would make it clear that the relevant figure for this calculation remains the standard maximum, not any different amount specified for cases where an employee is dismissed during the initial period of employment.

Schedule 3

PAY AND CONDITIONS OF SCHOOL SUPPORT STAFF IN ENGLAND

Amendments made: 244, page 138, line 8, leave out "(6)" and insert "(7)".

This amendment corrects an incorrect cross-reference.

Amendment 245, page 138, line 39, leave out "(6)" and insert "(7)".—*(Justin Madders.)*

This amendment corrects an incorrect cross-reference.

Bill to be further considered tomorrow.

Business without Debate

DELEGATED LEGISLATION

Motion made, and Question put forthwith (Standing Order No. 118(6)),

ECCLESIASTICAL LAW

That the draft Grants to the Churches Conservation Trust Order 2025, which was laid before this House on 28 January, be approved.—*(Anna McMorrin.)*

Question agreed to.

PETITION

Proposed 24-hour adult gaming centre in Whitby

8.33 pm

Alison Hume (Scarborough and Whitby) (Lab): I rise to present a petition about the proposals for a 24-hour casino in Whitby. I hope very much that planning officers take note of the petition, which has been signed on paper by seven of my constituents and online by a further 412. It expresses the concern of Whitby residents about a planning application submitted by Luxury Leisure to open a 24-hour adult gaming centre at Baxtergate in Whitby. They are particularly disappointed that the site of the proposed gaming centre is that of the Halifax bank branch, which is due to close shortly, leaving the town without any bank branches. The petition further declares that what residents of Whitby want is access to banks, shops and services, and not a 24-hour gaming centre. It states:

"The petitioners therefore request that the House of Commons urges the Government to encourage North Yorkshire Council to reject the application for a 24-hour adult gaming centre at the site on Baxtergate, Whitby."

Following is the full text of the petition:

[The petition of the residents of the constituency of Scarborough and Whitby,

Declares that residents of Whitby are very strongly concerned that a planning application has been made by the slots and gambling company, Luxury Leisure, to open a 24-hour adult gaming centre at 67-68 Baxtergate in Whitby; further declares that the gaming centre may cause issues with noise and anti-social behaviour; notes that, as at 6 March 2025, North Yorkshire Council has received 522 objections to the application, whereas only 6 people have supported it; further notes that residents are particularly disappointed that the site of the proposed gaming centre is that of the Halifax bank branch, which is due to close in May 2025, leaving the town without any bank branches; and further declares that what residents of Whitby want is access to banks, shops and services, and not the proposed 24-hour gaming centre.

The petitioners therefore request that the House of Commons urges the Government to encourage North Yorkshire Council to reject the application for a 24-hour adult gaming centre at the site on Baxtergate, Whitby.

And the petitioners remain, etc.]

[P003052]

European Remembrance Day for Victims of Terrorism

Motion made, and Question proposed, That this House do now adjourn.—*(Anna McMorrin.)*

8.35 pm

Gavin Robinson (Belfast East) (DUP): Through you, Madam Deputy Speaker, may I thank Mr Speaker for selecting this Adjournment debate?

Today is 11 March, and on every 11 March since the dreadful bombings in Madrid in 2004, it has been the European Remembrance Day for Victims of Terrorism. This occasion gives us the opportunity to reflect on terror and the innocent victims of terror. It gives the House the opportunity to reflect on the impact that acts of terror have had on the institution of the House of Commons.

When I was elected in 2015, I entered Parliament alongside Jo Cox, who is memorialised behind me. She was cut down by a far-right extremist. I served for many a year with David Amess and had a great relationship with him, and he was struck down by an Islamic terrorist. When you look to either side of the Chamber, Madam Deputy Speaker, you will note that under the door there are three heraldic plaques: one to Rev. Robert Bradford, one to Ian Gow and one to Airey Neave, all of whom were serving parliamentarians when they were cut down by Irish republican terrorists. It is little known that behind your Chair, Madam Deputy Speaker, there are two further plaques: one to Sir Anthony Berry, who was killed in the Brighton bomb by Irish republican terrorists, and one to Sir Henry Wilson, a first world war hero and latterly an Irish Unionist Member of Parliament, who was cut down by Irish republican terrorists.

Occasions like this give us the opportunity to reflect, but it is important for us as parliamentarians to consider what we can do in the best interests of those we represent, and the legacy in Northern Ireland continues to be a sore that has not healed. The scars remain among communities of whatever constitutional aspiration, who have been affected by the onslaught of terror that we faced.

I am privileged to sit on the Northern Ireland Affairs Committee, but I was even more privileged last week, alongside colleagues who are present in the Chamber today, to meet a number of organisations that represent the interests of innocent victims. We met the 174 Trust, and we met victims at the WAVE Trauma Centre. We met victims represented by the South East Fermanagh Foundation—SEFF—which is an organisation that works on behalf of Fermanagh and Enniskillen victims. The most profound thing that they said to us was that, within their county of Fermanagh, 42 people were killed—40 of them by republican terrorists, and none by loyalists.

The people of Fermanagh did not turn to taking the law into their own hands; they put their trust and faith in law and order, and in the parts of our state that are there to protect us. That is most profound, because there is no other county in Northern Ireland where that can be said. There was one recurring theme throughout the engagement that we had during the course of those two days: victims wanted truth and justice.

Jim Shannon (Strangford) (DUP): I commend my right hon. Friend for bringing forward this issue. His passion for victims is long-standing and admirable. Does he agree that we need to set in stone the truth about victims in Northern Ireland? For all the attention that is given to 10% of victims, the families of the 90% suffer in silence. Will this day ensure that true victims' stories are told and remembered without any whitewashing whatsoever?

Gavin Robinson: I appreciate the intervention because there is a task on the part of the Government, with the legislation they are considering at the moment, on storytelling, reconciliation and the narrative that people wish to share. Their truth must be told and their truth known.

Claire Hanna (Belfast South and Mid Down) (SDLP): I thank the right hon. Member for giving way; I know his time is precious. I want to associate myself with the remarks he made about Members of this House who were lost and about the moving visit we had last week with victims in Belfast and Fermanagh in relation to people who were murdered by perpetrators from various sides of the conflict. It showed their continuing pain and their fortitude, as the opening weeks of the Omagh inquiry have done. The SDLP supports a parallel Dublin inquiry on that. Does the right hon. Member agree with me that, in the current legacy discussion, a moment—an opportunity—is coming when we can assert that the needs of victims, not those of perpetrators, have primacy, and that we cannot afford to squander that opportunity?

Gavin Robinson: I am very grateful for the intervention from the hon. Lady. I think she is right that we cannot squander the opportunity, but for too long now I have heard voices within the Government say that the one thing the parties of Northern Ireland can agree on is their opposition to the Northern Ireland Troubles (Legacy and Reconciliation) Act 2023, but for very different reasons. Very often, we do not get the opportunity to fully explore those very different reasons, and for our part, we will never stand in the way of justice and we will always support innocent victims.

David Smith (North Northumberland) (Lab): I thank the right hon. Member for securing this important debate on such a moving subject. I, too, was very honoured to go with him and other members of the Northern Ireland Affairs Committee to visit SEFF in Fermanagh last week, and it was profoundly moving. Does he agree with me that, as part of dealing with this legacy, truth, justice and reconciliation must be intentional parts of the Independent Commission for Reconciliation and Information Recovery going forward?

Gavin Robinson: It was interesting to hear the reflections of some who said, "Why do I need to reconcile? I've been blown up. I've been shot. I've lost my father, my mother, my sister, my brother. Why is the onus on me to reconcile? I should be honoured for the sacrifice that I've made or been forced to go through, but where is somebody coming along to say, 'I'm sorry. You did not deserve what occurred to you or your family member, you didn't need to live through the pain and you don't deserve the scars that you bear.'?" So I agree with the hon. Member entirely that much more focus is required on reconciliation.

Jim Allister (North Antrim) (TUV): As someone who had the honour of hosting an event on this day for all the years I was a Member of the Northern Ireland Assembly, I commend the right hon. Member for securing this debate. However, does he agree with me that one of the most abiding and insidious hurts to victims of terrorism is the constant glorification of those who made them victims, particularly when it comes to those who sit in Government in Northern Ireland, by their attendance at events commemorating those who were the men of blood and who delivered death and destruction on our streets? Is that not one of the most hateful and insidious things that can be done to a victim, with the re-traumatisation that it brings?

Gavin Robinson: I am very grateful to the hon. and learned Member. I have two things to say to him on that. First, I am glad he organised—for 13 years, I think—an event at Stormont to mark European Remembrance Day for Victims of Terrorism. Such an event also occurred yesterday, so his legacy lives on, and I was pleased to attend it, as I have on many occasions in the past.

Secondly, the hon. and learned Member is absolutely right. Yesterday, I had the opportunity to meet again—we met last week, but I met again yesterday—Margaret Veitch and Ruth Blair, who lost loved ones in the Enniskillen bomb. I reflected with them, and it resonates so much with this point, on the glorification of terror, particularly from those who have a responsibility to live by the Nolan principles and to fulfil the political offices they hold, yet who attend commemorations and glorify those who revelled in terror. The excuse they always use is, "We have a right to remember our dead." That is what they say: they have a right to remember their dead. Margaret and Ruth lost family members by simply turning up to remember their war dead on Remembrance Sunday in Enniskillen, yet they hear their political leaders say, "We do this because we have an entitlement to remember our war dead." Margaret and Ruth and their parents were offered no opportunity to remember, rightfully, those who made the sacrifice for freedom in our country.

Sir Julian Lewis (New Forest East) (Con): I am very grateful to the right hon. Gentleman. He talks of truth and justice. He will be aware that the Northern Ireland (Sentences) Act 1998 means that if prosecutions carry on, no one will serve more than two years in jail. If prosecutions carry on, people will do everything they can to cover up the truth in defending themselves. When people criticise the legacy Act, which did propose a truth and reconciliation commission, are they not really criticising a measure that would have given them a much better opportunity for the truth to come out, once the threat of prosecutions was removed, given that the punishment would not fit the crime even if someone was found guilty?

Gavin Robinson: The right hon. Gentleman knows that I have high regard for him. We explored these issues at great length when he chaired the Defence Committee and I was but a lowly member of it. The truth is that there are hundreds if not thousands of individuals in Northern Ireland who have been prosecuted already. How often do we see them go to meet their victims, or the families of their victims? How often do we see them try to apply balm on the wound that has never healed? And those are the individuals who have received justice.

[Gavin Robinson]

I started to talk about truth and justice before the explosion of interventions. They are important for this debate. For the last number of years, the terminology from this Chamber has been very clearly, "You're not going to get justice, but we can offer you truth. And the only way you can get truth is if we deny justice." That is what the legacy Act presented to the people of Northern Ireland. That is why we opposed it. They want justice. They want their day in court. They have had to suffer evasions of justice in Northern Ireland for decades. We did not support the Belfast agreement because of the release of prisoners. We do not support the notion that those who take life could be sentenced for two years—sentenced for much longer, but only have to serve two years. Nor did we support on-the-runs letters. Nor did we support amnesties for terrorists throughout the Labour Government proposals or the Conservative Government proposals, because the approach that denies justice is one that will never allow the wounds to heal.

I want to reflect on a number of institutions we have that are supposed to aid justice, truth and reconciliation in Northern Ireland. One of them is the Office of the Police Ombudsman for Northern Ireland, which was established to allow members of the community who did not support the police to buy into the police, to get confidence in the police. Yet I am sorry to say in this debate today that we have a police ombudsman in whom I have no confidence—none whatsoever. We have a police ombudsman who constructed the notion of collusion. She was struck down by the courts, so she constructed the notion of collusive behaviours. She was struck down by the courts. More recently, she has been missing in action: she is fit to do the job; she is unfit to do the job; she is being investigated by the West Midlands police herself. Yet whether she is obstructing in her role or not, I will raise one family, one gentleman: Alan Black.

Alan Black was a workman who was out to work with his colleagues. All of them, bar one, were Protestants. In 1976 in Kingsmill, all bar one were attacked by the IRA. When asked to identify themselves, the one individual who identified himself as a Catholic was allowed to leave. Eleven of Alan's colleagues were murdered that day for no other reason than that they had a Protestant faith. Alan survived. He went to the police ombudsman looking for answers on the investigation 14 years ago. He had an inquest, which concluded 11 months ago. We hear from the ombudsman's office that it is ready to report, but, 11 months later, there has still been no outcome, no publication and no report for Alan. Alan is an old man now. He is an ill man because of the attack. He has suffered greatly, yet he put his faith in the organisations in which he and members of our community should be able to have confidence, and he has received nothing.

The Omagh inquiry started five weeks ago. The first four weeks were testimonies from the families who lost someone so tragically that day. Four months after the Belfast agreement was signed—four months after, when society was meant to be basking in peace—29 people and two unborn babies were killed that day in Omagh. The inquiry has a cross-border dimension: when the courts in Belfast said in 2021 that there should be an inquiry in Omagh, they said there also needed to be one in the Republic of Ireland, because the bomb was constructed in the Republic of Ireland and was planted by a Provisional IRA bomb team who were operating from the Republic of Ireland, travelled from the Republic of Ireland and escaped to the Republic of Ireland. The hon. Member for Belfast South and Mid Down (Claire Hanna) indicated her support for such an inquiry in the south. It is for this reason that answers are required.

What do we have so far? Reluctance on the part of the Irish Government—there is nothing new in that. The Irish Government have singularly failed to do anything on legacy apart from criticise the British Government for the past 30 years. During the troubles, they allowed people to hide in the Irish Republic, armed people in the Irish Republic and would not extradite terrorists from the Irish Republic, yet today they stand and look square in the eye the families of the 29 Omagh victims and say, "We are sorry—we are not going to do that for you. We are not going to give you answers." The same bomb team responsible for Omagh were responsible for 20 bombings in 1997 and 1998. Whether it was in Banbridge, Portadown, Lisburn, Newry or Moira—right throughout Northern Ireland—they were making their mark and making their voice heard in the run-up to peace negotiations. It is an outrage.

That the Irish Government still stand back and say they will not provide an inquiry is a disgrace. They have offered honeyed words for years, yet they do nothing to aid the sorrow. They will not provide the conditions that would allow us to challenge Garda Dermot Jennings, who is accused of having said "We will let one more through, lads," because he knew the bombing team. Who is going to challenge and question the J2 Irish intelligence officials and ask them the questions? Our inquiry cannot do it, because it does not have the powers. I know the Government are considering a memorandum of understanding with the Irish Government, and that is important. However, if that does not allow for the production of people as well as papers, it will never work. It is why there has to be an inquiry in the Republic of Ireland, too, and I am glad there is broad support for that.

The Committee on the Administration of Justice in Northern Ireland—with which I struggle, Madam Deputy Speaker—published a brilliant report in the last four weeks castigating the Irish Republic for its total failure to do anything on legacy over the past 30 years. It has no legacy bodies, no legacy investigations unit, no historical enquiries team and no ombudsman service; it has no infrastructure whatsoever to answer questions on legacy, and no infrastructure whatsoever to aid the healing of the past.

Mr Gregory Campbell (East Londonderry) (DUP): What concerns many people in Northern Ireland is that often, when things happen in Northern Ireland that are of a particular disposition, the Republic of Ireland's Government will weigh in heavily to press our Government to do certain things. However, it seems that on many occasions when things happen on which our Government should make representations to the Republic's Government, they fail adequately to do so.

Gavin Robinson: My hon. Friend is absolutely right. At a summit last week, not one word on these issues emerged, save the Irish Government saying they are not yet quite ready to withdraw their challenge against the

British Government for the legacy Act. They ruled against an amnesty being provided, just as we did, but they decided to challenge their near neighbours in the British Government through the European courts. They decided to do that without trying to address these issues, yet when the onus is on them—when the shoe is on the other foot—they offer nothing.

Just this evening, the Northern Ireland Assembly passed a motion to say that the Irish Government should hold an inquiry into Omagh, and I agree. It was amended by the DUP and unanimously supported by every party in Stormont. That is a message that I hope that the Minister will take to the Irish Government about the strength of feeling on this issue. We looked a lot of victims in the eye last week, but we cannot continue, year after year, to look victims in the eyes and say nice things, but offer no hope, offer no truth and offer no justice.

Robin Swann (South Antrim) (UUP): Let me briefly mention that motion that has just taken been debated in the Assembly, which was secured by the Ulster Unionist party and amended by the DUP. We often hear in this place that when all parties stand together in the Northern Ireland Assembly, the Government will react. Will the right hon. Gentleman join me in asking the Minister to respond to that debate?

Madam Deputy Speaker (Ms Nusrat Ghani): Mr Robinson, there are nine minutes remaining of this Adjournment debate.

Gavin Robinson: Thank you, Madam Deputy Speaker—I took that intervention because it was a powerful point, and I am grateful for your latitude.

I am delighted that the Minister is here this evening. I hope that she responds positively. I hope that she recognises the pain and the anguish, as she herself has met individuals in Northern Ireland. There is a long way to go on providing the answers, the truth and the justice. We will not be found wanting, and I hope the Labour Government will not either.

8.55 pm

The Parliamentary Under-Secretary of State for Northern Ireland (Fleur Anderson): It is a pleasure to respond to this important debate this evening. I congratulate the right hon. Member for Belfast East (Gavin Robinson) on securing it and on speaking so eloquently and powerfully on what is for so many people a painful and difficult subject.

As the right hon. Member described, acts of terrorism in the United Kingdom have had a devastating and unimaginable impact on the individuals, families and communities affected. Indeed, that violence has been brought to our very doorstep, and we stand in solemn remembrance of the Members of this House taken from us by acts of terrorism while representing their constituents. Most recently, as the right hon. Member mentioned, they include Jo Cox, brutally murdered in 2016, and Sir David Amess, brutally murdered in 2021. Both died while serving their constituents. I knew them both, as the right hon. Member did, and miss them, and I feel their loss very personally. Those whom we have sadly lost to terrorism are forever remembered, by their families, by their loved ones and by a nation that stands still, and importantly stands together, when these tragedies occur.

As the right hon. Member said, acts of terrorism have had a pronounced effect on communities in Northern Ireland, where over 3,000 people were killed by terrorists during the course of the troubles. Behind every individual murder are the countless family members and others whose lives are changed forever by unthinkable loss in heartbreaking circumstances. I have listened to many of those harrowing stories personally.

Recent research reminds us that as many as 30% of people in Northern Ireland have conflict-related trauma, and that this can be passed down the generations, too, and we must never forget that. Thankfully, today Northern Ireland is a place of relative peace and stability. However, the threat from terrorism remains, with the current threat to Northern Ireland from Northern Ireland-related terrorism assessed as substantial.

I wish to pay tribute to the Police Service of Northern Ireland and the security services that continue to work tirelessly to keep us safe. I had the privilege of attending the Police Federation for Northern Ireland awards last week in Belfast to celebrate and honour the bravery of some of the exceptional officers who put their lives on the line for us every day.

In Northern Ireland, many groups mark a day of reflection on 21 June to acknowledge the pain and suffering caused by the troubles and reflect on what more we can do. Sadly, memorials, remembrance and commemoration can be challenging and even divisive. That is why this Government, in seeking to address the legacy of the troubles, are committed to bringing forward a memorialisation strategy to support inclusive structures and initiatives to help all in Northern Ireland, including future generations, to reflect on those lost. And we will continue to work to support those civil society groups that are working tirelessly to promote reconciliation.

The right hon. Member mentioned SEFF and the WAVE Trauma Centre, which came to Westminster. Many are the subject of portraits in the "Silent Testimony" exhibition by Colin Davidson, which is in the National Portrait Gallery. I recommend Members pay a visit there.

Leigh Ingham (Stafford) (Lab): I thank the right hon. Member for Belfast East (Gavin Robinson) securing this debate. As part of the Northern Ireland Affairs Committee I met victims from all sides last week, but I especially wanted to highlight the incredible work of WAVE in supporting victims of terrorism. Does the Minister agree that those organisations are crucial for supporting victims from all sides, and we should do all we can to support them?

Fleur Anderson: I agree, and I am glad that WAVE and SEFF have been mentioned this evening. NHS services are also vital for specialist trauma counselling, such as the regional trauma network, which I visited with Minister Nesbitt.

On the legacy Act, acknowledging and addressing the suffering of victims of violence was an important aim of the Belfast/Good Friday agreement, but I agree that the task remains incomplete. The Government take their responsibility to victims and survivors of the troubles extremely seriously, which is why we have been working with victims, survivors and all interested parties to correct the mistakes of the last Government, and to put in place measures that will provide answers, accountability and acknowledgment for families who have waited too long already.

[Fleur Anderson]

In December, the Secretary of State for Northern Ireland laid a draft remedial order to correct several of the human rights deficiencies of the legacy Act, including removing the bitterly opposed conditional immunity scheme, which would have granted immunity from prosecution for those who carried out the most appalling terrorist crimes. The Secretary of State will introduce primary legislation that will reform and strengthen the Independent Commission for Reconciliation and Information Recovery.

The right hon. Member for Belfast East referred to the Police Ombudsman for Northern Ireland. The Government was pleased that the ombudsman recently returned to work following an extended period of absence. It would not be appropriate for me to comment on the legal proceedings, but for families who are waiting to receive the ombudsman's reports, I understand the concern and frustration with publication delays. Many families have already encountered too much delay in seeking information and accountability. I know that the ombudsman's office is doing all that it can to publish reports.

Jim Shannon: Will the Minister give way?

Fleur Anderson: I am afraid I do not have time, because I want to respond to the issues that the right hon. Member for Belfast East raised.

The right hon. Member rightly highlighted that a number of troubles-related cases have a cross-border dimension, including the Kingsmill murders, which are an appalling example of the pain and suffering inflicted on civilians during the troubles. It is right to acknowledge that the implementation of truly holistic legacy mechanisms, which can provide families across the UK and Ireland with as much information as possible about the circumstances of their particular case, will require the co-operation of both the UK and Irish Governments to facilitate the disclosure of information held by authorities in both jurisdictions. This Government consider the Irish Government to be an essential partner in the process of seeking a way forward on legacy issues that is human rights compliant and can command public confidence across communities.

Turning to the Omagh bombing inquiry, last month's commemorative hearings were a painful reminder of the impact of cowardly terrorist actions on communities and families. Victims do not need hearings, inquiries or commemorative days to know that; they live with it every day. The Secretary of State has received political assurances from the Irish Government on their full co-operation with the UK inquiry. That is important and should be welcomed. The Irish Government are currently working at pace to determine how to facilitate that in practice through a memorandum of understanding. The right hon. Gentleman's comments in the Chamber today will not have gone unnoticed. The details of those arrangements are ultimately a matter for the inquiry, which rightly is independent of the Government, but I agree with him that they should provide for the greatest possible level of co-operation from Irish authorities. The Government look forward to seeing those details in due course. In the meantime, our focus remains on ensuring that the UK inquiry that has been established can successfully fulfil its terms of reference.

I close by remembering all those who have been killed by cowardly terrorist acts. I pay tribute to everyone who is carrying on—not getting over what happened, but getting on and working around the gap of the people they lost, or of their own life that they had before, despite the grief that can engulf them. They are getting up every day when it is not getting easier, remembering people who should be here and are not. They are not giving up on getting answers and justice for their relatives, families and friends. In the memory of all who have died, we will keep taking action against terrorism and for peace and justice. We will remember.

Question put and agreed to.

9.4 pm

House adjourned.

Westminster Hall

Tuesday 11 March 2025

[Sir Desmond Swayne *in the Chair*]

English Rugby Union: Governance

9.30 am

Perran Moon (Camborne and Redruth) (Lab): I beg to move,

That this House has considered the governance of English rugby union.

It is an honour to serve under your chairmanship, Sir Desmond, for what I hope is the first of many times. I come to this place as a rugby union fan, an ex-coach and ex-referee. I also declare an interest—my brother is a long-standing director of rugby at London Cornish rugby club. I am delighted to see the west country, an excellent servant of English rugby union, well represented here today.

As a Cornish MP, it is hard for me to adequately express just how important our grassroots rugby clubs are to the fabric of our communities. Some of the communities in Camborne, Redruth and Hayle in my constituency suffer from extremes of poverty and deprivation. Life for many is a day-to-day struggle to feed the kids, heat the home and balance challenging working hours. For many, it is a case of muddling through. The one constant is our grassroots rugby clubs, offering children from all backgrounds that life-enhancing schooling in discipline, respect, teamwork, the joy of winning and how to bounce back from defeat. For many children, our clubs offer a vital controlled outlet for pent-up frustrations from challenging home and school lives.

I have used the word "grassroots" several times so far, and I do so intentionally. While others may wish to contribute by voicing governance concerns relating to clubs in higher leagues, I am focusing largely on the concerns that have been expressed to me from dozens of clubs below the first two tiers of the English men's game. I am focusing on the men's game because, in my view, the health of the women's game—although still under-represented in terms of grassroots facilities—has come a huge way over the last 10 years. Credit where credit is due—those responsible for its development should be commended, although there is still much work to be done to support the women's game.

I am acutely aware that while there are profound concerns with the financial state of some clubs in the premiership and the championship, grassroots rugby is facing an existential crisis. I will focus on three areas: governance, player welfare and funding. Although I refer to examples, the entire focus of the debate should be on how we work together, cross-party, looking forwards, to create the sustainable environment for our great game to not just survive, but thrive.

On governance, I noted with interest the recent Rugby Football Union consultation and the resulting document, "Our track record and areas of focus", which was circulated to RFU members. I have to admit that it left me slightly bemused. It seemed to be suggesting that all is pretty hunky-dory with English rugby—a little bit of tinkering here and there, and we are all good. There was not the slightest hint of contrition or even an acceptance that many clubs are on the brink.

Maybe I have been talking to the wrong clubs, but in my conversations—admittedly, considerably fewer than the 400 that are reported to have been consulted for the RFU document—there are profound concerns about the direction of grassroots English rugby, the voices of which have for too long been drowned out by muscular lobbying from vested interests. There is no better indication that all is not well than the number of grassroots clubs right across England that I spoke with that, although happy to talk to me in detail about their own club's circumstances, wanted to remain anonymous.

Let us look more specifically at governance. Part of the problem is the almost total lack of recent grassroots men's coaching or administration experience on some of the key governance bodies. Of the nine members of the RFU board, only one has had experience in the past five years of either coaching or administering an adult men's 15 side. On the RFU council, only a handful of members have recent experience of the adult men's game below the national leagues. That means the largest single group of clubs is simply not adequately represented on either of those bodies, which are essential to the health and wellbeing of the game nationally. There is a community game board, although it is very hard to work out who they are, but I very much hope that they are taken from the current administrators and coaches of clubs beneath the national leagues. Their remit and responsibility should be made much clearer to all stakeholders.

Why is the representation so important? Let me give Members a couple of graphic examples. Three seasons ago a league reorganisation was imposed by someone that did not have a rugby union background. The failure is perhaps best demonstrated by the 12-team Counties 1 Surrey/Sussex league where seven teams could go down at the end of the season. If a team was promoted, they could land in one of four different leagues, stretching from Aylesbury in Buckinghamshire to Thurrock in Essex and Bournemouth down on the south coast. This is for amateur clubs, where players have to balance work and family life. With no clear lines of promotion or relegation, club administrators simply cannot plan ahead and nor can the amateur players who are also, as I have mentioned, trying to balance the day job and family commitments. I talked to one club that is already in its fourth league in four seasons, having been relegated during that time just once.

Turning to player welfare, I would like to cite the contentious changes to the tackle height law, which was introduced in July 2023 for the start of the 2023-24 season, just two months later. It allowed almost no time for amateur players to adapt from lifelong tackling habits. It should be deeply concerning to all of us who love the game to learn that no data has ever been made public that acts as a baseline against which to measure success. Perhaps even more worrying still is that data is not routinely collected from across the grassroots game to provide proof as to whether the change is helping in terms of concussions, with only a voluntary submission being rolled out.

Dr Luke Evans (Hinckley and Bosworth) (Con): The hon. Gentleman is making an excellent point about welfare, but there is a wider issue when it comes to

[Dr Luke Evans]

rugby union in terms of participation. If the rules are constantly changing and the game is different every time we watch it every season, why would people join if there is a risk of the rules changing and of injury? As a rugby enthusiast, I want to see young people joining because of what it gave me. Does he share the same concerns about the wider implications of not understanding the game being played?

Perran Moon: Yes, I do, and I thank the hon. Member for that point. It is absolutely the case that the rules and laws of rugby are constantly being reviewed. I can understand to a certain extent that the game is trying to find a formula that is as attractive as possible to ensure that more and more people come to watch, but it makes it very hard for players, administrators and coaches to manage when there is a constant change in the rules. He makes a very good point—I should say the laws, not the rules.

Anecdotally, some clubs are experiencing an increase in concussions. Worse still, the concussions are more severe than previously, because players are now required to put their heads against knees and hip bones, and the tackle area has been much reduced. Two-player tackles mean head-on-head collisions appear to be increasing. As I say, because we are not routinely collecting data, this is anecdotal, so we must start routinely collecting that data. The situation would be significantly mitigated through competent and sympathetic implementation and governance from people with experience of the grassroots game.

On funding, I was pretty shocked to learn that our grassroots rugby clubs are largely left to fend for themselves while funding is held at the very top of the game. There is a massive financial premium placed on the success of the England rugby team. This is a high risk strategy over which the grassroots game has no control. If the last 14 years taught us anything at all, it is that the theory of trickle-down economics has been debunked. Poorer organisations that are required to value every single pound are far more likely to spend wisely than bloated and complacent functions at the top of the game. The crumbs from the captain's table approach of providing tickets to England matches as a means of raising revenue is simply not one that provides the financial security that grassroots clubs need.

The only point I will raise about championship clubs is the deeply concerning issue of the covid loans. Over the last five years, championship teams had funding unilaterally cut from £625,000 per championship club, to the current level of £103,000. In plans introduced in the weeks before the first lockdown, a reduction to £288,000 by the beginning of the 2022-23 season was imposed, but a one-year emergency cut to £150,000 was imposed later in 2020 because of the impact of covid.

Championship clubs fully expected and were promised a reinstatement of the pre-covid phased reduction, but that funding has failed to materialise, with authorities claiming a lack of available cash. Championship clubs were not consulted on those changes, despite the severe impact on the chances of survival for many. Having spoken with several championship clubs, there is now a clear and present danger that several of them will not survive.

Competent governance is essential to the safeguarding of the game that we all love. That includes proper consultation and communication; relevant experience at the top of the game; a coherent and transparent funding model; and sympathetic implementation of law changes, which consider the practicalities of the amateur game and the safeguarding of players.

Andrew George (St Ives) (LD): The hon. Member makes a powerful point about the impact of the way in which the covid loans were provided to championship clubs. He will be aware that many of those clubs are calling on Ministers to intervene on Sport England to ensure that the repayment schedule for the loans is rescheduled to enable those clubs to achieve viability in the years ahead. Without that, many of them are on the precipice of bankruptcy.

Perran Moon: It is a delicate one, because the governance of English rugby sits largely with the RFU, outside of the Premiership. I am not sure that it is the role of national Government to intervene in areas such as this, if we have competent governance at the top of the RFU. I completely accept the hon. Member's point—it is a delicate one, but it is a problem that was created at the top of the English game, and it is there that it should be fixed.

I ask the Minister if she agrees with me on three separate areas. First, does she agree that the RFU board should have increased representation from the grassroots game, and that changes to that should be made as soon as possible so that it more closely represents its core membership? Secondly, there is an entry on regular match cards for concussion data to be collected: it should be mandatory for three seasons for it to be completed, so that we can gather the information we need to make a reasoned judgment on whether we have a tackle-height problem. Until we do that, it is my view that we are failing in our duty of care to players, as revisions to the tackle-height law may be required.

Thirdly, an immediate review should be undertaken of the implementation and impact of the covid loan fiasco, with a view to an emergency package of support being made available to championship clubs. Additionally, a multi-year funding pot should be made available to RFU-registered clubs below the top two tiers of English rugby. That should be reviewed annually, and its objective should be to support grassroots clubs in planning and developing their clubs for the long term, rather than the current crumbs from the captain's table approach with ad-hoc funding plans.

Those of us who love the game across the political spectrum cannot hope to protect our game for the long term, ensure that our grassroots clubs remain at the heart of our communities, and support youngsters coming into the game, without profound and urgent change. I look forward to hearing the views and experiences of other Members here today.

9.45 am

Rachel Gilmour (Tiverton and Minehead) (LD): It is a pleasure to speak in this debate. I thank the hon. Member for Camborne and Redruth (Perran Moon) for raising the issue of the state of governance of rugby union in England.

I have some wonderful rugby clubs in the constituency I am proud to represent—Tiverton and Minehead—including Tiverton, Minehead Barbarians and Wiveliscombe, who punch well above their weight. Rugby has been a large fixture throughout my life. My father donned the famous red rose at international level, and also captained both Harlequins and Northampton. It would be a struggle to find a stronger supporter and lover of rugby than me. But it is safe to say that English rugby union has changed a great deal since my father's playing days. The governance of rugby union in this country is on shaky ground, and although recent success in the Six Nations has provided some immediate buoyancy among the England rugby faithful, it is clear that there are serious structural issues at play, many of which the hon. Member for Camborne and Redruth mentioned.

At the grassroots level, rugby is really suffering. The community game is collapsing under the weight of insufficient finances. The RFU is not sufficiently supporting the wider rugby ecosystem in this country. Most notably we have seen—and it has been well documented by hon. Members this morning, and will continue to be—English clubs, great and historic rugby institutions, go under in recent years, such as Wasps and London Irish. All that is while C-suite salaries and bonuses have continued to be very handsome indeed. That is financially unsustainable, and a travesty.

We must take note from our competitors because—aside from the fact that I am a bit of a Francophile, and as a Liberal, have a natural orientation towards Europe—the French model is quite clearly geared towards cutting-edge club rugby. In England the national team's success dominates the story. However, in recent years it has become apparent that the lofty standards of the French national team are a natural by-product of a strong top 14 league. Put simply, they have the best of both worlds, because their strong international outfit is downstream from their thriving club rugby scene. Here in England, we seem to be struggling with both—we are seemingly stuck between a rock and a hard place.

The club rugby model in France has guaranteed a much more stable financial climate, attracting the biggest stars, driving competition, and developing a certain watchability and commercial security that we do not quite have on this side of the channel. It tells us something when some of our brightest prospects—guaranteed mainstays for years to come—have retired from international duty to play in France. I think it is reasonable to suggest that, had circumstances beyond their control been different, most—if not all—would still be representing England.

Change must come. For the good of the game, the governing body must adapt. Right now it is proving to be outmoded; it must move with the times. I associate myself with calls for an independent review into RFU governance, suggesting a need for structural reforms to improve financial oversight and club engagement. If that happens, no one will cheer louder at Twickenham than me.

9.49 am

Dan Aldridge (Weston-super-Mare) (Lab): It is an honour to serve under your chairmanship, Sir Desmond. As the MP for a constituency with not one but two rugby union clubs, the governance of English rugby union is of particular importance to me and my constituents. I thank my hon. Friend the Member for Camborne and Redruth (Perran Moon) for securing this debate, and for sharing his expertise, passion and love of the game as well as his beautiful community and constituency.

Rugby plays such a vital role in local communities. It fosters camaraderie, discipline and opportunity for people of all ages and backgrounds. There is nowhere in the country that knows this more than my constituency of Weston-super-Mare, where rugby union is part of the very fabric of our town. As I mentioned, we are lucky enough to have two incredible grassroots rugby union teams in Weston—Weston RFC and Hornets RFC, both of whom do an incredible job of representing our town and supporting our community. Both clubs serve as vital hubs of activity and work, and they both work incredibly hard to use rugby as a vehicle to drive positive change. They help to bring us together, offering spaces where people can belong irrespective of their background or ability. That is particularly true for the young people in the town who, thanks to our two clubs, have the chance to engage and excel in sport, learn teamwork and develop resilience. In fact, Weston Rugby Club was home to the first minis section in England almost 50 years ago.

Both clubs do a lot of work to raise awareness of mental health issues in the town. In particular the Hornets work with the phenomenal charity Talk Club. It is an incredible initiative where people across the town come together every week to talk about their mental health in a safe, secure environment. Steve Barnard leads Talk Club in Weston-super-Mare and North Somerset. I pay tribute to him and his leadership and vision to support men's mental health and knowing where to find the men—go to where the men are if you want to talk about men's mental health.

I also pay special tribute to the work of Steve Worrall, former head coach at Weston RFC, who sadly died earlier this year, not long after coming back to the club. Ben Milsom at Hornets RFC is an unsung hero, whose contribution to the club has been invaluable. Both men are absolute legends in Weston-super-Mare.

This debate is about how we ensure that clubs like Weston and Hornets can continue to be pillars of the community in the face of mounting challenges. Many English rugby union clubs are facing huge financial problems. Rising operational costs, economic pressures and unsustainable funding models mean that many clubs are struggling to survive. There is a pressing need to protect and improve the financial sustainability of our clubs to ensure they do not just survive but, as my hon. Friend the Member for Camborne and Redruth said, thrive and grow.

While investment at the elite level is crucial in order to grow the game's wider popularity, we must also prioritise financial support for grassroots clubs. We must see greater transparency and accountability from the RFU to ensure a fairer distribution of resources. It surely cannot be right that RFU executives receive huge bonuses to the tune of millions, while grassroots clubs like Weston and Hornets struggle to get the funds they need to truly thrive and deliver on their potential. Financial support should be targeted to safeguard the future of smaller clubs and the essential work they do for our communities. Initiatives such as improved revenue-sharing mechanisms, enhanced sponsorship opportunities and targeted grassroots funding must be explored.

[Dan Aldridge]

Rugby has always been a game for the many, not just the few. It thrives when we support clubs at every level. The sustainability of grassroots clubs is not just a matter of sport, but of community and national and regional identity. All stakeholders in English rugby union must work together to build a future where every club, from the grassroots to the top tier, is financially secure and able to flourish for generations to come. If we fail to address these issues, we risk losing not just clubs and the huge benefits they bring to our communities, but the heart and soul of rugby itself.

9.53 am

Andrew George (St Ives) (LD): It is a pleasure to serve under your chairmanship, Sir Desmond. I congratulate the hon. Member for Camborne and Redruth (Perran Moon) on raising this issue. He also represents Hayle, where I live and which used to be in the St Ives constituency, where it should be, really. Nevertheless I congratulate him on securing this debate, and on the manner in which he presented the issues. I strongly endorse everything that he said, although I want to take a couple of the points that he made a little further.

Unlike the hon. Gentleman, I make no great play of my involvement in the game itself, although I have been a very keen sportsman and have played rugby in the past. I did turn out for the Commons and Lords rugby team. I kind of gave that up because I kept playing at weekends, and if you represent a constituency as far from London as mine it becomes a logistical challenge. During my playing days, being a back, I always found it very frustrating because I never quite understood what forwards were there for, other than to grab the ball, wallow around in the mud and grunt a lot, and we had to keep demanding the ball back. That became very frustrating for me. That is about as far as my playing ever got.

As the hon. Member for Camborne and Redruth said, rugby is in Cornwall a pre-eminent sport, in which we feel enormous pride. Indeed, the heritage of the game in Cornwall is one that we can look back on—we can also look forward, we hope—with an enormous amount of pride. Despite the deprivation that our constituents experience, the game has been able to flourish. Because of the market area that it covers, at the end of a long, thin peninsula, it has not been able to generate the crowd numbers that perhaps other areas and more populous places can generate. Nevertheless, it has an enormous following in terms of the proportion of the local population who follow the sport. It is vital to the spirit of the local communities and the pride of our local communities. It provides mentors for our young people to emulate and aspire to become themselves. So, it is an enormous source of inspiration in communities that otherwise do not have a great deal available to them, hence its real importance.

The other thing about Cornish rugby is that of course in Cornwall—as the hon. Member who represents Camborne, Redruth and Hayle knows very well—we have an uneasy relationship, in terms of our identity, with English rugby. Certainly some Cornish players have preferred to play for fellow Celtic nations—examples are Andy Reed for Scotland and Colin Laity for Wales—rather than for England. The English connection has sometimes been uneasy, but that is not an issue in itself, or one that I wish to pursue today.

In my constituency, we are very proud to have excellent local clubs: St Ives, St Just and Helston. Many of our players go to play for Hayle, Redruth and Camborne as well. Perhaps pre-eminent among all the clubs in Cornwall is what used to be known as Penzance and Newlyn and is now renowned as the Cornish Pirates. For the last couple of decades, the Cornish Pirates has been a predominant club in championship rugby, competing for promotion on many occasions in recent years, and certainly in the top half of the table of championship rugby. It has set standards of which we feel enormously proud. It has also been the nursery ground for many players who have gone on to great things in English and, indeed, international rugby. The Cornish Pirates is an important case in point in presenting the kind of solutions to local community issues that sports clubs very often do by providing inspiration to young people and something for local people to be encouraged by and to look up to.

The club has had not only strong local backing, but a benefactor, who used to play in his younger days for Penzance and Newlyn. Sir Dicky Evans has been a benefactor and supporter of the club for many years. He is not able to do that now, but certainly for two decades has provided enormous support for the club.

I want to bring the debate back to the risk posed to a large number of clubs, including the Cornish Pirates, by the way in which too much resource is being siphoned into premiership rugby, as the hon. Member for Camborne and Redruth described, with the result that all other tiers of rugby are suffering. The precipitous way in which decisions have been made in recent years about the covid loan, which the hon. Gentleman referred to, has created an unexpected debt for many clubs, and the Cornish Pirates is certainly not immune from that. I wrote to the Secretary of State about that—the Minister very kindly responded to me—because the impact of the covid debt is very significant indeed, and I hope the Minister will reconsider the Government's approach to it, or intervene with Sport England to look at ways to reprofile those loans.

If the Cornish Pirates were to fold tomorrow, the club has no significant assets of its own and does not own its own ground, even though it does not have many debts. I fear there could be significant consequences if it falls into significant debt now as a result of the covid loan. Reprofiling that loan would be a win-win for everybody: not only would that great club continue, but the debt would in time be repaid. I hope Ministers look at this issue much more closely. I hope they do not simply stand aside and keep this thing at arm's length, but intervene to support such clubs.

10.1 am

Mr Bayo Alaba (Southend East and Rochford) (Lab): It is a pleasure to serve with you in the Chair, Sir Desmond. I thank my hon. Friend the Member for Camborne and Redruth (Perran Moon) for securing this really important debate. His important work as a rugby coach and a key stakeholder within his community is to be commended. I come from a football and track and field background, but I have always respected rugby: the organisation of the clubs, what the sport does to the community and

how it empowers young people. Coming from my background, I have always had significant respect for that community.

I am extremely proud to be here to talk about grassroots rugby. In my community, we have some strong local rugby clubs, including Westcliff, Southend rugby football club and Rochford Hundred rugby club, which I want to talk about today. Rochford Hundred has a positive impact across Southend and Rochford. I have had the pleasure of meeting Ray Stephenson, the president of the club, and Steve Maguire, the chairman. When I have been down to see the team in action on club days, I have noticed how collegiate it is and how many people in the community come together across various age groups—young and old, male and female. That is a true representation of what a sporting club does and what it means to a community. I cannot commend enough the passion and enthusiasm that these guys have shown in how they run the club and have faced the challenges that they have conveyed to me, so I want to say a massive thank you to those two gentlemen for their hard work.

Not wanting to remain anonymous, Rochford Hundred has brought to my attention its deep concerns about the disconnect between the RFU, community clubs and the council. As hon. Members will have seen, the RFU chief executive received a sizeable bonus of £353,000 as part of an executive-approved long-term incentive plan, on top of their basic salary of £742,000. However, the RFU also suffered a loss and had to make redundancies so, on the face of it, that organisation is not flush with cash. Clubs such as Rochford Hundred continue to struggle during difficult times. Had the clubs and the council had more oversight, there would have been sufficient checks and balances to stop that decision. This is just one example where the RFU executive has made decisions that do not align with or support grassroots rugby clubs like Rochford Hundred. I urge the Minister to review the governance structures of the RFU, so that it is compliant with the statutory bodies that regulate it, and better support grassroots rugby clubs.

10.5 am

Dr Luke Evans (Hinckley and Bosworth) (Con): If you were to come to Hinckley to watch the rugby, Sir Desmond, I would suggest going to the Union Inn. When you walk in, especially given it is Six Nations weekend, you will see lots of rugby quotes along the top of the room. The first that catches my eye is:

"The relationship between the Welsh and the English is based on trust and understanding. They don't trust us and we don't understand them."

I am able to say that because I am half-Welsh and half-English. The fight that will ensue this weekend will be interesting.

I should declare an interest: until recently, my brother was the sports and exercise doctor for Bath Rugby and had been there for many years. I should also declare that my father is a Bath Rugby season ticket holder. I too am a Bath Rugby fan, which makes it all the more difficult to represent a constituency in Leicestershire—especially during the pandemic, when I was hit with 150 emails from Leicester Tigers fans asking for support. What I love about rugby union is being able to write back to those constituents and say, "I will give you support, provided that Bath are above you in the table when it comes forward." I am pleased that at this time Bath is sitting pretty at the top of the premiership, above Leicester. Long may that continue.

This Saturday, I am heading to Hinckley rugby club, which is a fantastic community club and a great feeder for some of the great players we have seen in Leicester and also in England colours. The club has done an incredible job of bringing multi-sports places together. That is a testament given the travesties we have seen with the pandemic and what it has done to the sport.

It becomes more personal and professional as a MP, given that Wasps was just down the road from me. As has been mentioned, we have lost Wasps, Worcester, London Irish and the Jersey Reds. The question is why. What is going on? As has rightly been talked about, this storm has been brewing for a while. It is a combination of how to grow the game; player welfare; where the revenue comes from; who will buy clubs, and in the case of Worcester, why they have bought it and what they will do with it; and what the future of our game will be.

In the light of the storm that has been brewing, I asked the Government in December whether they would conduct a review into the governance and finances of rugby. The Minister answered that, while rugby union

"has a vital role to play in our national identity",

there was no intention

"to conduct a review into the finances or governance of rugby union at this time."

Fast forward to this year and, on 9 January, the BBC reported on grassroots representatives of rugby calling for a petition to sack the RFU board chief executive. According to the BBC article, this resulted from concerns about the £1.1 million compensation package for the chief executive, record financial losses for the governing body, job losses, perceived leadership failings to save liquidated clubs such as London Irish, Wasps, Worcester and the Jersey Reds, the calamitous roll-out of new rules on tackle height in 2023, money spent paying out contracts to fire England coaches, and a climate of lost confidence and trust from thousands of volunteers in the game.

The RFU initially rejected the calls for a summit meeting because the no-confidence petition lacked the required signatures, but it was later reported that a special general meeting will take place on 27 March. Strikingly, I attended a similar debate last week about football governance. When the Minister spoke—I have picked out a few bits—she said:

"Despite bigger revenues than ever coming into the game, too many loyal fans have had their attention forced away from the pitch and into the troubles of malicious ownership, mishandled finances and ultimately the worry that their cherished clubs might be lost."

She went on to say:

"Being an appropriate owner means that club custodians must be suitable; we are protecting fans from irresponsible owners. Having a sensible business plan means that clubs will need clear financial plans, with detail on risk management and resource plans for owners. Having proper engagement with fans on key issues means setting a minimum standard for fan engagement. We are ensuring protections on changes to club crests, home kit and club names and giving fans a voice in the day-to-day running of their club.

Clubs will need a licence to play. They will not be able to join closed-shop breakaway leagues or move around without proper consultation."—[*Official Report,* 6 March 2025; Vol. 763, c. 228WH-229WH.]

[Dr Luke Evans]

If anything, the RFU is seemingly in an even more precarious position than our football colleagues. I am not trying to pit one against the other; I am simply saying that there is a similarity when it comes to managing sport.

If Members do not believe me, they only have to look at the proposals by an American company for a touring premiership or touring clubs. A breakaway league is a serious proposition. What would happen then to the domestic game? What would happen to the regional game, including the competitions across Europe? How would that fit? I am not saying it is right or wrong; I am simply saying these are the realities. People are trying to make sport profitable, but at what detriment? If it is good for the goose, why is it not good for the gander?

There is an argument for looking into what is going on. It seems like the grassroots do not trust or understand the chief executive and the RFU team, and vice versa. Therefore, it seems paramount that the Government ask for a review of the governance and finances to ensure that the game we all love in this room is on a sustainable footing.

10.12 am

Jonathan Davies (Mid Derbyshire) (Lab): It is a pleasure to serve under your chairmanship, Sir Desmond. I thank my hon. Friend the Member for Camborne and Redruth (Perran Moon) for securing this important debate. It has been a pleasure to hear the passion across the room for this wonderful sport. Few activities have the power to bring people and communities together in the way that rugby can. It instils passion, pride, respect, teamwork and determination, bringing people together from all different walks of life. It teaches young people that, when they persevere, they can achieve so much more as a team than they can alone. It is also a huge contributor to the UK economy. England Rugby estimates its value to be around £20.3 billion during 2023-24, and that includes £770 million to help people to improve their physical and mental health, and for community activities, crime reduction and economic growth more generally. It is an important part of our economy as well as our communities.

Saturday afternoons during the Five and latterly Six Nations were protected time in my household growing up, often with one match being shown on the television while another fixture was simultaneously listened to on the radio. The tournament is part of our national story—a celebration of the United Kingdom through passionate but good-natured competition between each of its constituent parts—but watching the likes of Maro Itoje, Dafydd Jenkins, Sione Tuipulotu, or Caelan Doris will not be possible if the talent pipeline from the school playing field or the community club to Twickenham, Murrayfield, the Principality or Aviva stadiums is not secured.

That talent pipeline was fostered through the years when rugby union was an amateur game—a far cry from other sports that, as the hon. Member for Hinckley and Bosworth (Dr Luke Evans) hinted, are run as franchises or closed shops for shareholders, rather than for fans and those playing for the sheer love of the game. However, the concern of many amateur clubs across the country is that money that is generated at elite levels is not filtering down to community clubs, leaving those community clubs struggling to invest in future talent and to maintain ageing clubhouses or well-used pitches.

Many of us will have an active rugby club in our communities, backed up by dedicated volunteers, and it has been a joy to hear about some of them this morning. In my constituency, Belper rugby club is well loved by local people and has 250 playing members aged five to 55. I am particularly pleased that local businesses have thrown their support behind the club so that it can continue to bring people together through the power of sport. Morrisons kindly donated £5,500 to the club to part fund the excavation and installation of approximately 250 metres of filter drains along the length of the pitches to mitigate flooding, which is a big local issue. Morrisons said:

> "We recognise the importance of the rugby club to the local community, and we understand the impact the flooding has caused. We hope that these works will have a positive effect and mitigate future flooding."

I thank Morrisons for its support.

Belper rugby club is keen to see more professional input at community level. It has talked to my office about a New Zealand model, where professionals go into schools in the community to support the development of the grassroots game. I strongly support that and urge the Minister to throw her weight behind the proposal in her engagement with rugby's leaders.

I am pleased that the new Government committed in their manifesto to get more children active by protecting time for physical education in schools and supporting the role of grassroots clubs in expanding access to sport. People's enjoyment of rugby will be further enhanced by the Government's commitment to putting fans back at the heart of sporting events by introducing new consumer protections on ticket resales.

As the Government do their bit to bring communities together and support people's health and wellbeing through sport as part of their plan for change, I encourage all rugby stakeholders to do whatever they can to get behind the grassroots game and fund it appropriately. If we want to see tomorrow's Will Carling or J. P. R. Williams leading the sport and inspiring the next generation, rugby's leaders must ensure that the spoils of the elite game are shared with community clubs. Failure to do so would mean the sport faces an existential threat, and we would all be the poorer for it.

10.17 am

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairship, Sir Desmond. I thank the hon. Member for Camborne and Redruth (Perran Moon) for leading today's debate. It is fantastic to listen to Members' representations on the governance of English rugby union. The hon. Gentleman has close ties with the game, and I think he has been a poacher and a gamekeeper, both a referee and a player—well done.

It is important that we do more to protect local sport and listen to local perspectives. The hon. Member for Hinckley and Bosworth (Dr Evans) referred to the ambitions of Bath and Leicester. I have a Leicester Tigers rugby shirt. I was given it many years ago. Believe it or not, I sent away for a Leicester City football shirt and received a Leicester Tigers one. I was

not quite sure—I knew the colour scheme was not quite right. I still treasure it, even though it was not what I originally wished to have.

There is an ongoing debate in England about how rugby clubs are regulated and sustained. The game has faced financial challenges, and some clubs in England have gone into administration or have been on the brink of doing so. We must ensure that provisions are in place so that does not occur.

Rugby union in Northern Ireland is governed by Ulster Rugby, which has responsibility for the sport's oversight and development. It is doing a fairly good job, and I give it credit for its work. Ulster Rugby is responsible for all levels of rugby in Northern Ireland, from schools and the grassroots level to professional rugby.

I went to boarding school for five years, and the school game was rugby. We could not play football—well, we could play football, but we had to play it down the bottom, near the river, where nobody could see. That was the way it was. It was a long time ago, in the '60s and early '70s. It is probably very different today, and pupils can probably play football or any other sport they want. Rugby was the game. I played out-half or wing forward, and I enjoyed it. It is quite a physical game, and maybe that was the attraction.

Ulster Rugby oversees the Ulster rugby team, which competes in the United Rugby Championship and European competitions such as the champions cup. Rugby is incredibly popular in Northern Ireland, and its following is incredible. It is promoted through schools and clubs across Northern Ireland. So many schools in my constituency play rugby regularly—High School Ballynahinch, in particular, and Regent House school have done incredibly well in the schools competition and still play great games of rugby. Glastry college is another example, and I sit on its board of governors. Although it was not originally a rugby school, a couple of teachers came in and rugby has become one of the college's games.

We have Ballynahinch rugby football club and Ards rugby football club, and what they do for the participation of children and people of all ages is ginormous. Some 300 children take part in rugby every Saturday morning, and sometimes on Tuesdays and Wednesdays too. Women's rugby is also promoted, and it is gathering speed in Northern Ireland. The Ulster schools' cup fosters competition for so many young men, and their love for rugby stays with them all their lives. Northern Ireland's many rugby league clubs are enjoyed by people of all ages, and Ulster Rugby's women's team is going from strength to strength, which is wonderful and tells us that the sport is reaching beyond its previous parameters.

As with any sport, finances are an issue. There are many cases where the sport's financial sustainability has been brought into question, and it is clear that effective regulation is needed to protect the clubs, the players and the supporters, and to ensure the future success of rugby unions across the United Kingdom of Great Britain and Northern Ireland. We must ensure that, for all rugby unions, there is an even spread of finances from the top tier of United Kingdom rugby right down to local teams and schools. There must be better regulation and support to ensure that we do not witness more well-known clubs going into administration.

The hon. Member for Camborne and Redruth and other hon. Members have called on the Department for Culture, Media and Sport to engage further with counterparts across the United Kingdom. I always ask these questions of Ministers, but I ask because it is important to do so. We want to continue the tradition of great rugby in Northern Ireland, but this debate has raised some of the challenges to rugby and what needs to be done. Does the Minister intend to engage with Gordon Lyons, the responsible Minister in the Northern Ireland Executive, to relay the outcomes of our discussions so that we can go forward together?

Dr Luke Evans: I thank the hon. Member who, as always, is making a fantastic speech. He is always a champion for the Union, and rugby union is also suffering in Wales and Scotland. Does he have a view on whether we should have a sit-down discussion? Rugby union is devolved, but it is important to ensure sustainability across all four nations so that there is an abundance for future generations.

Jim Shannon: Rugby is loved everywhere, across Scotland, Wales, Northern Ireland and England. It is unfortunate that Ireland did not do better against the French on Saturday. It was a bad game, but we look forward to better games ahead. The hon. Member is right that we need to work together to share those experiences.

Again, will the Minister engage with the Minister in Northern Ireland on the proposals and recommendations raised by this debate so that we can all learn together? Our love for the game brings us all together, and as we love the game, we want to make it better for everyone.

10.24 am

Edward Morello (West Dorset) (LD): It is a pleasure to serve under your chairship, Sir Desmond. I thank the hon. Member for Camborne and Redruth (Perran Moon) and Hayle for securing this important debate. He speaks with great passion and knowledge, and I commend his recommendations.

Nothing can beat rugby as a gladiatorial spectacle, from the high-scoring, ping-pong, side-to-side and end-to-end champagne rugby played in the sunshine, to the grinding, no-tries, mud-fest battles for the purists only. The genius playmaker, able to see and exploit a gap for a game-changing individual try. The 16 phases of pick-and-go forwards grinding out the inches—or doing the hard yards, as I would describe it. The last-minute drop goal that wins or loses a match. Rugby is a game of wonder and joy. It is a sport built on discipline, respect and unity, which defines the game at every level, from local grassroots clubs to the highest of international competitions.

While I would love to spend some time lauding my own playing abilities, I am afraid there is too much evidence to the contrary. As a lifelong fan, I watch as many matches as my new schedule allows. And every weekend I take my son to play at one of our brilliant clubs in West Dorset, because it is not just a game but a community, and it is enjoyed by thousands up and down the country every weekend.

Rugby union, which according to legend was born in 1823 when William Webb Ellis picked up a ball at Rugby school, is one of Britain's finest exports, and it is important to so many, not just in the UK but around the world. In the English premiership, we have one of the best and most competitive leagues in the world, and

[Edward Morello]

if the Chair will allow me a moment of self-indulgence, it is great to see my club, Bath, back at the top of the league, where it belongs. If the Chair will allow me a further moment of indulgence, I will annoy my political researcher by saying it is great to see Northampton so far down the league.

This year, we are proud to host the women's rugby world cup, which will be a fantastic celebration of sport and an opportunity to see the Red Roses hopefully triumph. The growth of the women's game is an extraordinary success story, with record-breaking attendance and a surge of participation. The Red Roses' domination on the international stage, with their groundbreaking winning streak, has inspired a new generation of players and showcased the strength of women's rugby. The Liberal Democrats welcome the Impact '25 funds from the Government, with £28 million of investment to support England hosting the 2025 rugby world cup, including £14 million of legacy funding, which is needed to grow the women's grassroots game.

However, while there is much to celebrate on the pitch, English rugby also faces a governance crisis off it. The financial state of the game is deeply troubling. Since rugby in England turned professional in 1995, the business model has remained unsustainable. Many premiership clubs operate at a loss, dependent on wealthy owners who can withdraw their funding at any moment, leaving clubs in financial ruin. In 2023, we saw the historic and legendary clubs of Wasps and London Irish collapse, as well as Worcester. The consequences have been devastating. Players and staff lost their livelihoods, and fans lost their beloved teams. The Culture, Media and Sport Committee at the time called it

"a stain on the reputation of the RFU".

Despite these failings, successive Governments have taken a hands-off approach, hiding behind the excuse that the RFU is an arm's length body and allowing financial mismanagement to continue unchecked. The RFU receives significant public funding. Since 2020, the Department for Culture, Media and Sport has provided loans through the sports survival package amounting to more than £123 million for premiership and championship clubs, with little oversight of how that money is used. Worcester received the largest loan, borrowing £15.7 million, but its administrators repaid just £9.8 million. Wasps' administrators returned just £300,000 of its £14.1 million loan, and London Irish is yet to repay any of the £11.8 million that it received. Across the English game, we know that a staggering £30 million of these loans remains uncovered, with a further £11 million in unpaid interest. The RFU itself posted a record operating loss of more than £40 million last year and made more than 40 staff redundant while, as has already been mentioned, its executives awarded themselves £1.3 million in bonuses. How do the Government justify such recklessness when clubs are struggling to survive?

Premiership clubs collectively lost £30.5 million in 2022-23, and have net debts in excess of £300 million. Despite some financial reforms and a new £3.3 million per club funding deal, concerns over clubs' sustainability persist. Seven out of 10 clubs are financially insolvent, surviving only on owner handouts. Only this week, the administrators that oversaw London Irish's insolvency warned that it was only a matter of time until another premiership club goes bust.

Dr Luke Evans: The hon. Member is making a fantastic speech about the financial impact, but with all these clubs it is about the fans and the jobs that go out into the community. Does he agree that when we saw this situation in football, we had the fan-led review? Would it not therefore be wise for the Government to consider doing something similar in rugby? By having a look, they could lift the stones, pull the cover back and see what is actually going on with the state of rugby union in England.

Edward Morello: I 100% agree with the hon. Member. It is incredibly important that the Government step in and start looking at the governance of the game, otherwise there will not be a game to govern.

Only this week, the administrators that oversaw London Irish's insolvency warned that it is only a matter of time before another premiership club goes bust. That is an appalling state of affairs for a sport that should be thriving, and it has been confirmed that London Irish will seek a place in the United Rugby Championship. A team's decision to prioritise the URC over the premiership serves as a damning indictment of the mismanagement within the premiership and the broader state of our amazing sport. If a normal business operated in that way, it would have been restructured years ago.

I have received responses from the Government stating that the governance of rugby union is a matter for the RFU, referring to the RFU and Sport England as their arm's length bodies. Yet, despite the substantial public funding it receives, the RFU appears to operate with little oversight or accountability to the Government. If a private business was in receipt of that much taxpayers' money, there would be demands for a public inquiry.

We have also seen injustices in the league system, as has been outlined. The championship contains strong clubs such as Ealing Trailfinders, which have proved their quality by excelling in the premiership cup. Yet, due to outdated capacity rules, they are denied promotion, while some premiership clubs fail to sell out their stadiums week after week. The entire system must be reformed to reward financial prudence and on-field performance rather than the entrenched and unfair status quo.

My hon. Friend the Member for Tiverton and Minehead (Rachel Gilmour) has already outlined the alarming fact that rugby's biggest stars are leaving for more lucrative contracts abroad. The loss of players such as Courtney Lawes to the French second division is a damning indictment of our commercial model. The RFU must do more to retain our talent and create a financially competitive environment.

At the same time, we face the threat of losing the Six Nations from free-to-air television. The proposed £100 million deal to move the tournament behind a paywall would be disastrous for the sport and net the competition just £10 million more than the existing deal. A TNT Sports subscription costs up to £30 a month, pricing out many fans and reducing viewership. The Government must ensure that the Six Nations remains free to air, to inspire the next generation of players and supporters.

Despite these challenges, rugby's future can be bright. The upcoming women's rugby world cup will showcase the extraordinary growth of the women's game, with record-breaking ticket sales at Twickenham. Research in Scotland has shown that grassroots rugby delivers an economic benefit of at least £159 million a year, with a social return of £7.71 for every £1 spent. Investing in grassroots is not just morally right, but economically sound, yet funding cuts, declining participation and referee shortages have led to nearly 300 match walkovers in a single season.

The RFU must do more to support community clubs, which are the bedrock of the sport. The RFU's leadership has lost the confidence of both grassroots and professional rugby stakeholders due to financial mismanagement and a lack of transparency. The Liberal Democrats call for an independent review of the RFU's governance, with structural reforms to improve financial oversight and club representation. A more democratic system, or even an external regulatory body, would restore trust and stability to the game. It is time for the Government to step in. The governance of English rugby is at a crossroads. The RFU must address the concerns of clubs and stakeholders to ensure the sport's long-term sustainability. The Government must ensure that public money is spent wisely and intervene when financial mismanagement threatens the integrity of the game.

The travesty of this mismanagement of the game is not just its current state; it is the missed opportunity—the failure to realise the premiership as a premium global product, create superstars of our best players, fill stadiums, grow participation and monetise the game. Rugby is a national asset. We cannot allow it to be undermined by poor governance. The passion of players, coaches and fans remains unwavering. However, unless decisive action is taken, we risk further financial crisis and erosion of the game we love. The excuse that the RFU is an arm's length body cannot be sanctioned any longer. We can argue over whether the RFU deserves a red or a yellow card, but I hope we can all agree that it is time for an off-field review.

10.33 am

Mr Louie French (Old Bexley and Sidcup) (Con): As always, it is a pleasure to serve under your chairmanship, Sir Desmond. I thank the hon. Member for Camborne and Redruth (Perran Moon) and Hayle for securing this important debate.

Both rugby union and rugby league are games with proud traditions in this country. They bring together communities, inspire young athletes and represent the best of our national sporting spirit. I had the personal pleasure of playing both codes of rugby as a teenager and getting my coaching badges, and today I am proud to represent Old Bexley and Sidcup, which has two flourishing rugby clubs, Sidcup and the Dartfordians. Each club represents what rugby is really about: community, friendship and playing sport in the spirit of healthy competition, open to all, regardless of background, with thriving teams across all age groups. I look forward to wearing my half-and-half scarf next month, when the battle of Bexley takes place between the two senior first teams of my local clubs. I also look forward to continuing to work with the Mizen Foundation to promote schools rugby in my community.

Yet as we all know, the national game is at a crossroads, with major headwinds, including competition from other sports, club finances, as we have heard, and player welfare. Performances and results on the pitch have thankfully improved, with the men's team having a strong Six Nations—sorry, fans of Wales and Scotland—and the Red Roses continuing to inspire girls and women across the country ahead of this year's world cup, but the governance of English rugby union has been brought into the spotlight in recent months.

I want to be clear from the outset—I am sure Members across the House will agree—that this is not a criticism of the players or fans, or of hard-working individuals in clubs and the wider rugby community. It is about how we improve the governance structure of English rugby to ensure the long-term sustainability of the game, from the grassroots to the elite level. With the Six Nations under way, it is a good time to look at reforming the governance of the Rugby Football Union to ensure accountability, transparency and a long-term strategic vision for the sport.

Critics have argued that the governance structure of English rugby union has failed to keep pace with the evolving nature of the international game and, as a result, the game is beginning to suffer. Sir Bill Beaumont and the RFU board have come in for a fair amount of criticism in recent months, but I am pleased that they have been out meeting clubs across the country and engaging on a range of concerns ahead of their special general meeting on 27 March. As a result of roadshow feedback, the RFU is planning to take action in the following areas: governance reforms, financial sustainability, continued growth of the community game, reducing administrative burdens, simplifying and modernising competition structures, investing in community club infrastructure and improving communications. It is ultimately up to union members to vote on proposals, but I believe that those are the right areas of focus and hope that the game will tackle these important issues in the months and years ahead.

First and foremost, we must ensure that the RFU is accessible and accountable and operates transparently. The days of a top-down approach to the governance of rugby are over. Rugby is a community game and its leadership structure must reflect that. We need a range of voices at the decision-making table, including people from the grassroots who understand the challenges faced by our local clubs and understand the game itself. I am sure that Members in this place and members of local clubs are pleased to hear that the RFU has promised more control over our community game. I appreciate that that is an olive branch from the RFU in the wake of a chorus of criticism from the game, but it should be welcomed none the less, alongside the £120 million of investment in community rugby promised over the next four years.

The RFU is beginning with a review of how the community game is run, which it expects will encourage

> "a shift to a regional structure where more decisions can be made locally, with greater flexibility achieved in competition management and devolved funding to help local decisions to be made to drive participation growth, aid player retention and support club sustainability."

I think Members here and fans across the country will welcome that.

[Mr Louie French]

We must also continue to ensure that financial decisions are made with the long-term health of the game in mind. We must not continue to see short-sighted financial choices that damage the sport's infrastructure and leave our clubs struggling. There have been many media reports about the RFU's record-breaking loss last year, and it has been mentioned during the debate, but what has not been reported on is the four-year financial cycle in which the RFU operates, which follows the fixture list. During half of the cycle, the RFU makes a profit; in one year it breaks even; and one year results in a loss. It announced a record-breaking loss last year, but the loss was actually less than it had planned. Having looked into the details and met the RFU, it is clear to me that there is a financial plan in place, but it is not always sufficiently headline-grabbing to be made clear to the public.

Edward Morello: I have also heard the RFU explain its four-year business plan. It is nearly impossible to imagine a business running on a four-year plan under which it makes a loss three years out of four. Given how long the RFU has been in charge of the game, I find it staggering that it has not found a way to create a business plan with a more even distribution of income and outgoings. If it is ever going to get on to a sustainable footing and provide cash to the game, it needs to find a way to be profitable in every single year.

Mr French: I agree. The commercial elements of the game and its growth are vital. In conversations with the RFU—I suspect I will have many more—that is one area that we must try to continue growing. I have also met Six Nations, which represents all the different unions in this space, and looked at some of its media options, which the hon. Gentleman mentioned. I think they are worth tracking in the weeks and months ahead.

Financial stability at the grassroots is just as important as financial success at the top of the game. Let us be in no doubt: many clubs that were only just recovering from the pandemic are now facing significant headwinds from Labour's Budget, whether because of high utility bills or staffing costs. I urge the Government again not to lose sight of what it means for communities across the country when clubs are put at risk of closure.

The way the RFU operates allows it to invest in the game's grassroots, including by funding school rugby managers, who are tasked with making contact with local clubs to ensure that there is a relationship between the schools that they look after and the local rugby club. That is an important way to ensure there is a pathway from that first game of rugby in a PE lesson that can lead any child to a future at the elite level if their talent allows.

The development of our next generation of rugby players is arguably the most important function of the rugby pyramid and those who govern it. Talent must be nurtured from the earliest age, and pathways to community or professional rugby should be clear, fair and accessible to all. We need to empower our coaches, clubs and schools to provide the best environment for young talent to flourish.

The RFU is making good progress on achieving that already, but I know that it can and wants to go further. Data from Sport England's active lives survey shows that participation in the men's game is up to 183,000 players from 157,000 in 2021-22. Age grade rugby is also growing, with over 178,000 players registered by the end of last season and over 171,000 so far this season. With the challenge of players' time commitments, however, it is a wise move for the RFU to be looking closely at having more Friday night fixtures, for example. I look forward to tracking the progress of T1 rugby, which is currently being rolled out in schools, and the growth of the women's game following this year's world cup.

From my conversations with stakeholders, the RFU is restoring some faith and good will within the rugby community, and it must continue to do so and listen to the many concerns that have been raised in today's debate. If it can get that right, and create a governance structure that is more transparent, accountable and inclusive, the future of rugby in England will be brighter than ever. The RFU must do that collaboratively, however, in conjunction with all the sport's stakeholders. Rugby is a sport of passion, and we cannot afford to lose that.

I will push the Minister on some areas of the sport and the Government's policies on it. The financial insecurity of many clubs, and the collapse of others in recent years, to the detriment of local communities and fans, raises an important question for the Government: why are they planning to regulate football, and making a lot of noise about it, but not rugby? To be clear, I am not advocating that they should. My personal view is that rugby has enough challenges to deal with and that, as with most things in life, more Government intervention is not the answer, but there is an inconsistency in the Government's approach to sport that I hope the Minister will address.

Linked to that, can the Minister tell us what the Government are doing to help to ensure the financial sustainability of rugby clubs, and to encourage and develop the governance and the accountability for the taxpayers' money that is being used, as has been raised already? In the light of recent reports, how will the Government manage the expiry of covid loans, which helped to keep clubs afloat during the pandemic? If more clubs go bust, taxpayers' money will be lost forever. Will the Department take a more pragmatic approach to those loans, perhaps with extended payment dates and flexibility?

What impact assessment has the Minister made of the combined impact of raising national insurance and employment costs on the game at an elite and community level? Will the Government ensure that rugby continues to be part of the school curriculum? What assessment has she made of the effect on participation in rugby of Labour's school tax, given the prevalence of links with rugby union among public schools? Finally, does the Minister share my concerns that playing fields will be lost due to the Government's planning changes, as announced this week?

10.43 am

The Parliamentary Under-Secretary of State for Culture, Media and Sport (Stephanie Peacock): It is a pleasure to serve under your chairmanship, Sir Desmond. I am pleased to be responding to the debate, and I congratulate my hon. Friend the Member for Camborne and Redruth (Perran Moon) on securing it. He also represents Hayle, as I understand, and he speaks with great experience on this issue.

Like the shadow Minister, the hon. Member for Old Bexley and Sidcup (Mr French), I start by saying that rugby—both union and league—makes a huge contribution to our country. I congratulate England and Scotland on their success in the men's Six Nations this weekend, and my commiserations go to Wales and Ireland on their hard-fought defeats. The Six Nations is a jewel in the crown of international rugby union. As we approach the last weekend of the Six Nations, I wish all the home nations every success.

Besides the international level, professional and grassroots rugby clubs are often at the heart of communities. It is right that we take a moment to celebrate the sport and the volunteers who keep clubs running across the country. The huge contribution they make has been outlined by Members across the Chamber today, in particular my hon. Friend the Member for Weston-super-Mare (Dan Aldridge) and the hon. Member for St Ives (Andrew George), who spoke about the heritage of the game and the importance of aspiration for young people.

I will discuss some of the concerns that have been raised about the governance of rugby union, in particular in the context of grassroots rugby, which is how my hon. Friend the Member for Camborne and Redruth framed his opening contribution. Good governance is an important bedrock on which the sport sector stands, and I have been pleased to see steps taken in recent years to address governance issues in the sector.

Governance is vital to ensuring transparency, accountability and fairness in the sport and physical activity sector. The revised code for sports governance sets out the levels of transparency, diversity and inclusion, accountability and integrity that are required from sporting governing bodies—including the RFU—that seek and are in receipt of DCMS and national lottery funding from UK Sport and Sport England. The code has proved successful in setting clear expectations around good governance and diversity. Indeed, 88% of organisations funded by Sport England and UK Sport have said that the code has tightened their governance.

Turning to the governance of rugby union specifically, I am aware of some of the recent challenges that the sport has faced. I met with the RFU and Premiership Rugby in early November to discuss the future of the sport. It was valuable to hear about the actions that the sport is taking to address some of the challenges that have been discussed today. I am committed to continuing to work with the sport to support its long-term financial sustainability. The hon. Member for Strangford (Jim Shannon) asked about devolved Governments. I am hoping to visit all the devolved Governments in the coming weeks, so I will reach out to him when I do that.

My hon. Friend the Member for Camborne and Redruth rightly raises the importance of good governance in the sport at all levels, and he specifically raised grassroots representation on the RFU board. I note that there is a board member with responsibility for the community game, and he is one of the nine representatives on the board. I am not able to comment more specifically on the board arrangements of the RFU, as that is a matter for them, but I note the concerns that my hon. Friend has outlined, and I am sure that the RFU will have heard the argument for greater grassroots representation.

Central to good governance is the effective communication between a governing body, its members and grassroots club. It is imperative to a healthy sport. It does, however, mean suitable independence of decision making on any publicly funded board. I am aware that, after a period of engagement between the RFU and grassroots clubs, the RFU has said that it will take action to improve communications with the rest of the sport, including by proactively communicating and seeking input from members on key issues. The shadow Minister spoke in detail about that, so I will not repeat him, but the points he made were correct and welcome. I welcome this work and encourage the RFU to continue to focus on engagement with its community and grassroots clubs.

My hon. Friend the Member for Camborne and Redruth raised the issue of tackle height in the community game. The safety and wellbeing of everyone taking part in the sport is paramount. The Government understand that there are ongoing concerns about this important issue. National governing bodies are responsible for the regulation of their sports. Although DCMS cannot comment on individual cases, we do expect NGBs to make the health and safety of players their top priority.

I understand that the RFU council approved lowering tackle height in community rugby in England after the RFU analysed other international case studies, including from South Africa, New Zealand and France, but my hon. Friend makes a valid point that changes to rules, particularly around tackle height, must be based on the best possible evidence. I will take away his specific question about concussion data on match day cards. The Government will continue to advocate for sports to consider how safety can be best approached, but I am sure that the RFU will have heard my hon. Friend's specific points today.

The first national guidance for concussion in grassroots sport was introduced in 2023, and was developed by international experts on concussion and acquired brain injury to better identify, manage and prevent the issue. We continue to encourage national governing bodies to adapt the guidance to their own sport where appropriate. We recognise the important work done recently on UK-wide grassroots sport concussion guidelines, which were produced to support sports, players and parents across the country. The Government will continue to prioritise participant safety to ensure that everyone can take part in sport as safely as possible.

I recognise the financial difficulties faced by many clubs involved in rugby union. I recognise the positive contribution that clubs such as the Cornish Pirates RFC and many others make through the community and school sports programme, which the hon. Member for Old Bexley and Sidcup mentioned. During the pandemic, organisations could apply to the Department for Digital, Culture, Media and Sport for loans through the sport survival package to support the sector. Those loans were provided to ensure the survival of clubs during the pandemic, but it remains the clubs' responsibility to ensure the longer-term sustainability of their funding.

The Government monitor the financial situation of rugby union closely, but we also have a responsibility to the taxpayer. That includes the recovery of moneys loaned during the SSP.

Andrew George: Surely the Minister understands that if a club such as the Cornish Pirates were to fold, that responsibility to the taxpayer would not be served, because that debt would be unpaid, so it is far better for her to intervene and assist those clubs to overcome that problem.

Stephanie Peacock: I appreciate that, and that is why the Government continue to monitor the situation. I am not able to comment on the repayments of individual borrowers or leagues, given the commercial sensitivity, but we encourage any SSP borrower with concerns about repayments to speak to the Sport England team dedicated to managing the loans.

My hon. Friend the Member for Camborne and Redruth raised concerns about the levels of funding from the RFU to grassroots rugby clubs. I appreciate that some rugby union clubs, and many members and fans, feel that grassroots funding is not sufficient. The Government recognise the importance and value that a financially sustainable rugby pyramid offers to players, fans and the wider sporting community. Following the collapse of several premiership clubs in 2022 and 2023, the previous Government appointed two independent advisers to produce a plan to stabilise rugby union. The independent advisers worked with the RFU, the premiership and the championship on the Men's Professional Game Partnership, and we welcome the progress made on a funding framework for the future of the sport.

Dr Luke Evans: The Minister is right that the last Government appointed two people to look at this issue, but we are three years on and still the clouds are coming. Will she commit to a review of the finances and governance, a bit like the fan-led review, to ensure transparency and open up this debate so that the fans, the volunteers, the players and the Executive can all see the state of play? We as a country can then make a judgment about the best way to handle that.

Stephanie Peacock: I appreciate that the hon. Gentleman has great experience of and interest in this subject. I noted that he quoted extensively from my speech on the Football Governance Bill. I gently remind him that we have been in many a debate together in which he has been less than enthusiastic about that piece of legislation. If he is now in favour of a similar thing for rugby—

Dr Evans: A fan-led review.

Stephanie Peacock: He says "a fan-led review" from a sedentary position. I suggest that he speaks to his leader, who has obviously U-turned on football governance. As I said in my written answer, my Department does not intend to conduct a review at this time, but we keep everything under review. I will now make some progress.

The RFU is independent of Government and is responsible for the governance of the sport at all levels, including how it distributes funding. I understand that it has now committed to £120 million to support grassroots rugby over four years. It is worth noting that it has said that it is exploring offering sizeable loans to clubs for critical projects, including infrastructure, to support the financial sustainability of grassroots clubs for the long term. Supporting grassroots sport, including local rugby clubs, is a key priority for this Government, and that is why we are investing in grassroots sport. The DCMS provides the majority of funding for grassroots sport through our arm's length body, Sport England, which annually invests more than £250 million of national lottery and Government money to support people to get active.

Sport England has awarded the RFU, the governing body for rugby in England, £13 million for the period 2022 to 2027, as one of Sport England's long-term system partners, to invest in community rugby initiatives that will benefit everyone. We continue to work with the RFU, representatives of premiership and championship clubs and the wider sport sector to support the ongoing sustainability of elite and community-level rugby union.

That support for grassroots rugby union, as well as other grassroots sport, is vital to helping people get active. Sport and physical activity are central to delivering the Government's health mission, which is why we are committed to ensuring that everyone, no matter their age, background or ability, has access to and can benefit from quality sport and physical activity opportunities.

In addition to men's rugby, we should celebrate the growth of women's rugby union in recent years. My hon. Friend the Member for Camborne and Redruth acknowledged how far the women's game has come. I am delighted that England will be hosting the 10th edition of the women's rugby world cup this year between August and September. The tournament provides a significant opportunity to showcase women's rugby, provide a world stage for female athletes and drive the visibility of the women's game.

In January, I met with the chief executive officer of the women's rugby world cup to understand the long-term impact of hosting this exciting event. The record-breaking ticket sales, which already top 220,000—double those sold at the previous tournament—highlight the massive appetite for women's sporting events in this country. The tournament's Impact '25 programme has already had a transformational impact in cementing rugby as a game for all, with funding being allocated to 850 clubs across the country.

This debate has been a fantastic opportunity to highlight the contribution that rugby makes across our country. Some real questions and concerns have been raised, but I hope that, through collaboration and rebuilding faith, the RFU will listen and move forward. I thank all hon. Members for taking part.

10.55 am

Perran Moon: First, I thank you, Sir Desmond, for your expert chairmanship of this debate; it has been a sight for sore eyes. I only have a couple of minutes, so I would also like to quickly thank the hon. Members who have contributed.

I thank the hon. Member for St Ives (Andrew George), who mentioned the importance of Cornish rugby to Cornish society, and the hon. Member for Tiverton and Minehead (Rachel Gilmour), who referenced the French model, which we should be looking at, focusing on that kind of adapt-or-die approach. I thank my hon. Friend the Member for Weston-super-Mare (Dan Aldridge), who talked about the importance of mental health to our communities, and mentioned Talk Club; he also referenced financial sustainability, on which so much of what we have talked about is based.

My hon. Friend the Member for Southend East and Rochford (Mr Alaba) mentioned Rochford Hundred rugby club and the passion there is there. I wish the hon. Member for Hinckley and Bosworth (Dr Evans) good luck with his Bath-Tigers dilemma—I cannot really help him with that one. My hon. Friend the

Member for Mid Derbyshire (Jonathan Davies) talked about the talent pipeline, and that is why we need to invest in these grassroots clubs: to ensure that talent is coming through that pipeline.

The omnipresent hon. Member for Strangford (Jim Shannon) mentioned Ulster Rugby, women's rugby and the lessons to be learned there. The hon. Member for West Dorset (Edward Morello) gave us an important insight into the history of rugby, as well as the financial challenges and why we need to look at this issue in much more detail.

We were doing so well in making the debate apolitical until the shadow Minister, the hon. Member for Old Bexley and Sidcup (Mr French), stood up, but I guess that is his job. I agree with him that we have to focus on the community side and ensure that it is open to all.

I thank the Minister for responding directly and focusing on the grassroots game. I am conscious that hon. Members needed to talk about their local clubs as well as the higher-level clubs, and I was thankful that the Minister talked specifically about the grassroots.

My view, for what it is worth, is that this is our game, and our mess; it is for us to sort out, not for Government to take control. Government can express a view, but I am hopeful that we can sort out our problems within the confines of the game itself and ensure that grassroots rugby remains on a stable footing.

Question put and agreed to.

Resolved,

That this House has considered the governance of English rugby union.

Local Government: Nolan Principles

10.59 am

Sir Desmond Swayne (in the Chair): I will call Alberto Costa to move the motion, and I will then call the Minister to respond. As is the convention for 30-minute debates, there will not be an opportunity for the Member in charge to wind up,.

Alberto Costa (South Leicestershire) (Con): I beg to move,

That this House has considered the effectiveness of the Nolan Principles in local government.

It is a great pleasure to serve under your chairmanship, Sir Desmond. This year marks the 30-year anniversary of the Nolan principles, which are selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Those seven principles embody everything that we, as elected representatives, should strive for on behalf of our constituents. They are the guiding principles for anyone in elected office.

MPs and elected representatives at all levels of local government are overwhelmingly public-spirited and dedicated people who always embody the Nolan principles in their work. Having served on the Privileges and Standards Committees for the last five years, which I am honoured to now chair, I have seen at first hand that elected representatives do, at times, sadly fall short of the principles.

Jim Shannon (Strangford) (DUP): I commend the hon. Gentleman for raising this issue. Does he agree that for most honourable people, the desire to live up to the highest standards of the Nolan principles is inherent? For people who do not live by those principles, however, there must be more than a suggestion—indeed, there must be a requirement—to stand by them.

Alberto Costa: I thank the hon. Gentleman for his welcome intervention, with which I entirely agree. Not only should publicly elected councillors—at parish, town, local authority, district and county level—be obliged to follow those principles but, importantly, a code of conduct developed and underpinned by those principles should have teeth. What he is ultimately saying is that there must be appropriate sanctions, as there are for us as Members of this House.

For some of those Members who fall short, sometimes those are cases of minor lapses—moments of frustration or poor judgment—while other times they are severe errors, with devastating consequences for colleagues, staff and the reputation of elected office. Such errors are not unique to elected representatives; to err is human, and no human being is without flaws. That said, it is right that elected representatives, while undertaking their public duties, are held to a higher bar. That is not about their private lives, but about the work that we, and local authority councillors, do in the course of our public duties.

Dan Aldridge (Weston-super-Mare) (Lab): I thank the hon. Member for securing this debate on the Nolan principles, which I have been very interested in for a long time, working in public service. In a digital-first world, with so much of our lives documented and undertaken online, does he agree that there is a greater necessity for a reimagination of the Nolan principles?

Alberto Costa: That is an interesting point. I must confess that I have not considered it, so I would welcome any further information or a further briefing from the hon. Member on what he means by that, particularly in my role as Chair of the Standards Committee.

The Nolan principles must ensure that elected representatives are held to account properly, at every level of local government. In Labour's plan for local government reorganisation and a new structure, the way that standards are dealt with must not be neglected. I hope that the Minister will say a few words on local government reorganisation, and how he thinks the Nolan principles and any code of conduct might underpin that.

I think we can all agree that the current regime is failing. Issues of misconduct, bullying and harassment in local government—parish, town, county and district—have become worse. I know of parish councillors in my constituency whose lives have been made a misery through months and, in many cases, years of verbal abuse, intimidation and harassment from fellow councillors.

In Leicestershire, one instance of constant harassment and relentless, vexatious complaints resulted in a parish council officer dramatically resigning during a parish council meeting. I have no doubt that hon. Members have witnessed or heard similar stories in their constituencies. Those bad apples make up only a small minority of councillors but even so, according to a 2017 report by the Society of Local Council Clerks,

"15% of parish councils experience serious behaviour issues… 5% are effectively dysfunctional as a result of them."

So where does the current regime fall short? First, there is no clear definition of bullying or harassment in the Localism Act 2011, which leaves it to monitoring officers to interpret vague codes of conduct inconsistently. What is serious in one district area is dismissed in another. Town and parish councils have no internal mechanism to investigate breaches of conduct. At the same time, principal authorities are also powerless to enforce meaningful sanctions, except in cases serious enough for criminal referral.

The 2018 Ledbury town council case exposed a major flaw in the system. The council was forced to pay more than £200,000 in legal fees for trying to sanction a councillor through an internal grievance process. That highlighted a fundamental problem: parish councils lack the power to act independently, while principal authorities have no real enforcement mechanisms. Accountability falls into limbo unless there is clear criminal conduct. My speech is not about criminal conduct; it is about the issues that we as Members of this House are familiar with—bullying, sexual misconduct, harassment and the like.

If the public were able to hold rogue councillors—the minority—to account properly at the ballot box, I would be less concerned, but the gaps in legislation are made worse by the democratic deficit, certainly at the parish level, where elections often lack enough willing candidates to ensure true accountability. In the May 2015 elections, for example, only 20% of eligible parishes contested their vacancies. The ballot box rarely holds councillors to account, and even if it does, it can often be too late.

We know that accountability problems will be more pronounced in areas that have a unitary authority, which is the direction of travel under this Government, as parishes may be given even greater powers due to the abolition of district councils. I hope that the Minister can comment on what consideration the Government are giving to that specific point or, if he is unaware, that he will write to me after the debate.

For now, I encourage the Government to consider the following steps to strengthen accountability, and to protect town and parish councillors and those who work for town and parish councils. First, I suggest amending section 27(3) of the Localism Act 2011 to give a clear definition of bullying that explicitly covers persistent verbal abuse, intimidation or behaviour that causes significant distress to other parish or town councillors or those who work for parish or town councils. That would give monitoring officers of principal authorities a firmer basis on which to act, and would set a threshold for escalation, distinguishing heated debate from harassment.

The next step would be to mandate standards committees in all principal authorities, which would be tasked with impartial investigations, deciding on allegations and imposing sanctions. Those committees, supported by truly independent persons, would bring consistency, credibility and impartiality into an appropriate disciplinary system. Here in the House of Commons, as part of the Committee that I chair, we have seven lay members alongside seven Members of Parliament, and as the Chair, I do not have a vote other than in the event of a tie. That means that the seven lay members provide the impartiality that the House wants when disciplining its own Members.

Dan Norris (North East Somerset and Hanham) (Lab): The Nolan principles also apply to officers working in the public sector. I am a regional mayor, as well as a Member. I am aware that a regional mayor in the east of England is currently talking with a chief constable about officers under the previous mayor making decisions that should have been made by politicians—in other words, the normal rules and policies seemingly being circumvented.

It troubles me that the interim officers who work for local authorities or regional authorities move on quite quickly. They do not stay very long, and if something questionable is subsequently found, they are not bound to take part in any inquiry. That means that the Nolan principles can be completely circumvented; it drives a coach and horses through the good principles. I agree with everything that the hon. Member has said so far, but does he think there should there be a special circumstance or a modification to the rules to allow those officers, who keep moving around and carry on working in local government, to be held to account?

I also ask the Minister what the Government will do to make sure, where questionable things have happened, that the local authorities to which those interim officers go are alerted about that. Those local authorities should know that irregularities have taken place.

Sir Desmond Swayne (in the Chair): Order. Can we have shorter interventions in future?

Alberto Costa: I thank the hon. Member for his welcome intervention, which highlights another issue that I am not entirely familiar with. Although this debate is concerned with elected officials, he rightly asks about what happens if people charged with the oversight of the Nolan principles as independent officers

move on to other jurisdictions. There is, of course, the contract of employment that underpins the individual's duties, but there may well be a lacuna in that area. Again, I would welcome the hon. Member writing to me with a further briefing so that I can ascertain whether there is a link to ensure that that would not damage the mechanism that I am proposing to the Minister, which is for independent officers to have more appropriate oversight.

As I have indicated, mandating in all principal authorities standards committees, tasked with impartial investigations and deciding on allegations, would bring consistency. Thirdly, I suggest amending legislation to make parish councils formally accountable to their principal authority, which currently is not the case. That could include annual governance reports, direct intervention powers for serious breaches, and the provision of training to prevent issues from arising.

Those are basic, bread-and-butter issues in which we as Members of Parliament are encouraged to take a more active part, particularly when it comes to training. Parishes should retain autonomy, but the principal authority should act as a backstop for serious failures, reinforcing local governance without reverting to a centralised control such as the standards board.

Finally, we must address the absence of robust sanctions. There is a total lack of sanctions when councillors at parish, town and local authority level have been found wanting, with the exception of criminal conduct, which is dealt with separately. The power to suspend councillors —say, for up to six months—for proven bullying or harassment is essential. Currently, a counsellor can shrug off the consequences and return to the next meeting unchecked. Instead of facing the consequences, effectively nothing is done. That has an impact not just on the proper functioning of the parish or town council, but on the staff working for that parish or town council, who may themselves be the victims of the bullying or harassment. Worse still, I have heard of cases where entire councils have resigned in despair, powerless against a single disruptive individual. Suspension would offer immediate relief to victims and signal that misconduct has a cost, as it does here in the House of Commons, and as we have proven over the past few years.

Much of what I am saying echoes the 2019 review by the Committee on Standards in Public Life, which called for councils to suspend councillors without allowances for up to six months. The Government rejected those proposals in 2022, citing risks to free speech, and I sympathise with that, but the new Government's 2024 consultation on sanctions suggests a welcome shift. Perhaps the Minister can say a few words about that.

We must not return to a time of bureaucratic excess and politically motivated complaints threatening freedom of expression. That is not what I am arguing for, and that is not what we see in the House of Commons. But with reports of bullying rife at parish levels and changes to local government structure in the pipeline, it is time to reconsider the recommendations of the 2019 Committee on Standards in Public Life report. I encourage the Government to take the opportunity they now have with local government reorganisation to make a positive impact by ensuring that what we see applied to all of us here in the House of Commons is mirrored in some form to other valued elected public officials.

11.18 am

The Minister for Local Government and English Devolution (Jim McMahon): It is a pleasure to serve under your chairmanship, Sir Desmond, and to attend this debate. I am grateful to the hon. Member for South Leicestershire (Alberto Costa) for securing it.

A key commitment of this Government was to strengthen the standards regime and integrity in public life. Specifically, that means a very active commitment to working together to create a fit, legal and decent local government sector that is equipped to rise to the challenge and opportunity of increased devolution of power and resources from Whitehall. Our proposals to achieve that were set out in the "English Devolution" White Paper, published in December last year, which included measures to fix our broken audit system; improve oversight and accountability; give councils genuine freedoms to work for and deliver in the best interests of their communities; and, with particular reference to the theme of this debate, improve the standards and conduct regime.

We are wasting no time in getting on with the task. The day after the "English Devolution" White Paper was published, we launched a 10-week consultation on strengthening the standards and conduct framework for local authorities in England. The consultation, which closed on 26 February, sought views on reforms to the standards and conduct regime so that the public can have trust and confidence that all councils in England can be effective and well governed.

Although he did not go as far as I might, I think the hon. Member for South Leicestershire was hinting that the previous Government, in the early part of that Government—with the removal of the standards regime and the audit regime, and measures such as the removal of councillors' pensions in England—engaged in what many of us now reflect were, in large part, acts of municipal vandalism. They took away the architecture that allowed local government to thrive. The challenge is big, but we understand that we need to take significant steps to improve the situation.

All of us here today know the seven principles of public life—honesty, integrity, objectivity, accountability, selflessness, openness and leadership—which have underpinned the ethical standards of all public office holders for the last 30 years. They are, and have been, the foundation of the code of conduct for Members of the House, the ministerial code and all who serve in local government and the wider public sector.

Doug Chalmers, the current chair of the Committee on Standards in Public Life, gave a speech at the Institute for Government in November last year on the 30th anniversary of the establishment of that committee. In that speech, he reflected on the three golden threads that Lord Nolan had set out that need to be delivered alongside the Nolan principles—first, the code of conduct; secondly, independent scrutiny; and thirdly, education.

As Lord Nolan acknowledged, the Nolan principles were not a code of conduct, but the values that would underpin a code. An effective code needs to clearly detail the behaviours that those in public office must observe to repay the public's trust and confidence, as the hon. Member for South Leicestershire referred to. The principles are a foundation, but the behavioural code is not quite there. There are examples in the

[Jim McMahon]

councils that the hon. Member mentioned, and actually in some councils right across the country, of bad behaviour being far too common. That cannot stand.

While the standards proposals that the Government have been consulting on are for whole system reform, at their foundation is the proposal for a mandatory code of conduct. We believe that a mandatory code is vital to achieving consistency across all the various types and tiers of local government. The current regime simply requires all local authorities to adopt a code that is consistent with the Nolan principles. Some take the de minimis approach of simply listing the seven principles. Others have very detailed local codes. That lack of consistency is not helpful to the system overall. It is confusing and means that we cannot have confidence that all are judged to the same standard equally across the system.

That does not happen in the devolved nations. Scotland, Wales and Northern Ireland all have mandatory codes of conduct in place, based on the Nolan principles but setting out detailed interpretation of the expected behaviours.

Steve Barclay (North East Cambridgeshire) (Con): Where there are bad behaviours, that often results in significant legal costs to the local authority and settlement payments. The Government are giving more powers to combined authorities. Does the Minister agree that where a combined authority incurs significant legal costs and settlement payments relating to staff who have left, whether employed or interim, that information should be shared in a timely fashion with board members? If so, will he write to me to confirm that that is the Government's position?

Jim McMahon: We have set out a very clear expectation about transparency and all authorities, whether they are local authorities or combined authorities, always acting in the public interest and being up front about information that they hold. That expectation is clear. I can respond in writing in more detail.

Steve Barclay: Can I press the Minister on that point? Does that transparency include sharing those settlement payments and legal costs with the authority's board members? It strikes me as remarkable if those costs are not even shared with board members. He has very helpfully clarified that he expects transparency. I would like that transparency to be with the public—perhaps he can say something on public disclosure—but can he at least confirm that the information should be shared with board members?

Jim McMahon: I will follow up after the debate on the example that the right hon. Gentleman is referring to. I commit to finding out a bit more information through the Department and will respond in writing. As a matter of principle, it is not unreasonable to expect that board members, as opposed to the wider public, are informed about matters of financial relevance to the operation of the board. That seems fairly self-evident to me. If he provides more information on the particular case, which I am not familiar with, I will certainly come back to him on that.

I am enormously grateful for the more than 2,000 responses that we received to the Government's standards consultation. We are working at pace to analyse the results. We will think carefully about how to take into account the views that were expressed for each of the proposals that we have set out. The Government response will be issued in due course, and after its release, we will continue to work actively with local government on developing detailed implementation.

The hon. Member for South Leicestershire mentioned reorganisation, and although I completely acknowledge the examples of poor behaviour that he identifies—I have witnessed such things in some authorities, too—I would be careful not to attach local government reorganisation as an inherent risk to the standards and behaviours of councillors. I think this is cultural, and it is about a lack of framework and, honestly, slightly a result of a standards regime that has not got teeth.

There are some members who know that what they are doing is not right, and that that is not just about free speech, but about abusing the position they hold and the freedoms. We often see that relationship, where elected members who are holding court in the council chamber attack officials on the top table who have no power to respond themselves. We see that power imbalance taking place. I suspect that most elected members who are behaving in that way know exactly that their behaviour is not okay, but they also know that the standards regime has no teeth to deal with that, so what are the consequences? I would be careful not to attach that behaviour to the reorganisation point, because we want to rebuild the system from the ground up, so that every council in England—whether they are part of the 21 counties going through reorganisation or are among the rest—is subject to the same robust standards regime that does have teeth.

Let me return to the subject under debate by dealing with some of the points about not allowing the system to be used for political ends and how it has to be held up to all scrutiny at all levels. This is about having a proportionate system that can hold up to scrutiny and be tested, but it has to be mandatory. It must have sanctions that matter, including the power of suspension, the power to withhold allowances, if that is correct, and the power for premises bans, if there is a safeguarding risk at play. We have examples where councillors can be on police bail for sexual assaults, and during police bail, they can attend council meetings and attend the premises. That clearly would not be acceptable to most members of the public, but the current regime allows that, and that cannot be allowed to stand. Perhaps more controversially, the system should include disqualification in some cases for more serious breaches.

Dan Norris: Will the Minister address my point about interim officers, or perhaps write to me if there is not time today?

Jim McMahon: I will return in writing to the point about interim officers being able to move around and whether they are held to the Nolan principles as a founding principle. This debate is more about the standards regime that governs elected members in that context, and that is the consultation that we undertook.

I have no doubt that the Nolan principles will continue to be enormously influential in contributing to the effectiveness of local government. They are a prescription

for the values to foster a culture of integrity and ethical behaviour. This Government are committed, at the heart of our ambition for the whole of local government, to creating a fit, legal and decent local government sector, and that is what the public have a right to expect. To be effective, local government must serve to foster vibrant local democracy. It must encourage a wide diversity of talented people to step forward to represent their local communities in that position, and we are committed to working to that end.

Question put and agreed to.

11.28 am

Sitting suspended.

Anti-social Behaviour: East of England

[Derek Twigg *in the Chair*]

2.30 pm

Alice Macdonald (Norwich North) (Lab/Co-op): I beg to move,

That this House has considered anti-social behaviour in the East of England.

It is an honour to serve under your chairmanship, Mr Twigg. As we go about our daily lives—shopping, working, socialising or simply enjoying a quiet evening in our own home—nothing has the power to disturb our experiences like antisocial behaviour. It can make people's lives a living hell. I am sure that my colleagues from across the east will have inboxes full of concerns raised by constituents over antisocial behaviour. It differs in its form depending on whether it is in rural or urban areas, but examples include: fly tipping; littering; loud music played at all hours; nuisance neighbours; uncontrolled animals; and the menace of off-road bikes.

Last year, the police recorded 1 million incidents of antisocial behaviour nationally. Estimates from the crime survey for England and Wales showed that 36% of people experienced or witnessed some type of antisocial behaviour in their local area. In Norfolk, my county, 8,800 incidents of ASB were recorded by the police between 2023 and 2024. The Library reports that from March 2023 to March 2024, 948 incidents of ASB were recorded in my constituency. I want to bring to life what that means for my constituents, because, as I have said, it takes many different forms.

Last year, our local paper, the *Eastern Daily Press*, reported that antisocial behaviour in Norfolk's libraries had increased by almost 40%, with staff offered extra support to help deal with rising abuse from visitors. Last week, I held a meeting for residents on Britannia Road, who have been plagued by antisocial behaviour and speeding in their area for years. The imposition of a public space protection order has had little effect. I am determined to work with local councillors, the council and the police to finally get some resolution. One of my constituents has told me that antisocial behaviour in carparks has meant that public toilets are being permanently closed. Just a few days ago, the city council had to lock the gates of parks and cemeteries again overnight after antisocial behaviour and vandalism.

Jim Shannon (Strangford) (DUP): I commend the hon. Lady for securing the debate. I spoke to her beforehand, and the point that she is referring to concerns me as well. It is always saddening to hear about incidents of antisocial behaviour across the UK. Examples include alarming incidents of graffiti, destroying public spaces such as children's parks and inappropriate drawings on children's slides. Does the hon. Lady agree that there must be a better community police presence to take substantive action to ensure that parents do not have to worry about potential damage to park equipment and inappropriate graffiti that young ones may witness at a very early age?

Alice Macdonald: I thank the hon. Member for his intervention and I totally agree. I will come on to the importance of a visible police presence later in my speech. As I said, the city councils have had to lock the

[Alice Macdonald]

gates of parks. Just today, the Feed cafe, a brilliant social enterprise in Waterloo Park in Norwich North, spoke out because it had suffered vandalism again. The manager said that they felt targeted and intimidated. They called for CCTV, which is something that the local council and I will back.

Derelict sites have also become hotspots for antisocial behaviour. Very sadly, a huge blaze broke out a few weeks ago at an empty shoe factory in Dibden Road. Seventeen fire crews had to attend from across the county. Thankfully, nobody was hurt, but derelict sites such as this one are too often not properly secured.

Sam Carling (North West Cambridgeshire) (Lab): In my constituency, I get regular reports of antisocial behaviour in Pleasurefair Meadow carpark and Stanham Way, relating to the screeching of tyres from motorbikes, loud music until the early hours of the morning and constant instances of drugs and antisocial drinking. Does my hon. Friend agree that we need to take this sort of antisocial behaviour seriously wherever it is happening and that the local residents should not have to put up with it?

Alice Macdonald: I completely agree. Sometimes antisocial behaviour can be dismissed as trivial incidents, but we all know that they are not trivial and that they cause a real disturbance to many of our residents. I also know that my constituents are continually frustrated by antisocial and inconsiderate parking. I am sure that other Members here also have issues raised with them on that, whether it is obstructing pavements or blocking driveways. Indeed, research by the British Parking Association in the last few years has revealed that this is one of the biggest frustrations British people experience in their daily lives.

I want to be clear that Norwich is a great place to live; indeed, we have seen communities rallying round to support each other after antisocial behaviour. But a small minority can cause misery for many, so I welcome the measures that the Government set out yesterday in the Crime and Policing Bill. I particularly welcome the new powers for police to seize vehicles causing havoc in our city centres, removing the prior need for a warning to be given. Recently, e-bikes and e-scooters have been subject to a police crackdown in Norwich, with 12 of them being seized in just one day.

The new respect orders will also give the police and local councils powers to ban persistent offenders from town centres or from drinking in public places, such as high streets and parks. That will make a real difference in areas such as Prince of Wales Road in Norwich. It is home to a lot of vibrant nightlife, but businesses there have often made complaints about antisocial behaviour. I hope the Minister can reassure us that for serious and persistent offenders who affect our constituents day after day, respect orders will indeed give authorities the powers they need.

Of course, many of these measures will only be effective if we have police on the streets to enforce them. I pay tribute to the police and police staff in Norwich and Norfolk, and across the country, who work really hard. That is why I welcome the Government's commitment to recruit 13,000 extra neighbourhood police officers and police community support officers, with a named and contactable officer in every community. I have met many of the local officers in our area through safer neighbourhoods teams meetings and they work incredibly hard, but often they are stretched to cover the areas they are supposed to cover.

I welcome the fact that the Government have increased police funding by £1.1 billion, which is a 4.1% increase in real terms, including funding to kickstart the recruitment of new officers. Norfolk Constabulary is set to receive £235 million in 2025, which is an increase of £12.8 million on 2024. However, can the Minister reassure me that the recruitment of 13,000 neighbourhood officers and the funding package being provided will result in more police officers on Norfolk streets, so our residents can see and be reassured by their presence?

Under the Conservatives, neighbourhood policing was slashed in communities across the country, but I know that Labour is determined to change that. However, there are still real challenges. The chair of Norfolk Police Federation spoke out earlier this year about the difficulties facing the police forces in our county, including officers leaving or having to take time away from the workplace because of the huge pressures being placed on them. Could the Minister also talk about the action we are taking to support the police at work and address retention issues?

Mr Bayo Alaba (Southend East and Rochford) (Lab): I thank my hon. Friend for allowing me to intervene.

In my constituency of Southend East and Rochford, we share many of the same issues that my hon. Friend is experiencing in her constituency in Norwich. We have a high street that needs to be reanimated and low levels of antisocial behaviour. Nevertheless, as my hon. Friend said of her community, there is also a great community in my constituency, so I wholeheartedly support what she is saying.

I also encourage people to visit Southend East and Rochford, because it is really important that communities are reanimated by people visiting the area and spending time in a community. Does my hon. Friend agree that it is important that we create the conditions in our high streets, towns and city centres that enable them to thrive? And does she support the Government in their crackdown on crime?

Alice Macdonald: I do agree and, as my hon. Friend will be aware, I recently visited Southend and saw what a vibrant community it is. I believe that the new measures will benefit not only the east of England as a whole but the entire country.

I will just conclude my point about police and police financing. As the Minister will be aware, the chief constable of Norfolk is also the national policing lead for finance, and he has raised a number of issues with me, including some no-cost ideas that could be explored to relieve pressure on the police, such as the flexibility for the police to recruit the right workforce mix. I hope that in her response to the debate, the Minister will speak about that issue and perhaps outline some of her conversations with the chief constable.

As I have said, Norwich is a wonderful place to live and we can all play our part in ensuring that our fine city stays that way. It is vital that the fight against

antisocial behaviour is carried out at all levels. I welcome the work of Sarah Taylor, the excellent police and crime commissioner for Norfolk. I also welcome the work of Norwich City Council's excellent Love Norwich campaign, which aims to tackle environmental antisocial behaviour, with a range of measures to tackle fly-tipping, littering and graffiti.

Alex Mayer (Dunstable and Leighton Buzzard) (Lab): I thank my hon. Friend for giving way on that point about councils. In my area, Central Bedfordshire Council has just decided to remove all of its safer neighbourhood officers. The chief constable has said that there will be increased risks to the public because of that. These are uniformed people who go around our streets handing out fixed penalty notices for littering, looking at graffiti and generally making members of the community feel safer. Both the Liberal Democrats and the Conservatives in the council voted against an amendment to keep such officers in place. Does my hon. Friend agree that councils have a duty to make sure that they crack down on low-level antisocial behaviour, and that if they do not do so, there will be a real knock-on effect on local people?

Alice Macdonald: I totally agree. As I said, action needs to be taken at all levels, including central Government, local government and in communities, which do brilliant work. The Love Norwich campaign also includes a grant scheme where communities can apply for up to £2,500 to enhance and open all communal space near them. This is the best of our society in action.

I am sure we have all seen litter-picks led by local volunteers in action in our areas, which see people come together to keep our areas clean, safe and welcoming for all residents. I also welcome the investment of our Labour-led city council in new security doors, including at St James Close in Norwich North. Many of my constituents have told me that unrestricted access can contribute to long-running antisocial behaviour issues. Of course, we want to prevent those issues in the first place, but it is a good example of a local council responding to what it is hearing from local communities.

I will conclude with this message: antisocial behaviour is a blight on all our communities. It cannot and will not be tolerated. I applaud the Government's efforts in taking actions to tackle it and to put more police on our streets, but there is still a long way to go. I know that the Government will continue to do everything they can to tackle the scourge of antisocial behaviour in all its forms.

2.41 pm

Lewis Cocking (Broxbourne) (Con): It is a pleasure to serve under your chairmanship, Mr Twigg. I congratulate the hon. Member for Norwich North (Alice Macdonald) on securing this important debate this afternoon. Some antisocial behaviour problems can be extremely localised down a single street, in a block of flats or between neighbours, ruining the lives of individuals targeted but sometimes going unnoticed by the wider community.

In recent months, many constituents have written to me and asked for help in dealing with antisocial behaviour problems caused by their neighbours in housing association properties. Research found that those living in housing associations are up to 30% more likely to experience criminal or inconsiderate antisocial behaviour compared with those who own their own property. That sort of behaviour ruins lives, and when it is happening in the vicinity of our own homes, there is often no escape.

The situation is made even worse when the victim is vulnerable due to their age or a medical condition. Sadly, it is far too common for me to hear that housing associations responsible are failing to take this issue seriously. As I have said before in the House, it is clear that, as well as the police, housing associations must play a full role in dealing with antisocial behaviour. While I welcome the Government's rhetoric on tackling the scourge within our communities, it remains to be seen whether their new respect orders will be fully utilised by housing association providers. From my experience, they are not always interested in hearing about antisocial behaviour problems in the first place.

Previously in the House, I was told that

"existing civil injunctions will be renamed as housing injunctions, which will deal with that more low-level antisocial behaviour between neighbours."—[*Official Report*, 27 November 2024; Vol. 757, c. 799.]

The explanatory notes to the Crime and Policing Bill state that housing injunctions can be applied for in the same way as the previous civil injunctions. How exactly will renaming something that already exists help to deal with this type of behaviour in our communities, when my constituents are telling me that the current system does not go far enough? I look forward to clarification on that specific point from the Minister, when she winds up this debate.

What has been proven to cut antisocial behaviour is hotspot policing, and I am pleased to say that the fruits of this can be seen in my constituency of Broxbourne, thanks to the efforts of our fantastic police and crime commissioner, Jonathan Ash-Edwards, and our hard-working local police officers. In January alone, Waltham Cross saw more than 682 hours of additional police patrols being carried out, eight arrests were made, and two weapons were seized. That increased visibility is reassuring to residents and prevents crime before it actually occurs. In some hotspot areas in Hertfordshire, antisocial behaviour has been reduced by up to 50%, which I absolutely welcome.

Our constituents, whether they live in social housing or are simply using their local town centre, expect and deserve to feel safe. As the Minister knows, driving down antisocial behaviour is crucial to achieving that, and I will be watching the Government very closely to see whether they follow through on their promise.

2.44 pm

Josh Dean (Hertford and Stortford) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg. I thank my hon. Friend the Member for Norwich North (Alice Macdonald) for securing this debate on an issue of deep importance to our constituents. I start by acknowledging that Hertford and Stortford is a fantastic place to live, work and learn. My parents moved to Hertford in the late 1990s because they wanted the best start in life for me, and growing up I was lucky enough to benefit from the diverse offering of opportunity in our semi-rural community.

Our residents are deeply proud of our towns and villages and want our local area to thrive, but too often, instances of antisocial behaviour cause huge disruption

[Josh Dean]

to their lives and blight our communities. In the year ending March 2024, there were just over 2,000 incidents of antisocial behaviour in Hertford and Stortford. Those are not simply statistics. Each incident leaves residents who feel less secure on their way home from work, in our town centres, or even in their own home at night. I take this opportunity to acknowledge the work being done by police in our community. I am pleased that tackling retail crime and antisocial behaviour in Sawbridgeworth is a priority for the police, with extra patrols and public appeals to identify perpetrators. Likewise, I welcome the use of regular speed checks on Hadham Road in Bishop's Stortford to tackle antisocial and dangerous driving, with one driver issued with a traffic offence report after he was caught speeding at 54 mph in a 30 mph zone.

Lewis Cocking: Does the hon. Member agree that when police set up patrols to catch people who speed, the news quickly gets on to apps to tell people coming down the road that there is a policeman standing there with a speed gun? Does he think the Government should explore whether to ban apps that do that, so that we can catch people who speed on our roads?

Josh Dean: I thank the hon. Member for raising that interesting point, which I will certainly consider. It is important that we tackle antisocial driving and speeding. We have a specific incident spot on West Street in Hertford, where residents have been campaigning to deal with antisocial driving and speeding not just since I was a councillor there a year ago, but for the past 25 years. I am sure Members will not mind me pointing out that that is longer than I have been alive.

We know that antisocial behaviour takes many forms, often going hand in hand with crime, and that means that our police have to fight on multiple fronts, but they will always have my support when they take positive steps to tackle antisocial behaviour in our community. We know there is more to do, and I welcome this Labour Government's commitment to cracking down on the antisocial behaviour that blights our communities, including through the tough new measures in the Crime and Policing Bill. Residents regularly disturbed by e-scooters and off-road bikes misused on our streets will welcome the removal of the requirement for police to issue a warning before seizing vehicles associated with antisocial behaviour.

Ours must also be a Government who tackle antisocial behaviour at its roots, so in the time I have remaining I shall talk about antisocial behaviour among young people. Too often in semi-rural communities like mine, young people are driven to antisocial behaviour by lack of provision and support. The famous image of the loitering youth only exists because there is so rarely anywhere else for them to go, such was the decimation of youth services under the watch of the previous Government for 14 years.

I pay tribute to the work of the charities and voluntary organisations filling gaps in youth services in our community, particularly the Thirst Youth Café in Bishop's Stortford and FUTUREhope in Hertford, where I once volunteered. Their work not only deters young people from antisocial behaviour and the more serious crime it acts as a doorway to, but builds their confidence, so that they can find the path that is right for them and contribute positively to our community.

I warmly welcome the work that this Government are undertaking to introduce a network of Young Futures hubs to support young people's development in communities like mine, to improve their mental health and wellbeing and to stop them from being drawn into a life of crime and antisocial behaviour. I am also encouraged by plans to develop a new national youth strategy to deliver better co-ordinated youth services at the local, regional and national levels, and to help all our young people to reach their full potential.

Jim Shannon: I am listening to what the hon. Gentleman says about the groups helping to give young people an opportunity to do something. Does he have in his constituency, as I have in mine, churches that reach out to help? For example, in Newtownards, the Salvation Army is developing a new centre. Those sorts of outreach efforts that people are doing individually and voluntarily will make a big difference. Does he agree?

Josh Dean: Absolutely. The groups I mentioned are supported by local churchgoers and religious groups in our community. I pay tribute to them, not least because I was supported by youth services as a young person. I would not be standing here as the Member of Parliament for Hertford and Stortford without them.

I am looking forward to engaging in coming months with young people and local service providers in our community, to ensure that they can contribute directly as the Department for Culture, Media and Sport develops the exciting new national youth strategy.

On that point, I shall be grateful if the Minister outlines how the Home Office is working across Government to ensure that tackling antisocial behaviour and crime prevention are wired into the national youth strategy. Also, how will the Home Office work with policing teams in semi-rural communities such as mine to continue to crack down on antisocial behaviour?

Terry Jermy (South West Norfolk) (Lab): As a former youth worker, I am pleased to hear my hon. Friend talk about the benefits of youth services. Does he agree that we have seen an erosion of youth services across the east? When cuts are made to council funding, children's and youth services are often the first to go.

Josh Dean: I could not agree more. I often hear Conservative Members speak of their Government's successes, but young people like me lived its failures. Too often, youth services, arts and culture—the things that help young people in our communities to find the path that is right for them—that were first for the chopping block. I thank my hon. Friend for that intervention and, on that point, I will conclude.

2.51 pm

Andrew Lewin (Welwyn Hatfield) (Lab): I congratulate my hon. Friend the Member for Norwich North (Alice Macdonald) on securing such an important debate. My constituents have great pride in our community. The marriage of town and country was the vision behind Welwyn Garden City, and Hatfield is a new town that blends hundreds of years of history, such as Hatfield House, with a spirit of innovation as the home of the

world's first jet airliner. Antisocial behaviour is damaging because it chips away at that sense of pride in our communities. Instead of embracing public spaces, people are forced indoors, not looking outwards. They lock the doors to try to stay safe at home.

Like other hon. Members, I hear too many stories of how antisocial behaviour takes its toll on my constituents. I have heard of rocks being thrown at family homes, public urination on street corners, and a banned breed of dog locked up, rarely walked and behaving menacingly. Perhaps most powerful of all, a 10-year-old primary school student on a fantastic visit told me that they had seen a pensioner nearly knocked over by an off-road bike being illegally raced through one of our parks; the incident had made them worried to go to the King George V playing fields in Welwyn Garden City. It is time for action, and this Government get that.

Sam Carling: We have that problem with off-road bikes as well e-scooters on pavements. I receive regular complaints from my constituents about them being used improperly, often putting elderly people at great risk because they cannot move out of the way quickly enough when one whizzes up behind them. Does my hon. Friend agree that we need to take that sort of antisocial behaviour seriously? Does he welcome, as I do, the measures in the Crime and Policing Bill that will help police seize those vehicles?

Andrew Lewin: I absolutely do. My hon. Friend is right to talk about older people being vulnerable to e-scooters, but I think also of young families, mums and dads with prams and babies. I have heard some horror stories about their experiences. I completely endorse what he said.

The Government are taking action. I was delighted to see the Crime and Policing Bill pass Second Reading yesterday. I shall briefly highlight three of its measures, some of which have already been referenced, that could make a difference in Welwyn and Hatfield. First, the Bill will give police the power to seize bikes or vehicles immediately, removing the need for a warning. That is an important change. If bikes or e-scooters are being ridden irresponsibly, let us get them straight off the road.

Secondly, respect orders will give local councils and police powers to ban persistent offenders from town centres, or from drinking in public spaces such as high streets and local parks. Crucially, failure to comply with a respect order will be a criminal offence, so police will have the power to arrest people in breach straight away. Finally and perhaps most important is the manifesto commitment Labour made to recruit 13,000 more neighbourhood police community support officers across the country, with a focus on targeting the most prolific offenders.

Welwyn Hatfield is at its best when the streets are bustling and people come together, feeling both security and pride in the place they call home. This Labour Government understand how much that matters to people, and why tackling antisocial behaviour locally and nationally is rightly a priority.

2.55 pm

Jen Craft (Thurrock) (Lab): It is an honour to serve under your chairship, Mr Twigg. I congratulate my hon. Friend the Member for Norwich North (Alice Macdonald) on bringing forward this important debate. Antisocial behaviour and disorder is a blight on our high streets and town centres, and I hear all too often from my constituents in Thurrock about behaviour that is making their lives a misery, forcing them to avoid problem areas and, in the worst cases, making them too afraid to leave their homes. Through experiences that have been shared with me, I see how crime perceived to be low level leads to people worrying about themselves and their children, and feeling unsafe in their community. These problems can all too often feel intractable.

At a street meeting that I recently held in west Thurrock, residents told me that their peaceful lives had been made consistently miserable by the menace of dirt bikes. One resident told me that the noise is unbearable, sometimes continuing for hours at a time. Those who work from home have their working hours consistently interrupted by the noise of dirt bikes.

David Taylor (Hemel Hempstead) (Lab): There are many things about the Crime and Policing Bill that I welcome, but I particularly welcome the action that we are going to take on dirt bikes. I hope in the future that we also look at other types of vehicles, particularly those with modified exhausts. One of the problems that I often hear about from residents, and that I have come across many times myself, is boy racers at all hours of the day seemingly acting with impunity because the police and local councils often do not have the resources to act.

Jen Craft: My hon. Friend is right that powers introduced in the Crime and Policing Bill will go some way towards alleviating some of these problems. He raises a good point about how the noise itself is an issue which exacerbates people's fear of this kind of antisocial behaviour, which makes some areas almost a no-go zone. That cannot be right. Another resident told me that when those bikes are out and about she is worried for her child's safety. She approaches the distance between her house and the local park with fear, as she knows the bikes are being driven in an illegal and reckless manner. She worries that her child could eventually be hit by one of those drivers, having had a number of close shaves in the past.

I have held a number of coffee afternoons to bring residents together to discuss the issue of antisocial behaviour and crime in their neighbourhood. The problems I hear about are consistent, and ones that all Members in this Chamber will be familiar with—things like graffiti, disorderly behaviour, dirt bikes and fly-tipping. I know there are measures in the Crime and Policing Bill to give councils more powers to tackle fly-tipping. They are all things that add to the overall impression of an area that is run down and undesirable. Our area and places across the country deserve better than that.

My hon. Friend the Member for Norwich North spoke about her area having much to offer and great civic pride. Thurrock also has a lot to offer, but we find that too often communities are afraid to come together in that spirit because of the behaviour they see on their own doorstep. One of the things that comes up time and again is the broken link between communities and their local neighbourhood and community policing force. The refrain, which will again be familiar to most of us in the Chamber, is, "You just don't see a police officer any more."

[Jen Craft]

The Government's switch to pushing for community policing is the right move. It allows police officers to get to know the area, the pinch points and the issues that residents have. It offers visible reassurance to people who are afraid to leave their homes that there are police available, and that they are on their side. Quite often residents say, "I haven't got the time to sit and call 111, or to file a report that goes into great detail about what I saw and when, but if I saw a police officer on the street, I would go up to them and say that I saw this behaviour, at this time, at this place." That builds an intelligence-led policing narrative that can only be for the best.

That is why I welcome the Government's move to neighbourhood and community policing. It is the kind of preventive work that stops problems becoming larger, that allows people to feel safe on their streets, and that ultimately allows for the kind of society that we all want to see and live in. Of course serious crimes must be given priority, but in this era of competing priorities, what plans do the Government have to make sure that police forces prioritise community policing, and recognise the importance of a visible police presence on the street and people having a named police officer for their area? How can we encourage police forces to follow through with that?

3 pm

Terry Jermy (South West Norfolk) (Lab): It is an honour to speak with you in the Chair, Mr Twigg. I congratulate my hon. Friend the Member for Norwich North (Alice Macdonald)—my Norfolk colleague—on securing this important debate.

Statistically, Norfolk is one of the safest counties in the whole country, but antisocial behaviour is still very much a concern county-wide, including in South West Norfolk. I am regularly reminded that statistics offer little comfort for those experiencing antisocial behaviour. Nationally, according to the crime survey for England and Wales, a record 24% of people believe that antisocial behaviour is very or fairly bad. I do not think it is unreasonable for people to expect to feel safe in their own communities and their own homes.

During the Conservatives' 14 years in government, instead of delivering law and order, they did the exact opposite. They hollowed out neighbourhood policing and gutted and broke the criminal justice system, so that more than 90% of crimes now go unsolved.

Lewis Cocking: I remind the hon. Member that the last Conservative Government recruited 20,000 police officers across the country and the only force not to meet that target was the Metropolitan police under Labour mayor Sadiq Khan.

Terry Jermy: I thank the hon. Member for his contribution. In Norfolk, there were fewer serving police officers at the end of the last 14 years than there were at the start. We have made that point repeatedly.

Some 240 police community support officers were scrapped entirely and not replaced on a like-for-like basis. The then Conservative police and crime commissioner cut all police community support officers—Norfolk was the first force in the country to do so. As a former youth worker in the constituency and a long-time councillor, I saw the immediate impact of that decision. PCSOs were able to make connections with the community; they met councillors and residents' associations, and collected and shared information where possible. In Thetford, the largest town in my constituency, there was a PCSO based in the main high school, who built a rapport with young people that paid dividends later on.

Labour's mission in government is to restore trust in our justice system as a key pillar of our society, and that mission has begun. I am delighted that just yesterday the Home Secretary highlighted the pledge to provide 13,000 more neighbourhood police and community support officers, alongside an extra £200 million of funding in the next financial year.

I am very proud to be a Labour MP in a rural constituency, and I am particularly pleased that this Government are looking to deliver a new rural crime strategy. We need a fresh approach to tackling crime in rural areas. We must recognise that crime and antisocial behaviour is different in rural areas. Crimes such as hare coursing and livestock worrying are major issues in my constituency and of great concern to residents.

I pay tribute to the Union of Shop, Distributive and Allied Workers and its Freedom from Fear campaign, which seeks to prevent violence, threats and abuse against workers and protect them from antisocial and threatening behaviour by the public. I have spoken to staff in village shops across South West Norfolk who often work alone and in very remote areas. The abuse of retail workers is a huge concern to them. The Government understand the need for further protections and I was delighted that just yesterday, on Second Reading of the Crime and Policing Bill, the Home Secretary announced that we will introduce a specific offence of assaulting a retail worker.

I would be grateful if the Minister could comment on the opportunities and the programme for delivery for rural communities in the east.

3.4 pm

David Taylor (Hemel Hempstead) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg. I thank my hon. Friend the Member for Norwich North (Alice Macdonald) for securing this important debate.

I will start with a quick stocktake of my constituency and the region. I am immensely proud of my community, as I know everyone in this room is of their own, and I do not want to be accused of doing my town down in any way, but we undoubtedly have some important challenges with antisocial behaviour. In January 2024, we were the worst major town in Hertfordshire for antisocial behaviour, with more than 200 reported incidents. The town centre, which should be—and is—a great place to meet friends and loved ones and do some shopping, is now one of the most dangerous in the county. Dacorum has the highest number of vulnerable children at risk of exploitation by drug dealers and county lines in Hertfordshire. Indeed, we have a long-standing issue with drugs. I do not talk about this often, for obvious reasons, but even members of my own family have in the past been affected by drug addiction issues due to scumbag drug dealers peddling horrible drugs.

In Hemel Hempstead, the overall crime rate in 2023 was 95 crimes per 1,000 people. Damningly, between 2014 and 2024, the crime rate doubled. I am proud of my community, but we cannot allow the thugs to win. People often ask why we are in this mess, and it is impossible to ignore the indisputable fact that, in the time that the Conservatives were in power—14 years nationally and longer locally—local crime skyrocketed. They ignored antisocial behaviour, cut our police force by 20,000 officers nationally and took 60p out of every £1 from local authorities. Objectively, that is why we are where we are; this is their mess, and people in my patch are the ones who have to deal with it.

However, there is light at the end of the tunnel. I was delighted to speak last night on Second Reading of the Government's Crime and Policing Bill, and to vote in favour of it. It is at the heart of our Government's safer streets mission, and I want to briefly touch on some aspects of the Bill that will help to combat antisocial behaviour in my patch and in the region.

Clause 1 will provide the police, local authorities and other agencies with a new power to tackle antisocial behaviour: respect orders. Like a stuck record, I will once again suggest that Hemel Hempstead should be considered for a respect order pilot. I believe that the orders will make an incredible difference to the hard-working local police force.

Clause 4 will make life tougher for criminals and thugs by increasing the upper limit for fixed penalty notices from £100 to £500. We must make sure that victims are prioritised and criminals face the full force of the law. There must be enough of a sting that they think twice before behaving in this manner.

Part 3 of the Bill will address retail crime, as others have mentioned. I will not repeat what I said in the Chamber yesterday, except to highlight the need to ensure that we are not letting people wander into our shops and steal what they want with impunity.

Clause 14 will introduce a new crime of assaulting a retail worker. I thank my hon. Friend the Member for South West Norfolk (Terry Jermy) for highlighting this point and I agree with him. I also put on the record my thanks to both USDAW and the Co-operative party for their hard work and campaigning on these issues over many years. We saw during covid that retail workers are not just hard-working, outstanding members of our community, but essential to our very survival, and I welcome the fact that the Labour Government will reflect that in law.

Labour is taking seriously the blight of antisocial behaviour, but so too have our police. As I have said before, I have been out with bobbies on the beat through a ride-along scheme. If any Member of this House has not taken part in such a scheme, I recommend that they do so—indeed, many police forces allow individual citizens to do so—because it is an eye-opening demonstration of the tough challenges that our police face. They are true heroes of our community.

Thanks to local police in Hertfordshire, we have seen some progress in tackling the blight of antisocial behaviour, despite the resource pressures that they have faced. I thank them again for their service. The force's Operation Clear Hold Build in the Grovehill area of my town and Operation Hotspot in the town centre have brought significant uplifts in patrols and prevention.

I also thank the Minister for her engagement. I was lucky enough to have the opportunity to meet her recently to discuss some of the specific issues in my constituency, including antisocial behaviour hotspots such as Hosking Court, Livingstone Walk, Swallowfields. For too long, people in Hemel Hempstead have been let down, but this Labour Government are showing leadership. I look forward to continuing to do all that I can locally to ensure that the national changes that we make are felt in my town.

3.9 pm

Mr Luke Charters (York Outer) (Lab): It is a real pleasure to serve under your chairship, Mr Twigg, and I thank my hon. Friend the Member for Norwich North (Alice Macdonald) for securing the debate. I rise to share case studies that parallel those we have heard from my hon. Friends the Members for Thurrock (Jen Craft), for Hemel Hempstead (David Taylor), for Welwyn Hatfield (Andrew Lewin) and for South West Norfolk (Terry Jermy), among others.

Let me take Members all the way back to my time at secondary school, in the wonderful community of Haxby. Unfortunately, that community has declined thanks to the threat and disdain we have seen relating to ASB. We have seen shops' doors smashed down and fires in parks, with people setting fire to crucial resources for the wonderful people in these towns and villages.

Let me give a more recent and striking example. With apologies to any Conservatives present, I will take Members back to the general election. It was a lovely day in beautiful Bishopthorpe. I had been walking up the street and called into a local shop. I saw two people running out of the front door each holding baskets full of instant coffee. Those, of course, were stolen—totally unacceptable—and they were harassing people through the village as they left. I reported that to the staff, but they said despondently that this had all become too much of a regular occurrence, and that abuse and shoplifting went hand in hand.

Shoplifting and abuse became commonplace under the Conservatives. They seemed to stop caring about low-level crime. As a result, antisocial behaviour in our constituencies spiked. If someone steals a couple of hundred pounds a few times a week, that is not a low-level crime for a small business; it could be a question of survival, but it also has ramifications for the wider community. Stories travel in closely knit communities such as the ones we represent.

Let me share another example of how antisocial behaviour has deeply affected my constituents. One wrote to me about his neighbour's garden, which is seen as a source of pride by the community; it has been cared for and tended for years. However, a group of youths in the area ransacked the garden, undoing all that hard work, and then, shamefully, they refused even to apologise. I could not imagine how frightening that was for the neighbour, let alone how disheartening it was after he had spent so many years making his garden look so lovely.

This Government are all about restoring pride in our communities and in each other. I do not always blame the last Government, because it is more complicated than that. For generations, our young people have not had opportunities, which have been taken away, and

[Mr Luke Charters]

they have felt disenchanted. But under this Government, opportunities for young people will change. That is the way we will tackle the root cause of antisocial behaviour.

I move on to another case. A constituent told me how his wife was left terrified after her car was followed and she had abuse shouted at her. It is critical that we stop such things happening as part of the Government's mission to halve violence against women and girls, but the most heartbreaking thing for me was hearing her suggest that such incidents had become normalised in the community and that there was no clear end in sight. That must stop.

I will give a final example of antisocial behaviour, this time from Strensall. A father shared with me how his son's beloved bike was stolen from him while the child was defenceless. This one is personal. As a young dad myself, I would be devastated to see my son upset at the hands of such cruel behaviour in my community. His son is now left without a bike but, more than that, he has lost his confidence. That is unforgivable. The stories we have heard today are just too many and they are all unacceptable. That is why I am pleased that the Government's Crime and Policing Bill sailed through Second Reading yesterday as we start to get a grip on the common occurrences I have mentioned.

I pay special tribute to the Minister, who has been extremely supportive of tackling antisocial behaviour in my community of Haxby. In fact, she was so supportive that just yesterday I received a response from her, for which I am grateful. She is a fantastic Yorkshire colleague and, in our region's spirit of directness, I want to make a small suggestion. In the community I represent, we find that some of those causing trouble are 15, 16 and 17 years old. The respect orders in the Crime and Policing Bill are a huge stride forward in tackling antisocial behaviour, but they do not apply to 15, 16 and 17-year-olds. Is there a place for something like a junior respect order or some other pilot or tailored measure to root out antisocial behaviour in that age bracket?

I want to end by giving a brief shout-out to the neighbourhood policing teams in York Outer, and in particular to Sergeant Henderson, who I have worked with closely. I know at first hand just how committed he and his team are to serving our local community. Like me, he is determined to end the epidemic of antisocial behaviour.

I congratulate my hon. Friend the Member for Norwich North again on securing this debate. I hope all Members present can leave in agreement that now is the time to tackle antisocial behaviour once and for all.

3.16 pm

Marie Goldman (Chelmsford) (LD): It is a pleasure to serve under your chairmanship, Mr Twigg. I congratulate the hon. Member for Norwich North (Alice Macdonald) on bringing this important debate to Westminster Hall. Although I am the Liberal Democrat spokesperson for this debate, I also declare a strong interest in that I am the Member of Parliament for Chelmsford in Essex—for Members who do not know the geography, that is firmly in the east of England.

I will start by saying a few things about my constituency. Other hon. Members have spoken with pride about their constituencies and how important it is that antisocial behaviour is curbed. Chelmsford is a lovely urban constituency with lots of wonderful things going on—of course, I am slightly biased—but when I am out knocking on doors, constituents tell me about things that are not going quite so well. They worry about drug dealing, as several constituents told me on Saturday when I was in the centre of Chelmsford. They tell me about fly-tipping, which was also raised by the hon. Member for Thurrock (Jen Craft). They tell me about the noisy car meets around the constituency. I used to live by the Army and Navy, one of Chelmsford's main junctions, and the noise used to keep me awake at night sometimes, so I know how frustrating it can be.

Structural issues can also lead to antisocial behaviour, including broken streetlights, which make people feel unsafe when they walk around the constituency. We need local councils to be much better at tackling such issues. Constituents are tolerant but understandably a bit fed up of antisocial behaviour, and we certainly need to do more to tackle it.

Antisocial behaviour can very low level, including people riding bikes on pavements—an annoying thing that happens in my constituency and, I am sure, across the country—and when new trees have been planted and somebody comes along and chops them in half overnight. Nobody is going to be very ill off the back of that, but people are understandably frustrated by it.

On fly-tipping, hon. Members mentioned the fabulous volunteers who help to make our constituencies better places. I would like to single out the volunteers of the Chelmsford Litter Wombles, who spend much of their free time going out and clearing up after littering and antisocial behaviour. I have joined them on various occasions to help them clear up.

Many hon. Members raised the important point that everyone deserves to feel safe when they walk around their neighbourhood. Well over half of hon. Members focused on the importance of policing, punishment and tackling crime, which I agree is important, but it is a shame that more of them did not focus on what is driving those issues in the first place, although some did raise it. It was heartwarming, therefore, to hear the hon. Member for Hertford and Stortford (Josh Dean) be the first to substantially discuss the lack of provision and support for young people and the importance of youth services.

Youth services were slashed by the previous Government, which left gaps. The issue is not just about youth services as we think of them being provided by councils; it is also about funding for charities and other organisations that can help, and schools' extracurricular activities. Schools simply do not have the budget for sports activities, music and drama—all the things that help young people to develop, give them an alternative to getting into trouble, and set them up for life.

The Liberal Democrats would like to see more focus on early intervention and on giving young people something to do. This debate is about antisocial behaviour, but knife crime, which has been mentioned, unfortunately fits into that. We would like to see a public health approach taken to the epidemic of youth violence—an approach that identifies and treats the risk factors rather than just focusing on the symptoms. There should be investment in youth services that are genuinely engaging and reach more people. We must give young people the support and opportunities that they deserve to help our communities and individuals feel safer.

The bottom line is that talk is cheap; it is action that really matters. We need to understand the driving forces behind some of the antisocial behaviour. That is not just about the lack of provision of youth services; we need to see why the people who are in our prisons are there in the first place. When we talk about tackling crime, the ultimate endpoint of that is people ending up in prison, but the endless cycle of crime and punishment, with more crime simply leading to calls for more police and tougher sentences, is just not working. Some studies suggest that 50% of the prison population may have dyslexia or other neurodivergent conditions. When that is the case, we are getting something very wrong, so we need to focus on what is driving antisocial behaviour in the first place.

Unnecessarily criminalising young people makes it only more likely that they will commit crimes in future. We know that high-quality youth work gets results: it has been proven time and again to help vulnerable young people to escape the clutches of gangs. As I said, however, the previous Conservative Government slashed youth services. Unfortunately, that robbed young people of hope and contributed to the rise in serious violence. I thank the hon. Member for Norwich North again for initiating this important debate and for its focus on the east of England.

3.22 pm

Dr Kieran Mullan (Bexhill and Battle) (Con): It is a pleasure to serve under your chairmanship, Mr Twigg. The shadow Policing Minister, my hon. Friend the Member for Stockton West (Matt Vickers), is busy on a Bill Committee, so it is my pleasure to respond on his behalf. I begin by thanking the hon. Member for Norwich North (Alice Macdonald) for securing this debate. Like the Lib Dem spokesperson, the hon. Member for Chelmsford (Marie Goldman), and, I am sure, the Minister, I experience these issues in my own constituency as a constituency MP. Just this morning I was on a call with the local police to talk about a recent spate of antisocial behaviour in Bexhill. Again, it is a fantastic place to live, work and raise a family, but it is still experiencing these issues.

Hon. Members present will be aware that the east of England is not easily described in simple terms. As with my own region, its towns, cities and countryside create a diverse landscape, making policing challenging. The urban-rural divide leads to varied patterns of crime and offending, and to different demands on resources. Crime rates in the east of England are lower than the national average, and crimes excluding fraud have seen the rate per 1,000 people fall by 12.5% compared with pre-pandemic levels. Additionally, the antisocial behaviour crime rate is 4.6% lower in the east of England than it was last year. However, that is not enough. We must always be more ambitious in tackling crime; our constituents deserve to live their lives free from the burden of antisocial behaviour.

It is fortunate that in certain regions we have effective police and crime commissioners working hard to address the very issue that we are discussing today. I understand that antisocial behaviour accounts for 14.5% of all crime recorded in the region; it is second only to violent crime at 36.5%. It is essential that the Government work with local forces to implement effective strategies to reduce antisocial behaviour, recognising the damage that it causes in undermining trust within our communities.

The Government have said that tackling antisocial behaviour is a policing priority, and I know that people across the country will welcome measures to curb this behaviour, which does so much harm. Research conducted under the last Government highlighted its impact, with one Home Office study revealing that 66% of people changed their behaviour in at least one way because of antisocial behaviour.

I hope the Minister will acknowledge that Governments of both parties have sought to reduce antisocial behaviour over many decades—and, as we have discussed, over the lifetimes of some of the hon. Members present—but we have not yet been able to completely crack the problem. The previous Government produced an antisocial behaviour action plan and took steps to implement a zero-tolerance approach by banning nitrous oxide, by increasing fines for fly-tipping, littering and graffiti, and by delivering hundreds of thousands of hours of uniformed patrols targeting hotspots blighted by antisocial behaviour. Given my four years as a volunteer policeman, I felt that the immediate justice element of the plan had particular potential.

Data from pilot forces, including Essex, showed that over 100,000 additional hours of ASB-focused patrols were conducted in pilot areas. That led to a significant increase in enforcement activity, including nearly 800 arrests, close to 2,000 instances of stop and search, and nearly 1,000 uses of antisocial behaviour tools and powers.

Jen Craft: I am an Essex MP, and I am interested in the shadow Minister's comments on enforcement measures over the last few decades. It is my understanding that the issuance of public notices for offences such as being drunk and disorderly, and other low-level behaviour, actually fell to zero in 2023, whereas such notices were consistently issued in 2010. Does he have any thoughts on that?

Dr Mullan: I am not familiar with the data about those notices for the hon. Member's constituency. Of course, there is always a challenge in distinguishing between the focus of police and patterns of crime. For example, in this debate we have talked about shoplifting but we have seen, at the same time, a decrease in burglaries, car thefts and so on. The police must always be nimble and not allow themselves to be overly distracted by one particular element of crime, but I take the hon. Member's point seriously.

Recently, the Essex police, fire and crime commissioner outlined the benefits of an additional £1.6 million for hotspot patrols to tackle antisocial behaviour in 15 areas. The first phase of that initiative, known as Operation Dial, resulted in 101 arrests and the issuance of 112 fixed penalty notices—in keeping with what the hon. Member mentioned—across 13 zones. It is welcome that Essex has not been alone in this practice: police forces in Cambridgeshire and Norfolk are also utilising targeted, visible patrols that have the dual effect of addressing antisocial behaviour and serious violence.

Marie Goldman: Is the hon. Gentleman aware that the Conservative police, fire and crime commissioner for Essex recently proposed getting rid of all 99 PCSOs in Essex? Does the hon. Gentleman think that would ever be the right thing to do?

Dr Mullan: The hon. Lady must forgive me: as I explained, I am not the shadow Policing Minister so, although I have heard about that, I do not know the local circumstances in detail. I am sure that she has made representations to the police, fire and crime commissioner on behalf of her constituents, as is appropriate if she does not agree with that course of action.

Analysis conducted by the Youth Endowment Fund shows that patrols are particularly valuable. Its research, based on meta-analysis, found that hotspot policing has the potential to reduce overall offending by 17%, including reducing violent crime by 14%, property crime by 16%, disorder offences by 20% and drug offences by 30%. What did Labour come in and do? It scrapped the wider roll-out of the immediate justice approach, despite evidence of its clear benefits. Was Labour ready to go with its own ideas, after 14 years in opposition in which to come up with them? No: we faced a lull at a time when the programme we had been successfully delivering could have gone further. We now have to wait for further pilots and a wider roll-out of Labour's different approach.

Behind the headline figures on police funding, the details reveal a different picture. The funding settlement for the police announced a few weeks ago by the Home Secretary and the Minister increased funding by £1.089 billion, and they made a big play of that figure at the time. However, the funding pressures faced by police forces across England and Wales—including the £230 million extra that police forces will have to pay in national insurance—add up to £1.205 billion for the coming financial year, which starts in just a few weeks. That is about £160 million more than the funding increase.

The National Police Chiefs' Council's finance lead—the local chief constable of the hon. Member for Norwich North, as she mentioned—warned that those pressures would

"inevitably lead to cuts across forces".

The 43 police forces across England and Wales may have to cut up to 1,800 officers to make up that funding shortfall, whereas we delivered the highest ever number of police officers on the country's streets—149,679—and oversaw a 51% reduction in overall crime, excluding fraud. We should all be concerned about what may happen next.

I will also pick up on the points made about youth services and again refer to my experience as a volunteer police officer. We should always be cautious about supporting a narrative that excuses criminality. The vast majority of young people from all different backgrounds, with access to exactly the same services—whether those service levels are higher or lower than we might want—do not commit crime. We should never say that a lack of a youth club is an excuse for young people to turn to crime. What we actually know is that parental background, parental responsibility and families have an incredibly important role to play. When we support the narrative that excuses criminality, we talk down the many successful parents who are doing a good job of keeping their kids on the straight and narrow, regardless of what local services are available.

Jen Craft: The majority of young people do not commit crime or antisocial behaviour, and obviously there are parenting choices in there to be applauded; however, there is considerable data about, for example, the prevalence of special educational needs and undiagnosed disabilities among the prison population. Does the hon. Gentleman agree that some people are at a disadvantage and predisposed to this kind of behaviour? It benefits us all to tackle the root causes of the behaviour rather than just look at its effects.

Dr Mullan: My point is that we have to be clear about the narrative we are all supporting. I did not hear a single Labour Member talk about the important role of parents. I am happy to acknowledge that there are risk factors, but when I talk about these issues I am always clear about the balance, and I did not hear any of that balance from any Labour Members.

I am confident that the Minister will highlight the Crime and Policing Bill, which as we heard was discussed at length last night. One of the provisions that the Government have emphasised is respect orders; however, questions remain about their impact and the extent to which they will produce different outcomes in reducing antisocial behaviour. The Government have stated that the rehabilitative aspects of the orders will make them more effective than the previous regime, and that they will include more robust powers when enforced. Can the Minister clarify what resources will be allocated to support the rehabilitative elements? I note the Government recognise that the success of respect orders is not guaranteed, which is why a pilot scheme is being introduced to assess them. Will she outline where they will be implemented and how their success will be measured?

My hon. Friend the Member for Broxbourne (Lewis Cocking), always a doughty champion for his constituents, talked about the importance of housing associations. This is something that I have also experienced as a constituency MP. Will the Minister confirm what engagement she has had with housing associations? In addition, has she had discussions with colleagues across Government to ensure that the approach to antisocial behaviour is co-ordinated across all Departments?

As I have said, we have heard repeatedly from police forces, including those in the east of England, about the strain on their budgets. In Norfolk, the local force has expressed concerns about its £4 million funding shortfall, which has been met with an inadequate level of supplementary funding. Additionally, in Essex, there are the challenges of funding PSCOs that the hon. Member for Chelmsford (Marie Goldman) mentioned—the very group of people that we expect to be able to work in this area. I ask the Minister to give us a clear set of measures and targets for how the Government expect to do so much better through delivery of this programme.

Alice Macdonald: We had quite a lot of consensus in this debate. When the last Government left office, were police numbers going up or down? I believe in June 2024 they were lower than in March 2024. I have heard quite a lot of criticism of our Bill. Can he tell us how he would pay for extra police officers, as I have not heard many solutions?

Dr Mullan: I can point to a number of things that we would not have done. We would not have invested the same level of money in settling public sector strikes at above-inflation pay rises. We would not have given train drivers what I think was a £7,000 pay rise. There are many different ways we would have spent the money.

Police numbers ebb and flow, but the hon. Lady talks about the narrative of what we achieved in government; we achieved the highest ever number of police officers.

With the potential of fewer officers, we inevitably create greater risk, making it easier for the perpetrators of antisocial behaviour to avoid detection and confrontation. If the Government are serious about reducing antisocial behaviour, they must ensure that their choices do not result in further cuts to police numbers. If they do not, their pilots and plans will not make the difference that our approaches were making and all our residents will be let down as a result.

3.34 pm

The Minister for Policing, Fire and Crime Prevention (Dame Diana Johnson): It is a pleasure to serve with you in the Chair, Mr Twigg. I welcome the shadow Minister, the hon. Member for Bexhill and Battle (Dr Mullan), and am very interested to hear of his role as a volunteer police officer. I thank my hon. Friend the Member for Norwich North (Alice Macdonald) for securing this debate. I am grateful to her and all the Members who have spoken passionately about their constituency and made reference to the antisocial behaviour blighting their areas, which needs to be dealt with.

I am a member of the group of MPs who represent the east of England, so I am pleased to respond to the debate as the Minister. I have direct knowledge and experience as an east of England MP. My hon. Friend made a number of important points in her excellent speech on antisocial behaviour. Like her, I pay tribute to the police and the work that they already do on antisocial behaviour in the east of England and all around the country. I will come to neighbourhood policing issues and the Government's approach to them in a moment.

Today's focus on the east of England has raised a number of specific local and regional aspects of the debate, and we have been fortunate to have a geographical spread across the east of England. The hon. Member for Broxbourne (Lewis Cocking) spoke about the role of social landlords and tackling antisocial behaviour. My hon. Friend the Member for Hertford and Stortford (Josh Dean) referred to the Young Futures programme and the need to engage with young people. He talked about the Thirst youth café, which he said was a good example of the work that goes on with young people.

I am pleased to confirm that we have a cross-departmental approach to working on the agenda around young people. Our safer streets mission is across Government and not just for the Home Office or DCMS. My hon. Friend the Member for Welwyn Hatfield (Andrew Lewin) talked about problems that older people, pensioners and young children face and the menace of antisocial behaviour from vehicles, and my hon. Friend the Member for Thurrock (Jen Craft) talked about dirt bikes and the noise, fear and no-go zones. She specifically asked about the need for neighbourhood policing and making sure that police forces act on what the Government ask them to do. I will talk about that in a moment.

My hon. Friend the Member for South West Norfolk (Terry Jermy) talked about not having any PCSOs in Norfolk. That was a decision taken by a previous Conservative PCC. It is interesting because in almost every other part of the country we know how important PCSOs are, and that they provide really important community-based policing.

The Government are working with the National Police Chiefs' Council on a rural crime strategy, recognising the particular issues that rural areas have. My hon. Friend the Member for Hemel Hempstead (David Taylor) referred to county lines and vulnerable children. He also spoke about his police ride-along, to see for himself the vital work they do in communities. I will say something about drugs in a moment.

My hon. Friend the Member for York Outer (Mr Charters) asked about respect orders and the fact that they will apply only to over-18-year-olds. We want to deal with young people who get into bother and engage in antisocial behaviour through our prevention partnerships. They need support and encouragement to do more positive things rather than engage in antisocial behaviour, but of course there are measures that can be brought in if they fail to engage.

I say to the Liberal Democrat spokesperson, the hon. Member for Chelmsford (Marie Goldman), that memories in this place can get very clouded. The Liberal Democrats were part of the Government between 2010 and 2015 during the years of austerity when councils saw massive cuts to their budgets, which then resulted in cuts to youth services. I welcome that the Liberal Democrats are now talking about the need to invest in youth services, but we have to remember that when they were in government they were part of the decisions to slash public services.

I think the shadow Minister, the hon. Member for Bexhill and Battle, has a slight case of amnesia about what has actually happened over the past 14 years, with massive cuts to policing. Over 20,000 experienced police officers were lost, as well as many police staff, over the 14-year period, though I recognise that at the end of that time there was a mad scramble to deal with the realisation that cutting police officers had big consequences for all our communities.

Dr Mullan: I think memories are definitely being scrambled. The Government have talked a lot about the supposed £20 billion deficit in day-to-day expenditure. I remind the Minister that it was around £100 billion when we came in in 2010. The Government talk about difficult decisions they had to take; we had five times as many difficult decisions to take as they have.

Dame Diana Johnson: The black hole that the previous Government left this Government to clear up is actually £22 billion. As a Minister who has been in post for nine months, I am very conscious that the whole area of prevention was slashed under previous Conservative Governments, and we are now reaping the consequences. One of my hon. Friends referred to the prison population and the fact that preventive measures were not available; now we see what that actually means.

My hon. Friend the Member for Norwich North mentioned a number of ways in which antisocial behaviour manifests itself at the local level in her constituency, including fly-tipping, littering, loud music and nuisance neighbours. She talked about derelict sites being set on fire, toilets being vandalised, and parking generally being used in an antisocial way. I share her concerns regarding all those examples, which are yet more evidence of the damage and distress caused by antisocial behaviour and the need to tackle it as a priority. ASB is especially damaging when it occurs around people's homes and

[Dame Diana Johnson]

the places they visit daily in their communities. It is not merely a nuisance; it has devastating consequences, corroding people's freedom, damaging their mental health and ultimately undermining their sense of hope and home.

My hon. Friend asked about the Government's commitment to recruit 13,000 neighbourhood officers and whether the funding package provided will result in more police officers on Norfolk's streets. The Government have committed to restore neighbourhood policing, which includes putting thousands more uniformed officers on the beat in neighbourhoods up and down the country, including in the east of England—visible and in all our communities, rural and urban. We have made £200 million available to forces in England and Wales for the next financial year beginning in April to support the first steps in delivering those 13,000 neighbourhood personnel. Every part of England and Wales needs to benefit from that pledge.

Our approach to delivery in 2025-26, which will be year one of a four year programme, is designed to deliver an initial increase in the neighbourhood policing workforce in a manner that is flexible and can be adapted to the local context and varied crime demands. That means that the precise workforce mix will be a locally made decision, including in Norfolk. That major investment supports the commitment to make the country's streets safer, and reflects the scale of the challenge that many forces face and the Government's determination to address it. Like my hon. Friend, I pay tribute to the PCC in Norfolk, Sarah Taylor, and the Labour council for the work that they are doing. It is crucial that police and partner agencies listen to the experiences of their communities and of victims.

Jen Craft: The Minister speaks about the excellent work of the police and crime commissioner in her area and in Norfolk; however, in Essex our police, fire and crime commissioner took the controversial decision to slash all 98 PCSOs—a decision he rowed back on after outcry from myself, my Labour colleagues and Opposition Members. Where does the Minister think we are in areas where police, fire and crime commissioners perhaps do not share our goal for neighbourhood and community policing? How does she see us working with them to encourage them that this is the way policing needs to go?

Dame Diana Johnson: My hon. Friend raises a really interesting point. On the specifics of that example, we were very clear when the provisional police settlement was announced before Christmas that we wanted to listen to what policing had to say about the figures. One of the issues that was raised was about neighbourhood policing. That is why we put £100 million in the provisional settlement, which we then decided to increase up to £200 million in the final settlement. That assisted PCCs, such as the one we are referring to, to say that the proposals put forward in December could change. We are a Government who want to listen to and work with policing, and PCCs of all complexions are clear that neighbourhood community policing is something that the Government are going to drive forward. I think that almost all of them want to work with us on that.

The antisocial behaviour case review is an issue that needs to get a bit more attention. This is a tool—a safety net—that can support victims of persistent ASB to ensure that action is taken, by giving those victims the ability to demand a formal case review to determine whether further action can be taken. The Victims' Commissioner has talked a lot about it, and wants to ensure that everyone is aware that they can ask for a review if they do not feel they are getting help from the statutory agencies.

My hon. Friend the Member for Norwich North mentioned antisocial driving and speeding, which I and many other hon. Members spoke about extensively in a Westminster Hall debate last week. The Crime and Policing Bill, which was debated yesterday in the main Chamber, will give the police greater powers to immediately seize vehicles that are being used in an antisocial manner, without having first to give a warning. Removing the requirement to give a warning will make the powers under section 59 of the Police Reform Act 2002 easier to apply, allow police to put an immediate stop to offending and send a message to antisocial drivers that their behaviour will not be tolerated.

I was particularly saddened to hear my hon. Friend's examples of staff needing extra support to deal with antisocial behaviour in libraries. No one should face that kind of abuse in their workplace, especially not in a place set up to help the public. She also spoke about the public resources being spent on repairing vandalised property and fire crews attending arson. That is precisely why we are determined to intervene early to prevent young people in particular from being drawn into antisocial behaviour and crime, and to put tough measures in place to stop persistent adult perpetrators of ASB.

Sadly, the sort of incidents that my hon. Friend and many others spoke about are happening in lots of areas of the country, so I want to touch on the national context. As we have heard, antisocial behaviour takes many forms: off-road bikes, nuisance neighbours, unruly gangs roaming the streets and creating intimidation and fear, or any other manifestation of this menace. It causes distress and misery in all our communities. The impact on decent, law-abiding people is undeniable: they are left feeling isolated and frightened at home, in their neighbourhoods or in their town centres. As we have heard, the enjoyment of parks and other public spaces is affected.

I have said this before, but fundamentally this issue comes down to respect—respect for our laws, our fellow citizens and our expectations as a society. None of us can accept a situation in which the actions of a selfish few blight the lives of others, but that is happening too often and in too many places. It needs to stop.

The response to antisocial behaviour has been weak and ineffective for too many years, and this Government are determined to put that right. As part of our plan for change, we are delivering a wide-ranging safer streets mission. A central part of that mission is tackling antisocial behaviour, with a particular emphasis on improving the police response, alongside tougher powers to tackle perpetrators. We are committed to restoring and strengthening neighbourhood policing and taking steps to tackle antisocial behaviour.

Dr Mullan: I do not know whether this is coming up in the Minister's speech, but will she set a target for the reduction in antisocial behaviour that the Government are going to achieve in their time in office, as I asked in my speech?

Dame Diana Johnson: I think that the shadow Minister—obviously he is not the shadow Policing Minister—

Dr Mullan: I am doing my best.

Dame Diana Johnson: Yes, I am sure he is doing his best. I would say to him that, over 14 years, the previous Conservative Government removed targets in the Home Office and removed the accountability structures that the Home Office should have set in place. We are going to have a performance framework in the Home Office so that we can hold police forces to account—something that was dismantled under his Government.

To add to that point, over the last decade, we have seen that decline in neighbourhood policing to such an extent that many of the bonds of trust and respect between the police and local communities have been damaged. Neighbourhood policing sits at the heart of the British policing model. It is a critical building block in helping communities feel safe, and the public rightly expect their neighbourhood police to be visible, proactive, and accessible. Through our neighbourhood policing guarantee, we will restore those patrols to town centres and ensure that every community has a named neighbourhood officer to turn to.

Those working on the ground are best placed to understand what is driving antisocial behaviour in their areas and the impact it is having, and to determine the appropriate response. That goes to the point that hon. Member for Broxbourne raised about housing associations and their ability to use the law to tackle antisocial behaviour in housing. I believe that the powers in the Anti-social Behaviour, Crime and Policing Act 2014 do not go far enough. The Government will ensure that police, local authorities, housing providers and other agencies have the powers they need to respond to antisocial behaviour.

We will put that right—we have discussed this already—by introducing respect orders. Under these new measures, persistent adult perpetrators of antisocial behaviour will face tough restrictions such as bans on entering the areas where they have been behaving antisocially, such as town centres or other public places. Anyone found breaching a respect order could also face being arrested and could end up behind bars. We will pilot these measures initially to ensure they are as effective as possible, before rolling them out across England and Wales, and this will be supported by a dedicated lead officer in every force working with communities to develop a local antisocial behaviour action plan.

Practitioners and antisocial behaviour organisations have also asked for additional changes, to enhance the powers in the Anti-social Behaviour, Crime and Policing Act 2014 and improve the tools that local agencies have at their disposal to tackle antisocial behaviour. These changes include extending the maximum time limit for dispersal directions from 48 to 72 hours, increasing the upper limit for fixed penalty notices for breaches of community protection notices and public spaces protection orders from £100 to £500, and extending the power to issue a closure notice to registered social housing providers, among others.

We will also introduce a duty for key relevant agencies, including local authorities and housing providers, to report ASB data to the Government. Following commencement of the Crime and Policing Bill, regulations will be laid to specify which data the relevant agencies should provide, and the form and regularity of submission. This change will give the Government a clearer picture of local ASB and how the powers are being used by local agencies, which will inform future local and national activity. This measure will close a key evidence gap to ensure a strong and comprehensive national picture of ASB incidents and interventions. These changes are long overdue.

My hon. Friend the Member for Hertford and Stortford raised the Young Futures programme. We are very clear that no single agency holds all the levers to tackle antisocial behaviour. We must work in a multi-agency way to reduce ASB and make communities safer. We are committed to intervening earlier to stop young people being drawn into crime. An essential part of achieving this will be the Young Futures programme, which will establish a network of Young Futures hubs and Young Futures prevention partnerships across England and Wales, to intervene earlier to ensure that vulnerable children are offered support in a more systematic way, as well as creating more opportunities for young people in their communities, through the provision of open access to, for example, mental health and careers support.

Lewis Cocking: The Minister mentions a multi-agency approach. I think the public get frustrated with us when we have meeting after meeting about the same issue. What assurances can she give us that this multi-agency approach will lead to action taken on the ground to solve some of this antisocial behaviour in our communities?

Dame Diana Johnson: I am very focused on delivery. Of course we want partner agencies to all be sitting around the table, but we want them to deliver, and that is why, for example, we are putting additional funding into neighbourhood policing, to ensure that there is a local presence. We are bringing in respect orders. We have introduced these new measures so that we can see what is working and where there may be problems that we need to address in a different way.

I want to mention shop theft, because a number of hon. Members also mentioned it. We know that it has a huge impact on town centres, where many small and independent businesses trade, and it is at record high levels and continues to increase at an unacceptable rate. In the last two years before the general election, shop theft went up by 60%, and more and more offenders are using violence and abuse against shopworkers. It is damaging business and hurting communities. It is vital that people feel safe in their local shops and in their local areas.

The police have given a commitment in the retail crime action plan to prioritise attendance where violence has been used towards shop staff, where an offender has been detained by store security, or where evidence needs to be secured by police personnel. Although retailers have indicated early positive outcomes, there is much more to do.

As set out in the Crime and Policing Bill, we will end the effective immunity, introduced by the previous Government, that was granted to the low-level shop theft of goods worth less than £200, to end the perception that those committing low-value shop theft will escape punishment.

[Dame Diana Johnson]

We are also introducing the new offence of assaulting a retail worker, to protect the hard-working and dedicated staff who work in shops. Everybody has a right to feel safe at work. The new offence will carry a maximum prison sentence of six months and/or an unlimited fine. However, as a reflection of the need for us to take a tough stance, with meaningful criminal justice consequences, the offence will also come with a presumption that a court will apply a criminal behaviour order. This will prohibit the offender from doing anything described in the order, which might include a condition preventing specific acts that cause harassment, alarm or distress, or preventing an offender from visiting specific premises.

I also wanted to mention drugs. Tackling illegal drugs is key to delivering the Government's mission to make our streets safer, halve knife crime, crack down on antisocial behaviour, and go after the gangs luring young people into violence and crime.

The issue of county lines was raised by the hon. Member for Hemel Hempstead. I say to him that there has been some really excellent work to try to smash county lines; it is work that this Government will continue and are committed to. Since July 2024, over 400 county lines have been closed and there have been hundreds of arrests, which is very positive.

In conclusion, I again thank my hon. Friend the Member for Norwich North for securing this debate today; I am grateful to her and to everyone who has contributed to it. Antisocial behaviour plagues the lives of all those it affects. It is a serious threat and under this Government it will be dealt with as such, in the east of England and everywhere else.

3.57 pm

Alice Macdonald: I thank the hon. Members for their contributions today and the Minister for her very full response.

For me, there are three key messages. First, prevention is key—we have to tackle the underlying causes—but we also need strong powers that empower local communities to take action. Thirdly, we are all very proud of our communities, and we want to work with them to make sure they become even better than they already are.

Question put and agreed to.

Resolved,

That this House has considered anti-social behaviour in the East of England.

Gender Critical Beliefs: Equality Act 2010

4 pm

Rosie Duffield (Canterbury) (Ind): I beg to move,

That this House has considered gender critical beliefs and the Equality Act 2010.

It is a pleasure to serve under your chairship, Mr Twigg. The Equality Act, passed by a Labour Government in 2010, protects people from discrimination based on nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Act has a commendable objective: to prevent people from acting on their prejudices and disagreements in a way that results in the discriminatory treatment of others. It exists not to eliminate difference or ensure conformity, but to foster good relations and tolerance between different groups.

Sometimes rights clash. Very few examples of that clash have played out as publicly and discordantly as that between sex and gender identity: that is, the rights of biological women, and sometimes men, and the rights of those who change their social gender to transition to women. Significant feminist gains have been made in policy and law since the women's liberation movement of the 1970s. Those gains include recognition of specific rights and services for women on the basis of their sex, be that in hospital wards, prisons, rape services, domestic abuse shelters, lesbian dating sites and clubs, women's health organisations and women's sports teams—spaces that meet our specific requirements as women. Those gains are being eroded by the blind acceptance by some, including policy makers in this place, that anybody who identifies as a woman de facto becomes one. At a time when male violence against women and girls is at epidemic levels in the UK, women's single-sex spaces could not be more important.

Our desire to be kind, inclusive and accepting are worthy and valuable human traits. It is that pursuit of tolerance that underpins our law on discrimination.

Jim Shannon (Strangford) (DUP): I commend the hon. Member for Canterbury (Rosie Duffield) on her stance, courage and wise words. Does she agree that respect is a two-way street? Although we should respect someone's belief, we have been edging towards a place where biblical questioning of a view is taken as an offence. I treasure, as the hon. Lady does, biblical beliefs. I fight for anyone to live their faith in so far as it does not lead to harm or injury. Does the hon. Lady agree that the Government should also take that approach?

Rosie Duffield: I thank the hon. Member for his point. I agree that all of those beliefs should be—and are—protected under the law.

Our desire to be kind, inclusive and accepting are worthy and valuable human traits, and it is the pursuit of tolerance that underpins our law on discrimination. They are essential values in a pluralistic democracy where we can acknowledge, navigate and respect our differences. Yet a tendency has arisen in polarised debates, particularly around sex and gender, to treat holding a belief opposing one's own as not merely a point of disagreement, but a moral defect in the person with whom one disagrees.

That has been clearly demonstrated in the terms that have been used for women who think that our biological sex matters, that it is a material reality that cannot be changed and is entirely different from gender identity—that is, gender-critical women like me. Nasty, puerile terms, many unrepeatable in this place but repeated ad infinitum across social media, such as bigot, Nazi, fascist and TERF—trans-exclusionary radical feminist—are just some examples.

Tracy Gilbert (Edinburgh North and Leith) (Lab): I wonder whether the hon. Member is aware of the case of my constituent, Roz Adams, who was employed as a counsellor and support worker at Edinburgh Rape Crisis. She was investigated for potentially transphobic views, having asked how she would respond to a woman service-user who asked the sex of a support worker who identified as non-binary. Does the hon. Member agree that targeting women with gender critical views in turn targets women advocating for women's services, especially for women survivors of rape and sexual assault?

Rosie Duffield: Absolutely, and I thank the hon. Member so much for raising that case. It shocked and peaked quite a lot of people that just asking for single-sex services when they are more vital than ever got Roz Adams into so much hot water. It is absolutely unbelievable, and good luck to her in her fight.

Ironically, the name calling—the extreme, nasty and degrading names used for women and sometimes men who do not accept that biological men can be women—is often under the guise of "being kind". Gender critical women are frequently shut down, told to be quiet, or told that it is not right to use accurate language to describe our bodies. Words and language matter, and material reality matters infinitely. There are situations where sex matters and the rights of women and girls must take precedence. Women and girls must be able to use language to describe our experiences and not be persecuted for causing offence or distress.

To believe in women's sex-based rights and publicly advocate for them results in being readily labelled as hateful or transphobic. However, I am gender critical because I am a feminist and care deeply about the rights of women and girls. I do not seek to destroy the rights of trans-identifying people or any other group, and never have done. My sex-based rights as a woman have nothing to do with those other groups of people.

Gender critical beliefs are legally protected philosophical beliefs under the Equality Act 2010, following the Forstater employment tribunal case in 2021. The tribunal found that Maya Forstater's beliefs, which she sincerely holds, are widely shared, based on fact, and are reflective of the law of the land, yet despite that judgment, in the four years since there has been an unprecedented run—a steady stream—of similar high-profile and costly employment tribunal cases involving gender critical beliefs that point to a problem that many in this place refuse to acknowledge, including, I am afraid, the Minister responding to this debate.

The normalisation of visible hostility towards anyone expressing widely held gender critical beliefs, even on our own green Benches, has been framed as an expression of solidarity with trans and non-binary people. Those within organisations that sign up to expensive re-education programmes, many of which misrepresent the law, and diktats on all employees signing off emails with pronouns, legitimise the constant, passive-aggressive and soft—or even aggressive and open—bullying of those who refuse to comply.

Those who disagree with gender critical beliefs routinely stigmatise women like me as bigoted, a view that arises from a total misunderstanding of what our beliefs are or the motivations of many of those who share them. The social and financial costs of voicing gender critical beliefs, and of challenging assumptions in their workplace, mean that many are afraid and feel they cannot afford to speak up. Still, day after day people who raise concerns about boundaries around single-sex spaces such as changing rooms are being disciplined, dismissed, and hounded from their workplaces.

Two such cases currently attracting huge attention are those of the Darlington nurses and the Fife nurse, Sandie Peggie. Their tribunals have brought the clash of rights into sharp relief. Few people reading that when adult female nurses challenged their employers to stop biological men changing in the women's changing room could believe that they were disciplined. I have yet to speak to a single British voter who believes that a man should have whatever access he desires to spaces where women are getting dressed or undressed for work. .

Our evidence base is limited, as academics are afraid to research this area for fear of ending up hounded out of their jobs, as academics Kathleen Stock, Jo Phoenix, Laura Favaro and many others have been. None the less, the body of evidence is growing. In its rapid evidence review on harassment and censorship to inform the Khan review published in March last year, More in Common found significant anecdotal evidence of harassment faced by groups of gender critical activists. Gender critical people face high levels of harassment in their everyday lives, leading to self-censorship on a scale that should alarm anyone who believes in liberal democracy—including gender critical MPs who have yet to speak up in public.

Gender critical people face severe consequences for engaging in the debate, ranging from social ostracization to loss of employment and livelihood, all for holding three core beliefs: that women—adult human females—are materially definable as a class of human being; that women are culturally, legislatively and politically important, with our own set of needs, rights and concerns; and that women have the right to meet and discuss freely that which affects our lives profoundly.

Sir Julian Lewis (New Forest East) (Con): I take the opportunity to acknowledge the hon. Lady's bravery in standing up for what she believes in. Does she agree with me that there is a wider political danger from this form of indoctrination and extremism about gender and sex, which is that if the only people in politics who are prepared to speak out about it are from extreme right-wing movements, and mainstream politicians are too afraid to say anything, it pushes ordinary people in the direction of political extremes?

Rosie Duffield: I thank the right hon. Gentleman so much for raising that important point. Just for speaking up, I, a left-wing member of the Labour party, have been called a Reform member and all kinds of names, and it has been suggested that I join a right-wing party, yet an awful lot of the articles I read agreeing with me

[Rosie Duffield]

are in the *Morning Star*. People do not really listen to the ideology behind our beliefs and why we speak up for the rights of working women, which is what the Labour party was founded to do.

We have a duty in this place to ensure that people who hold gender critical beliefs are given the respect they are entitled to. We need to find a workable solution that respects everyone's beliefs and protected characteristics. I finish by paying tribute to the brave and incredible women—and some men—who know that only women have a cervix and who have stood up to those hounding them at great personal and financial risk to themselves: Maya Forstater, Allison Bailey, Jo Phoenix, Rachel Meade, Roz Adams, Denise Fahmy, Eleanor Frances, Almut Gadow, Laura Favaro, Amelia Sparrow, Jenny Lindsay, Kathleen Stock, Rosie Kay, Selina Todd, Rosa Freedman, Lizzy Pitt and my dearest TERF friends Jo Rowling, Suzanne Moore and supreme shero pioneer Julie Bindel. Those women are just the tip of the iceberg.

I was elected on a manifesto pledge to make the country work for working people. These are working people who are being persecuted for their legal and respectable beliefs. They continue to be let down by cowardly leadership. I have been hounded, harassed, sidelined and briefed against by a party now in government. It is time the Government got to grips with this issue, perhaps by following the lead of the incredibly brave women I have referenced here and the unsung foot soldiers who fight for women's rights in the workplace the world over.

4.12 pm

The Parliamentary Under-Secretary of State for Wales (Dame Nia Griffith): It is a real pleasure to serve under your chairmanship, Mr Twigg. I start by thanking the hon. Member for raising the issues that she has raised this afternoon. I am going to call it more of a discussion than a debate, because I think the purpose of this session is to explore how we can express our beliefs freely, frankly and respectfully, upholding our shared values of tolerance and freedom of speech.

Championing freedom of expression is critical, even when beliefs are varied or opposing. To be protected under the Equality Act, a philosophical belief must be genuinely held and more than just an opinion. It must be cogent, serious and apply to an important aspect of human life or behaviour. In case law, gender critical beliefs have been recognised as such, which this Government acknowledge and respect. The protection of philosophical belief under the Equality Act is one of the foundations of freedom of expression, ensuring that individuals can hold and express deeply held convictions without fear of discrimination, harassment or victimisation. This protection creates space for diverse beliefs in a democratic society. We must not forget that in many countries across the world, such protections do not exist. We should not take them for granted and must continue to view freedom of expression as a right, not a privilege.

We must strive to protect freedom of expression for all, whether we agree or disagree, because we should challenge, probe and inquire, not shut down or silence. We will of course always protect the right not to be discriminated against, harassed or victimised.

The Equality Act prohibits discrimination or harassment on the basis of a number of characteristics, including a person's religion, belief, sex, sexual orientation or gender reassignment. That is why the Act is crucial in protecting us all and why we are proud to uphold it. Given the polarisation of belief on sex and gender issues, as well as the disagreement and discomfort such matters can provoke, I am glad that the hon. Member for Canterbury has been measured, considered and respectful, promoting a tone and quality of discussion that refuses to lower itself to the politics of division and anxiety. Let us carry that example forward beyond this Chamber.

It is important that we continue to protect freedom of expression for all, and the hon. Member has set out some examples where the law has protected that freedom, but we must try to support people's freedom of expression in the first place rather than simply relying on the courts.

Rebecca Smith (South West Devon) (Con): Does the Minister agree that, on freedom of expression and those protected characteristics, we must do all that we can within policy to avoid a hierarchy where some of those protected characteristics are inadvertently—or perhaps at times deliberately—considered to be more important than others, and that it is essential that we keep a level playing field within that legislation?

Dame Nia Griffith: These are very tricky issues, and sensible discussion of them, rather than polarisation, is the way forward. We must remember that we have a collective responsibility to express our beliefs respectfully. By consistently adopting that approach, we can all help to lower the temperature of discussions about sex and gender issues, fostering a more positive and inclusive environment where everyone can contribute without fear of being cancelled or silenced.

Jonathan Hinder (Pendle and Clitheroe) (Lab): Does the Minister accept that in recent years being respectful of others' views has meant silencing those who have gender critical beliefs? That continues to be the case, although we see some signs of the tide turning. Does she agree that it is up to this Labour Government to ensure that those views are genuinely respected, rather than silencing those with gender critical views?

Dame Nia Griffith: That is exactly what I have been explaining with regards to the Equality Act and respect for all established views, including gender critical views. We want to make sure that everybody is treated with dignity and respect; that is why it is important that we uphold the Equality Act and provide everybody with the reassurance that it protects them against unlawful discrimination and harassment.

It is perhaps important to dwell for a moment on what is considered harassment under the Equality Act. Free speech is protected when it is lawful, but harassment is behaviour that the law specifically defines as unlawful in certain situations, such as the workplace. Harassment is not simply a case of taking offence; there is a seriousness threshold, and conduct that is trivial or causes minor offence will not be sufficiently serious to meet the definition of harassment. Harassment is a serious matter, involving being subjected to unwanted conduct of various types, as set out in the Equality Act, which

"has the purpose or effect"

of violating the employee's dignity or of

"creating an intimidating, hostile, degrading, humiliating or offensive environment"

for the employee.

Those who seek to harass people at work will not be tolerated, hence our provisions in the Employment Rights Bill to keep workers safe from harassment.

Establishing those parameters is essential for maintaining the healthy and respectful standards of discussion that I just mentioned. It is also important to highlight that these discussions affect real people, their communities, their careers and their families. Therefore, as we exercise our freedom of expression, let us do so with humanity. We hold our beliefs everywhere we go, which often means that we express them in different places, including at work. The Equality and Human Rights Commission has produced guidance on belief as a protected characteristic, and we would expect employers to refer to that before taking action in a given case.

We know that single-sex services are important to people for many different reasons. For example, single-sex services can provide safety and comfort, especially for those who have previously had negative experiences using mixed-sex services. Everyone should be able to access specialist services and everyday facilities that meet their needs while protecting their privacy, dignity and safety. However, as outlined by various Ministers in this Government, there will be circumstances where certain groups need to be excluded from single-sex services and facilities to ensure the best outcomes for users—safety, dignity, fairness and privacy, to name a few.

That is why we are proud to uphold the Equality Act, which already gives providers the flexibility to deliver single-sex services exclusively for those of the same biological sex where that is a proportionate means of achieving a legitimate aim.

Rebecca Smith: The Minister will be aware that the last Conservative manifesto committed to reforming the Equality Act to protect single-sex spaces and services for women and girls, and in particular to listening to the voices of those women across the country. The Labour Government have indicated periodically that they agree with that, but will they commit to taking action—and, if so, when?

Dame Nia Griffith: I think the point the hon. Lady is making is that there needs to be some clarification on guidance. She will be well aware that the last Government put out a call for evidence, asking people to provide examples of how the Equality Act is being interpreted. The Act sets out that providers have the right to restrict the use of services, including toilets and women's refuges, on the basis of sex and gender reassignment in circumstances where it is a proportionate means of achieving a legitimate aim.

We are proud of the Equality Act and the rights and protections it affords women. We will continue to support the use of its single-sex exceptions by providers. It is vital that service providers understand the single-sex exceptions in the Equality Act and feel confident using them. The Government are committed to ensuring that there is guidance in place that gives service providers assurance about the rights afforded by the Act and how to lawfully apply single-sex exceptions. We will be setting out our next steps on that work in due course.

As hon. Members will know, the Equality and Human Rights Commission has published guidance on separate and single-sex services. It has recently concluded its consultation on its draft updated code of practice for services, public functions and associations.

Mr Gregory Campbell (East Londonderry) (DUP): The Minister mentioned the Equality and Human Rights Commission. She has mentioned several times the need for understanding and empathy, to allow space for people to have various views. Does she agree that that should be shared by the likes of the Commission and other bodies, and that it is their responsibility to carry out their functions and ensure that people know that they have an empathetic hearing within such bodies, so that they are not seen as being opposed to the views of gender critical people?

Dame Nia Griffith: Indeed. The Commission and other bodies have a very responsible position to interpret and ensure that, where there are potential conflicts between the different protected characteristics, those are dealt with in a sympathetic and fair manner.

We will be considering the Commission's proposals on its updated code of practice for services, public functions and associations, and Ministers will make a decision whether to approve them after the final draft of the code has been submitted. The previous Government put out a call for input on single-sex spaces guidance, and over 400 policy and guidance documents that fitted the response criteria were submitted. After reviewing these examples, it was found that the vast majority did not wrongly state or suggest that people have a legal right to access single-sex spaces and services according to their self-identified gender. In fact, only about 10% of the examples submitted seemed to have misinterpreted the Equality Act's single-sex spaces provisions in some way.

As the independent regulator of the Equality Act, the EHRC is the appropriate body to ensure that this question is looked into in more detail, and it has the ability to follow up directly with organisations if necessary. We are in the process of sharing all the submissions that met the criteria of the previous Government's call for input on single-sex spaces guidance so that the EHRC can review them. Although guidance does exist, including from the EHRC, the result of this call for input suggests that there is further work to do to ensure everyone has clarity about how the single-sex exceptions in the Equality Act operate. Moving forward, we will explore the best ways in which we can give providers assurance about the rights afforded by the Act and how they can lawfully apply its single-sex exceptions.

Our beliefs have always played a fundamental role in shaping our identity, purpose and direction in life. At times we share those beliefs with others, fostering a sense of unity and belonging; at other times our beliefs may differ, leading to discord. However, discord does not have to propagate hatred. Progress hinges on our ability to respect different beliefs even when they challenge us. We must cultivate a culture of safety, one that encourages open expression without fear of discrimination or harassment, rather than a culture of silence.

[Dame Nia Griffith]

While our beliefs matter, it is equally important to look beyond them and recognise the shared values of tolerance, respect and fair-mindedness that connect us. As we move forward, let us hold on to those values and remain vigilant against attempts to erode them. True progress and equality lie not just in defending our own beliefs, but in upholding the principles that allow all voices to be heard with dignity and respect.

Question put and agreed to.

Israeli-Palestinian Peace: International Fund

4.30 pm

Steve Yemm (Mansfield) (Lab): I beg to move,

That this House has considered the potential merits of an international fund for Israeli-Palestinian peace.

It is a pleasure to serve under your chairmanship, Mr Twigg. One of the most violent cycles of Israeli-Palestinian conflict in history, the largest since 1973, has drawn to a halt and it is now critical that we redouble our efforts to make this a lasting peace. The atrocities and massive loss of life we have seen on and since 7 October cannot happen again. We must do all we can to prevent that, and innocent civilians must be allowed to live their lives without fear.

The recent news has been packed with talk of various reconstruction plans and Government summits, but the current debate is neglected and a vital pathway to peace—that is, the involvement of Israeli and Palestinian civil society. The international fund for Israeli-Palestinian peace is at its core an initiative designed to give agency to those often overlooked grassroots communities of Israel and Palestine. It plans to mobilise international investment in regional peacebuilding projects and, in doing so, will tackle unaddressed drivers of this terrible conflict. That is why the Government's commitment to the fund has been such a groundbreaking move and why our continued support will be critical.

Political discussion about the conflict is often fixated on the short-term weather of the situation, day-to-day events and great tragedy in detail, but sometimes we neglect the climate, the long-term trends and initiatives that will bring us meaningfully closer to peace. Therefore, I want today's debate, and my intention is, to shift our political priorities to longer term, to looking at how we can create the space in the hearts and minds of all affected communities to make peace a possibility.

Of course, how we accomplish that invites a great deal of discussion, particularly in the light of our Government's necessary and timely commitment to increase defence spending to 2.5% of GDP. In this era of more limited resources being available, we need to be especially sure that the budget we do have is going towards projects that are value for money in achieving security abroad, because security abroad means safety at home, and the British taxpayer must see those returns many times over. I invite other Members today to make the case for why the international fund could satisfy that requirement.

One great advantage of the fund is the opportunity that it presents for British leadership abroad. The Prime Minister has recently shown what Britain can look like as a leading force for good on the international stage. Seizing the initiative on civil society reconciliation in Israel and Palestine by championing the fund would be yet another demonstration of that power in a notably resource-efficient way. I hope that we have the courage to act and to keep the momentum of recent successes in the region going. As the examples of Syria and Lebanon show, political changes can occur suddenly and unexpectedly. Currently, however, these people and nations are suffering unimaginable pain and trauma. Innocent Palestinians have suffered the catastrophic loss of their

loved ones, homes and livelihoods; and at the same time in Israel the images of the hostages are burned into the national consciousness, and the scars of 7 October will be felt for generations to come.

Therefore, with your permission, Mr Twigg, I ask that Members allow accounts from victims to always be heard. I personally have spoken with the families of hostages, and having witnessed such pain at first hand, I make clear my view that anyone who considers themselves to be on the side of peace should respect the testimony of innocents on both sides. This is not a zero-sum game. Reconciliation will take time, but history has told us that it is the only route to a lasting peace.

History has much to teach us in the pursuit of peace. In the 1980s and 1990s, Northern Ireland and Israel-Palestine were both global symbols of intercommunal violence, but today they look very different from each other. The enduring relief that the Good Friday agreement brought to the people of Northern Ireland has sadly not been shared in Israel and Palestine. There are many explanations for those differing outcomes that I am sure other Members will draw attention to, but I will note that although negotiations on the make-up of the middle east often began and stayed at the level of Presidents, Prime Ministers and leaders, the International Fund for Ireland ensured that as many people as possible were given a seat at the table and a stake in the future.

Anneliese Dodds (Oxford East) (Lab/Co-op): My hon. Friend is talking very eloquently about history and the need for grassroots history to be reflected. Does he agree that there has been a strong history of co-operation and co-operatives in the middle east? Is he aware of the fact that the British Co-operative Group has been working hard, with the Co-operative party, on tangible measures to support peace and economic development, including the Wahat al-Salam/Neve Shalom peace village? Do we need to see more of these initiatives in the future, and can the fund be a way of achieving that?

Steve Yemm: I agree that co-operatives and co-operation are incredibly important with regard to this fund and that we lose sight at our peril of the value of any civil society actors, including co-operatives. We recall that the fund in Northern Ireland gave everybody a seat at the table, a say in their future. The International Fund for Ireland may well have been the great unsung hero of the peace process. We therefore have in recent memory living proof that a plan for civil society reconciliation, backed by an international fund, can succeed where high-level talks may fail.

In my opinion, no one is more fit for this task than the Labour Government. Our party has a long and storied history in peacemaking, Northern Ireland being just one example of that. Equally, I am eager that we build a consensus on the fund across the House.

Mr Gregory Campbell (East Londonderry) (DUP): Will the hon. Member give way?

Steve Yemm: Very briefly, and this will be the final intervention on me, I am afraid.

Mr Campbell: I congratulate the hon. Member on securing the debate. I just have a word of caution for him on the comparison between the middle east and Northern Ireland. Yes, the International Fund for Ireland made a difference, but the scale of the schism in the middle east caused by 7 October and the scale of the rebuild that will be required in Gaza are such that a fund many times greater than the IFI will be needed to make any meaningful difference in the middle east.

Steve Yemm: I very much agree that we need to address the scale of the issue—certainly. That is why it is very important that we build consensus on this issue across the House, and I welcome contributions from Members of all parties who are genuinely interested in finding a resolution.

Democracy is one of the strongest tools that we have in the quest for peace, not just in ensuring that our Government do their part, but in giving disenfranchised people a say in their future. We saw that clearly in Ireland, where the promise that people could express their political desires and views with a ballot in their hand instead of a rifle was key to tackling violent extremism.

I have personally engaged with Israel's democratic tradition in my recent meetings with Yair Golan, the leader of the opposition Democrats party. He is an inspiring man who has put his life on the line, and he has been a clear and consistent voice for peace and security. I also welcome Israel's continued engagement with the UK, but democracy will not be built and maintained unless there is a strong coalition of ordinary people and communities to safeguard it. Peacebuilding is about not just summits and large state initiatives, but the day-to-day work of people on the ground doing their utmost to set the conditions for the ending of hostilities.

We know that the Government are ultimately interested in peace in the middle east and are taking a long-term view to achieve that end. We have seen momentum build among G7 countries behind an international fund. I want to be clear that that is the crux of today's debate. This is not about politicking, theatre or gestures. I secured the debate because I am genuinely interested in finding long-term solutions and achieving the best outcomes in the light of the realities that we face. The UK has the opportunity to take action and provide leadership. I welcome the Prime Minister's commitment to the fund to date and I am confident that we can build on that in the immediate future. As I draw my speech to a close, I invite Members on both sides of the House to use this opportunity to make suggestions to the Minister about how the Government and the Foreign Office might move this crucial initiative forward.

Several hon. Members *rose—*

Derek Twigg (in the Chair): Order. A lot of Members wish to speak and I will begin to call the Front Benchers no later than eight minutes past 5, so at the moment we are looking at roughly two minutes for each speech, but it may even be less than that. I will not waste any more time—I call Jim Shannon.

4.42 pm

Jim Shannon (Strangford) (DUP): It is a pleasure to serve under your chairship, Mr Twigg, and I commend the hon. Member for Mansfield (Steve Yemm) for setting the scene so well.

[Jim Shannon]

It is important that we focus on the most innocent victims of this enduring conflict—the children. Their futures are being compromised by the ongoing violence around them, and I pray every day that they see a future for themselves and for one another. For Israeli children, especially those living in border towns such as Sderot, which has been known as the bomb shelter capital of the world for more than 25 years, and in other communities within range of regular Hamas missile fire, life is lived under constant threat of attack. These children go to school knowing that at any moment a missile could be launched at them. Many of them suffer from post-traumatic stress disorder, and their education and daily life are continually disrupted by air raid sirens, evacuations and nights spent in bomb shelters.

At the same time, the children of Gaza are also being denied their hopes and dreams. Their education has been disrupted because their schools have been systematically used by Hamas and other terrorist organisations as military installations. Too many of these children grow up being indoctrinated into extremist ideologies, rather than hearing the promise of peace. If we are to foster a generation that chooses peace over war, we must ensure that children on both sides have access to education that is free from the toxic legacies of violence and hatred. This is where an international fund could play a role. It could invest in educational programmes to promote and instil co-existence, tolerance and economic unity.

Any such fund must be administered with transparency and accountability. Given what we already know about the politicised nature of the many NGOs operating in the region, it is very important that funds are not diverted towards movements that do not work towards peace. The foundation of that work must be a democratic Gaza, free from the influence of Hamas terrorism, and a complete rejection of Hamas' vision of the destruction of the state of Israel.

Parents in Gaza and Israel are exhausted from burying children and loved ones. Children, by their very nature, are the future. If we believe in a future where Israeli and Gazan children can grow up without fear of one another, we need decisive action. An international fund, properly administered and targeted, has the potential to create the conditions for a sustainable peace, with a secure and safe future for all children in the region.

Several hon. Members *rose—*

Derek Twigg (in the Chair): Order. I will extend the time limit to two and a half minutes. I will leave it as voluntary, but if hon. Members do not keep to it I will impose it.

4.44 pm

Luke Akehurst (North Durham) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg. I refer hon. Members to my entry in the Register of Members' Financial Interests and I congratulate my hon. Friend the Member for Mansfield (Steve Yemm) on securing this important debate.

As a supporter of a two-state solution to achieve an independent state of Palestine and a secure Israel, I welcome the opportunity to further our commitment to forming an international fund for Israeli-Palestinian peace to build civil society and to encourage reconciliation.

I am proud that before being elected, I worked for 13 years as the director of an organisation called We Believe in Israel. However, it was not just a pro-Israel organisation; it was committed to a two-state solution and national self-determination for both peoples, Jews and Palestinians. That role means that I have travelled many times to both Israel and the west bank. I have seen many examples of magnificent work to promote peace and co-existence, and I have met many inspiring Israeli and Palestinian voices for peace. An example of those is the organisation Roots, which is a grassroots movement for

"understanding, non-violence and transformation among Israelis and Palestinians".

It also means that the appalling terrorist attacks on 7 October 2023 and the subsequent dreadful war do not just relate to places that I have only seen on the news; they have affected communities and families that I have visited and met. One of the things I find most painful is that the communities that bore the brunt of the attacks on 7 October were communities that were deeply committed to co-existence and to helping their neighbours in Gaza. I could say many more things about the situation, both as it was on 6 October and as it has transpired after 7 October, but because of the limited time that we have and the need to enable more people to participate in the debate, I will cut short what I was going to say.

We need to launch a diplomatic process towards ending the conflict, but it cannot just be a top-level diplomatic process between leaders; it must involve a grassroots diplomatic and co-existence process that marginalises the enemies of peace with a new strategy. We need to find organisations like Roots that bring together Israelis and Palestinians and build genuine understanding between them, that educate communities away from the ideologies and ideas of violence and bring them towards the ideas of peace and co-existence. We need to provide all the support that we can to those organisations that are struggling to build a sustainable, peaceful middle east.

4.47 pm

Preet Kaur Gill (Birmingham Edgbaston) (Lab/Co-op): It is a pleasure to serve under your chairmanship, Mr Twigg. I congratulate my hon. Friend the Member for Mansfield (Steve Yemm) on securing the debate. I pay tribute to the thousands of Israeli and Palestinian peacebuilders, some of whom are here with us today. I thank them for their tireless and inspirational work, and the Alliance for Middle East Peace for all it does to give them a voice. They give us hope at a time when it is in such short supply. The past 18 months have been the most painful for the people of Israel and Palestine—on 7 October the worst massacre of Jews in one day since the holocaust, death and destruction in Gaza on an intolerable scale, and the torment of hostages held in chains for more than 500 days.

The ceasefire must continue to hold, the hostages taken by Hamas must be unconditionally released, and desperately needed aid must be allowed to reach innocent Gazans. Out of the rubble of the conflict, we must vow to create the conditions for peace. Our goal has to be a two-state solution, with a safe and secure Israel alongside a viable and independent Palestine.

How do we get there? First, we have to learn the lessons from the past. For decades, diplomats and politicians have invested countless hours in trying to achieve peace from the top down. Each effort ultimately failed. Why?

Because neither community felt that it had a real partner for peace. Without public support, even well-intentioned leaders cannot impose a lasting peace from the top down. We know from conflicts such as the one in Northern Ireland, most notably, that diplomacy can make a lasting difference, not just as a result of a top-down approach but from a bottom-up approach.

I think of Middle East Entrepreneurs of Tomorrow, a pioneering summer school programme that has supported more than 800 Israeli and Palestinian young adults in learning computer science, social entrepreneurship and leadership skills. MEET is just one of hundreds of such programmes that have emerged since the signing of the Oslo accords. We know that they work. Just look at the data: 80% of participants in a dialogue project were more willing to work for peace, 71% reported more trust and empathy for the other, and 77% had a greater belief that reconciliation is possible.

I commend the Prime Minister for his leadership. He has consistently supported that different path and his commitment in December to convene a summit in support of civil society peacebuilding is a vital first step. The United Kingdom has a unique opportunity: our experience of peacebuilding in Northern Ireland, our world-leading development expertise and the UK's convening power mean that this is an area in which we can provide real leadership. When speaking about why the Obama Administration's diplomatic efforts did not succeed in 2014, former US Secretary of State John Kerry said,

"the negotiations did not fail because the gaps were too wide, but because the level of trust was too low."

Will the Minister provide an update on the preparations for the United Kingdom's summit in support of peacebuilding?

With the UK's support in building peace from the bottom up by tackling the fear and mistrust that has only grown since 7 October, we stand a chance of learning the lessons of the past and making sure that the next effort at top-down diplomacy succeeds. We owe it to the people of Israel and Palestine.

4.50 pm

Dan Tomlinson (Chipping Barnet) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg. I refer hon. Members to my registered interests.

I strongly welcome the ceasefire in Gaza, the release of hostages—including the British hostage Emily Damari—and the increased flow of aid into the region, which must continue. The ceasefire undoubtedly marks a crucial moment of relief after 17 months of devastating conflict started by the massacre committed by Hamas on 7 October. Too many have lost their lives and countless others have been displaced, injured or traumatised. I know that the UK Government, in partnership with their allies, will do everything possible to ensure that the ceasefire holds but we must look to the long-term, and a route towards a two-state solution.

The path to peace runs primarily through political resolutions, political will, and reaching a mutual understanding of the rights and freedoms that should be afforded to both Israelis and Palestinians, but we know that civil society organisations can also play a crucial role. In fact, the political route to peace is made easier if attitudes on the ground shift.

Ayoub Khan (Birmingham Perry Barr) (Ind): We have recently heard about the Arab summit contributing $53 billion to support redevelopment and restructuring within the Gaza strip. Does the hon. Member agree that recognising the state of Palestine first, and then discussing funding packages, would prevent the nonsense that we constantly hear, from Trump and others, about the riviera?

Dan Tomlinson: I thank the hon. Member for his intervention. I believe that we cannot lose sight of the need for a two-state solution—for Palestine to exist alongside Israel. That is deeply important and it is the way forward in the region.

We know that civil society organisations shape attitudes on the ground, and that is crucial. Even now, they are integral to resolving the conflict, with programmes that create new ideas, leaders and political dynamics, fostering mutual understanding and advocacy. I met civil society organisations when I visited the region and it was they who gave me the deepest sense of hope that we could find a way forward, and a way towards peace.

I conclude by saying that I hope the UK will continue to build on the Prime Minister's pledges of support for the international fund, which have shown our commitment. Will the Minister further seize the initiative next week by ensuring that the matter of the fund is raised at the meeting of G7 Foreign Ministers in Canada?

4.54 pm

Kevin Bonavia (Stevenage) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg. I congratulate my hon. Friend the Member for Mansfield (Steve Yemm) on securing this debate. He alluded to precedents and I want to talk about one, because the UK has been a trailblazer for peacebuilding in complex conflicts around the world, but most notably in Northern Ireland.

The attention of the world has naturally been drawn to the destruction and the suffering of the peoples of both Palestine and Israel since the devastating Hamas attacks and throughout the subsequent war. I believe that the UK has a unique contribution to make in the area of civil society and people-to-people peacebuilding in Israel and Palestine. In the mid-1980s, when a political peace process was non-existent, the international community decided to intervene at the grassroots level with the International Fund for Ireland. Expert effort was put into investing in civil society to create the social, economic and political foundations for peace. Twelve years later, the landscape in Northern Ireland was transformed, with genuine constituencies for peace. That allowed the negotiation of the Good Friday agreement. That model is one of the areas of peacebuilding in which we in the UK have unparalleled experience. Today, thanks to the tireless work of the Alliance for Middle East Peace, there is cross-party support for an international fund for Israeli-Palestinian peace.

Indeed, the precedent does not just show that the UK can take a leading role in the Israeli-Palestinian peace process, but that a Labour Government are particularly well placed to do so. It was Jonathan Powell, who was the Downing Street chief of staff in the 1990s and is now the Prime Minister's national security adviser, who led the Good Friday agreement talks. Because of its

[Kevin Bonavia]

investment in civil society at a moment when peace seemed distant, he characterised the International Fund for Ireland as

"the great unsung hero of the peace process".

Today, we have an opportunity to play a similar role in a similarly intractable conflict. That is why I am so pleased that the Government have indicated their intention to do so, most recently in December with the Prime Minister's announcement that the Foreign Secretary will convene an inaugural meeting to discuss next steps with partners. I end by asking whether the Minister can provide us with an update on when the meeting in London will take place and on which partners will be involved. I also ask what plans the Government have to use next week's G7 Foreign Ministers meeting in Canada to raise the establishment of an international fund for Israeli-Palestinian peace. It is unquestionable that this summit is an opportunity to make the real progress that I believe only a Labour Government can make in these circumstances.

4.56 pm

Mrs Sharon Hodgson (Washington and Gateshead South) (Lab): I congratulate my hon. Friend the Member for Mansfield (Steve Yemm) on securing this important debate. Several decades ago, the conflicts in Northern Ireland and Israel-Palestine bore strong parallels to each another. They both faced large-scale terrorist insurgencies with urban warfare tactics that had never been seen before, deeply polarised populations and horrific damage wrought on innocent lives. Most importantly, they shared the fact that many sceptics painted the fighting as the product of ancient and intractable religious disputes, and thus hand-waved away any prospects of peace. But today they look very different. Opposed interests on the island of Ireland now have a legitimate political channel and dialogue through the provisions of the Good Friday agreement, while conflicts between those on the territory of Israel and Palestine arguably reached their highest intensity in over half a century prior to the recent ceasefires.

Of course, each historical experience is unique, and it would be an oversimplification to take the comparison too far, but I believe we must always bear the Northern Irish example in mind in our approach to an international fund and wider peacebuilding in Israel and Palestine, especially considering our country's first-hand experience of the disastrous consequences of unresolved conflict.

In particular, I propose two major ways that we stand to gain from thinking about the troubles. First, we can learn the lessons of the Irish peacebuilding experience. Although negotiations over Israel and Palestine, such as those that led to the Oslo accords, have been largely top down and sometimes entirely secret projects of men in smoke-filled rooms, the Good Friday agreement was far more inclusive, paying attention to left-out voices, the unconvinced women and the international community. Much of the credit for getting civil society engaged in Ireland must go to the International Fund for Ireland, which our own Jonathan Powell has called

"the great unsung hero of the peace process".

Fact-finding visits to Northern Ireland by Israeli and Palestinian non-governmental organisations found that the IFI's strategic approach to funding—with an independent body, tight public-private donor co-ordination and field officers from the affected communities—made all the difference. Civil society was the glue that brought communities together and has continued to hold them together despite the increased uncertainty of recent years. Although I have to finish my speech due to the time limit, I want to acknowledge that, as the hon. Member for Strangford (Jim Shannon) said, the new fund would have to be considerably greater.

4.59 pm

Jon Pearce (High Peak) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg.

I thank my hon. Friend the Member for Mansfield (Steve Yemm) for securing this debate. I support our Labour Government, who are taking a leading role in setting up an international fund for Israeli-Palestinian peace, as envisaged by the Alliance for Middle East Peace and advocated by Labour Friends of Israel for almost a decade. In recent months, there have been hours of debate in this place about how the UK can best contribute towards peace in the middle east following the horrific scenes of death, destruction and suffering on 7 October and the subsequent war in Gaza.

After the last serious peace process failed in 2014, it was said that

"the negotiations did not fail because the gaps were too wide, but because the level of trust was too low."

Today, trust is in even shorter supply and neither leadership is in a position or has a mindset to make the painful compromises that peace and a two-state solution will inevitably entail. That is a challenge for all of us who want to kick-start the Israeli-Palestinian peace process, and it is a challenge that only such a bottom-up initiative, rooted not in the halls of power but in civil society, can seriously resolve. It is our job to change the lack of trust to build those constituencies for peace. This is a tried and tested model, as we saw in Northern Ireland. Jonathan Powell said it was

"the great unsung hero of the peace process".

I saw the potential when I visited Israel and Palestine on such an initiative in July 2023. I met organisations and NGOs run on a shoestring that dedicate their work to providing spaces for Israelis and Palestinians to meet and work together outside the confines of conflict. EcoPeace, for example, brings together Israelis, Palestinians and Jordanians to forge new and creative solutions to climate change in a region increasingly co-dependent on natural resources. I met young Palestinian activists in Ramallah who are working to train the next generation of political leaders for the long-awaited Palestinian Authority elections and a more democratically engaged and pluralistic Palestinian future. Supporting such civil society groups is how we can play our part in changing attitudes on the ground in Israel and Palestine. That is how we will build the trust necessary for genuine progress towards peace from the bottom up.

I am delighted that the Prime Minister announced in December that we will be convening a meeting with international partners to discuss how we can take forward the G7's commitment to supporting civil society. I look forward to hearing from the Minister about these plans, including when the meeting will take place and which partners will be attending.

5.2 pm

Alex Ballinger (Halesowen) (Lab): It is a pleasure to serve under your chairmanship, Mr Twigg. I thank my hon. Friend the Member for Mansfield (Steve Yemm) for organising this debate. I declare an interest as the chair of the APPG on conflict prevention, conflict resolution and peacebuilding.

Last month, I had the privilege to visit Israel and the west bank. We were unable to go to Gaza, but we visited area C of the west bank, where we saw a lot of Israeli settler violence and some of the demolitions in East Jerusalem. We also had the privilege of meeting some of the families of the hostages, as well as Aviva Siegel, who had the very difficult experience of leaving her husband behind when she was released.

In many ways, it is completely understandable that the trauma and suffering on both sides of the conflict have led to such a polarisation of views, which is reflected in the polls. We saw it in our conversations with members of the Knesset, where we heard extreme views on continuing the occupation for generations and justifying what Israel is doing on the west bank.

Other Members have spoken about the UK's experience in Northern Ireland and how important that is to our positioning on the peacebuilding fund. We are lucky to have peacebuilding organisations working with us in the region, and I was very happy to speak to them this morning. The good work of ALLMEP is well known, and we should recognise that its work is being harmed by the United States Agency for International Development cuts of recent weeks. It is now important that the UK steps up to support these organisations.

I was pleased to see the Prime Minister's commitment to this fund for Israeli-Palestinian peace. I would like to hear more details from the Minister on when the next meeting will be. Will we use this week's G7 meeting, which Jonathan Powell is attending, to announce more details of this fund? Also, will the Minister be happy to meet the APPG on conflict prevention to talk about more of our work in the region?

5.4 pm

Peter Prinsley (Bury St Edmunds and Stowmarket) (Lab): It is a great honour to serve under your chairmanship, Mr Twigg.

Decades of violence and displacement in Israel and Palestine have created psychological scars that will take generations to heal. For Israelis, the collective trauma of 7 October is still all too painful. Magen Inon is an Israeli peace activist whose parents were killed on 7 October, and he writes that

"it feels as if a flash flood of blood engulfs the landscape and my grief is one small branch caught in the current. Everyone I know from my childhood has a horror story to tell."

Palestinians are reeling from the terrible destruction and loss of life in the Gaza strip, tying into a wider historical experience of displacement. This cannot be described as post-traumatic stress, because the trauma is ongoing. Gaza does not have "pre" and "post".

The effects of trauma on peacebuilding cannot be overstated. Traumatised populations are likely to support violent and armed extremist groups. Trauma leads to a siege mentality and increased anger, and trauma means a continual drain on grassroots pressure for the ending of the conflict. It is vital that peacebuilding initiatives help to end these cycles of trauma and introduce a path towards healing and lasting peace.

The newly proposed international fund will help us to do that, and it is critical that we build momentum for it today. Civil organisations in Israel and Palestine are already working with people who are terribly traumatised, while living with their own personal traumas under the harsh daily realities they face. Each day, organisations such as Combatants for Peace, the Middle East Children's Institute and the Holy Land Trust tackle the profound scars left by the cycles of war. The unified fund will deliver resource and support to make these small-scale initiatives society-wide, to eradicate psychological drivers of conflict, and to pave the way to healing.

I will close with Magen Inon's words:

"Our shared future is based on the belief that all human beings are equal, and deserving of respect and safety. This is how I was raised and how I am raising my own children. In the long term, and even if it's very far away, the only real future is that of hope and peace."

Derek Twigg (in the Chair): The two Opposition spokespeople will have five minutes each. The Minister will have 10 minutes, and there will be a minute or two for the hon. Member for Mansfield (Steve Yemm) to wind up.

5.7 pm

Brian Mathew (Melksham and Devizes) (LD): It is a pleasure to speak under your chairmanship, Mr Twigg.

I also thank the hon. Member for Mansfield (Steve Yemm) for bringing this issue to the Chamber. The Liberal Democrats have long called for a two-state solution to the conflict in the middle east based on the 1967 borders. In the immediate term, the current ceasefire in Gaza must be maintained, and both sides must advance talks on phase 2. That must include the release of all remaining hostages, including the bodies of hostages killed in Hamas captivity, and it must ensure that aid can flood into Gaza to relieve the suffering of Palestinians after 18 months of devastation.

The UK Government must also urgently engage with the Israeli Government to ensure they reopen aid routes and the supply of electricity, in line with Israel's obligations under international law. Their decision to blockade and stop electricity entering Gaza is wrong, and it will only exacerbate the suffering of the Palestinians in the strip.

Beyond the immediate maintenance and progression of the ceasefire, a just, long-term peace must include the immediate recognition of the state of Palestine. My hon. Friend the Member for Oxford West and Abingdon (Layla Moran) has introduced a Bill in each of the last three Sessions calling for the immediate recognition of a Palestinian state based on the 1967 borders. My noble Friend Baroness Northover has done the same.

We must also work closely with those Israelis and Palestinians who are advocating for a just peace based on a two-state solution, which would bring security and dignity for all. There is no future for peace in the region unless moderate voices can influence and frame discussions on what a peace settlement looks like. That means addressing the sources of resentment and fear for Israelis and Palestinians, weakening Hamas's influence in Gaza and the west bank, and responding robustly to illegal

[Brian Mathew]

and often violent Israeli settler encroachments on Palestinian land. This should include the UK Government legislating to cease trade with illegal settlements in Palestinian territory.

We must also work with the international community to identify future democratic leaders of Palestine, with a view to having swift elections in Palestine as soon as possible in the hope of uniting Gaza and the west bank under one democratically elected vote. That will ensure that there is security, safety and a bright future for the Palestinians. We must invest in peace, including via the international fund for middle east peace, encouraging our friends in the Gulf states to contribute. We must use trade as a tool for peace, ensuring that Palestinians and Israelis both benefit, which is something the Liberal Democrats have supported for many years. We were pleased to hear the Prime Minister express his desire to kick-start an international fund for Israeli-Palestinian peace, working alongside the Alliance for Middle East Peace.

Over the past decade, there has been a stark absence of diplomatic efforts to address the core issues of the Israeli-Palestinian conflict. In that chasm, civil society organisations have played a vital role in promoting peace, justice and equality. Those organisations are advocates for diplomacy and non-violence within both societies. They educate and mobilise their communities, generate momentum for peace beyond formal political structures, reduce the political risk of new ideas, influence shifting public opinion and contribute directly to political and diplomatic solutions. However, it must be said, the Government's recent decision to cut the aid budget makes such projects all the more difficult.

The middle east stands at a critical crossroads. Although the fragile ceasefire still holds, destabilising rhetoric and actions threaten efforts towards de-escalation, diplomacy and conflict resolution. No single actor has ever been enough to secure a lasting peace, but the volatile language and policies of the Trump Administration introduce new risks and opportunities for exploitation by extremists.

The UK must work with our allies in Europe, and with regional partners in the middle east, to support the maintenance of the ceasefire, to secure the release of the remaining hostages and to give Gaza the aid its suffering people need. Those are essential preconditions on the path towards a just peace based on a two-state solution along the 1967 borders that ensures security and dignity for both Israelis and Palestinians.

5.12 pm

Wendy Morton (Aldridge-Brownhills) (Con): It is a pleasure to serve under your chairmanship, Mr Twigg.

I congratulate the hon. Member for Mansfield (Steve Yemm) on securing this debate. I start by acknowledging the incredibly fragile ceasefire, which I think everyone in this House wants to see endure. In aid of that, we need to see the return of each and every hostage taken by Hamas during the barbaric acts of 7 October 2023.

We are all appalled by Hamas's cynical move to continue holding hostages as human bargaining chips. Those individuals, their families and loved ones have all experienced unimaginable pain over the last 500 days and more. The world has been watching as the hostages released so far have returned to their homes and loved ones. Of course, many have not returned alive. We continue to call on Hamas to immediately release the remaining hostages, who have already suffered so deeply. That is key to a sustainable end to the conflict.

I would be grateful if the Minister could update us on his latest discussions with Israel, the US, the UAE and other regional players to help the parties reach agreement on phase 2 of the ceasefire. I also ask what he is doing to ensure that the UK is a proactive contributor to these discussions and is doing its bit to keep the fragile peace together and to support the deal.

The Prime Minister has pledged his support for establishing an international fund for Israeli-Palestinian peace, and for the plans to hold an inaugural meeting in London. We all aspire to peace in the region, and the fund was first endorsed by the Conservative Government in 2018. When will the inaugural meeting take place, and who will be a party to those discussions?

On peace more broadly, we understand that the Government share our view that Hamas can have no role in the future governance of Gaza, but we have had very little detail on how they plan to help achieve a post-Hamas Gaza. Hamas have been shown to have a callous disregard for human life through their appalling actions on 7 October, their persistent use of Palestinians as human shields, and their murder and mistreatment of hostages. Hamas have extensively repressed civil society in Gaza, stamped out political opposition and arbitrarily arrested journalists. What discussions has the Minister had with Israeli and regional partners on the future governance of Gaza?

Shockat Adam (Leicester South) (Ind): Will the shadow Minister give way?

Wendy Morton: I will make progress because I am very short on time. Promoting peace in the region is an aim that we all aspire to in this House. The Abraham accords signed in 2020 were a welcome step that normalised relations between Israel and the other regional actors. We celebrate the success of the accords and encourage more countries to normalise relations with Israel as a potential route to a broader peace. Building on the accords presents an opportunity for greater shared prosperity, which we want and hope will mean real, tangible benefits for the Palestinian people too.

During our time in government, we took steps to try to preserve stability in the Occupied Palestinian Territories. Between 2021 and 2023, the UK's conflict, stability and security fund helped over 18,000 Palestinians at risk of eviction to protect their property rights. We strengthened economic opportunity by funding key water infrastructure and we launched the UK-Palestinian tech hub. Between 2015 and 2020, UK official development assistance supported 70,000 children to gain a decent education, and it also supported the middle east peace process, a £30 million programme that ran between 2015 and 2019. The UK is a party outside the region, but it is an important player with key historical links that act as a connector. What is the Minister doing to ensure that we continue our role as a trusted partner, supporting normalised relations and a greater peace in the region?

The most pressing task is ensuring that the fragile peace holds, and we must shift our eyes to the reconstruction of Gaza once we meet the subsequent stages of the

ceasefire agreement. What role does the Minister envisage the UK playing in the reconstruction of Gaza? How will we work together with regional allies? What is his response to the paper produced by the Cairo summit? We must also understand what the ODA changes mean in practice for programmes in the region. Will the Minister see funding for the OPTs drop following the announcement? For a lasting peace, Palestinians need the same liberties that their neighbours enjoy in Israel. That involves reforming the Palestinian Authority. We want reforms to continue, including on transparency, fighting corruption and improving public sector efficiency, which we supported last year in government.

As I conclude, and I am very conscious of time, it is important to recognise that, if the Palestinian Authority is to have an expanded role, it needs to implement very significant reforms on welfare and education, and it must demonstrate a commitment to democratic processes. We have an incredibly fragile ceasefire agreement that we must all work to protect. The Government must redouble their efforts to preserve the viability of the two-state solution and ensure that the UK plays its part in helping to lift the people's eyes to a brighter future—

Derek Twigg (in the Chair): Order. I remind the Minister that I want to call the hon. Member for Mansfield at 5.28 pm.

5.18 pm

The Parliamentary Under-Secretary of State for Foreign, Commonwealth and Development Affairs (Mr Hamish Falconer): It is an honour to serve under your chairmanship, Mr Twigg. I thank my hon. Friend the Member for Mansfield (Steve Yemm) for securing this debate, and I am grateful to all hon. Members for sharing their valuable and thoughtful perspectives. I pay particular tribute to my right hon. Friend the Member for Oxford East (Anneliese Dodds), who has done so much in these very difficult months in which we have both been Ministers. Much of what I will be able to say about what we are doing in the region is a result of her efforts, and I am very glad to share Westminster Hall with her.

Securing peace in the middle east is a priority that I know we share across the House. The agreement to end the fighting in Gaza was a major step forward. As many have said, ending combat operations and increasing aid for Gazans, as well as the release of hostages—38 so far—was vital. The situation is incredibly sensitive at the moment. I will not provide a detailed commentary on the talks that are ongoing today in order to try to transition into phase 2. As we have said repeatedly, and as I said this morning to the Foreign Affairs Committee, we want to see talks move into phase 2, and into phase 3.

The ceasefire has made an enormous difference to the lives of both Palestinians and Israelis, and we want it to continue. Many Members have spoken about the deficit of trust. We think that a ceasefire going through all three phrases, with all of the difficult politics and all of the difficult compromises that that will require, is a vital part of building trust between the two communities. The Prime Minister has been absolutely clear: the decision to block aid going into Gaza is completely wrong. Aid should not be used as a political tool. I made some comments this morning about the restrictions on energy as well.

The topic of this debate is the international fund for Israeli-Palestinian peace. The Prime Minister and the Foreign Secretary are committed to convening the meeting that many have discussed. Given the developments in the region, I am not in a position today to commit to a time or cast list for the meeting. We want to make sure that the meeting will have the desired effect of building trust across the two communities, and we will need to be sensitive to the circumstances in the region when we meet.

Mr James Frith (Bury North) (Lab): I put on record my thanks to the Minister for his leadership and the work he has done, particularly in keeping us abreast of the ongoing situation. It is right that the UK takes concrete steps to support peace, including through the revitalising of the Abraham accords, which are about normalisation of relations. Does the Minister agree that peacebuilding funds that rebuild Gaza are not just for humanitarian efforts but are a regional step towards the normalisation of peace and an independent Palestinian state free from Hamas? Does he agree that providing infrastructure, homes and hope will sustain peace efforts and normalise the reality of a two-state solution?

Mr Falconer: My hon. Friend talks about infrastructure, homes and hope, and it is those three elements—in particular hope—that are so missing at the moment. It is important to make a distinction between the vital humanitarian aid into Gaza and efforts to support civil society, which necessarily will be less focused on the immediate humanitarian support required and the reconstruction, which he rightly says will be necessary in Gaza, and more focused on the efforts that many have referred to as bottom-up—trying to ensure that both communities see bridges to each other.

I very much agree that there is a terrible deficit in trust and confidence across the two communities. When we were in opposition, I travelled there shortly after 7 October—two months later—and it was striking for both communities how little they believed in common in that moment. Rebuilding trust will be vital.

Jim Shannon *rose—*

Shockat Adam *rose—*

Mr Falconer: I will give way first to the hon. Member for Strangford (Jim Shannon).

Derek Twigg (in the Chair): I remind Members that interventions should be brief.

Jim Shannon: I thank the Minister for his comprehensive answer. When it comes to the moneys, there obviously has not been much, and it must be ensured that it goes far and wide. I think the issue has been debated in the past—that money has been diverted by certain terrorist groups. What we need is transparency to ensure that the moneys that are allocated are safely distributed to the right people for the right purposes.

Mr Falconer: I agree with the hon. Member. It is vital that aid goes to the purposes for which it is intended. To be clear, we imagine this international fund being of a

[Mr Falconer]

much smaller magnitude than the much larger funds that would be required for humanitarian assistance or the reconstruction of Gaza.

I turn to the important questions raised by the hon. Member for Melksham and Devizes (Brian Mathew) and the right hon. Member for Aldridge-Brownhills (Wendy Morton)—the spokespeople for the two Opposition parties. In relation to what assessment we make of the various proposals, we welcome the Arab plan. We think it has considerable merit and is a good place to start in thinking through the vital questions of reconstruction and the future governance of Gaza.

I am happy to confirm to the right hon. Member for Aldridge-Brownhills that we see no role for Hamas in the future governance of Gaza. We think that the Cairo summit made important breakthroughs. We will discuss this at the G7 meeting and as Members will be aware it will be discussed over the coming days by negotiators from a range of countries in the region.

The Palestinian Authority are clearly very important in all of this. They are the authoritative voice for the Palestinian people. We are committed to supporting them through their journey of reform, which is vital. We have given £5 million to support their reform initiatives. There is a range of views about the future governance of Gaza and the role that the Palestinian Authority might play, and some of them were discussed at the Cairo summit. We will play our full role, as the Opposition spokesperson and many Members would expect, so that the provisions in place for the future of Gaza can ensure governance and security both for the people of Gaza and the Occupied Palestinian Territories, and the Israelis themselves.

Before I make some general remarks about conflict prevention and civil society, I want to welcome the work of the APPG on conflict prevention, conflict resolution and peacebuilding; I would be very happy to hear more about it. Civil society has a vital role to play. We will support it fully. We recognise the sensitivities on both sides. Several Members made reference to Senator Kerry's comments that the problem in 2014 was not necessarily a gulf in the positions but a gulf in the trust, and we see that civil society plays an important role in resolving that.

Mr Adnan Hussain (Blackburn) (Ind): I hear what the Minister has to say about how we can move to a path towards peace. However, does he agree that there must be steps taken to ensure that Israel is held accountable for its violations of international law? In doing so, will he commit to taking steps to begin ending the UK's military support to Israel?

Mr Falconer: I have commented on the question of international law, and indeed on arms suspension, both in the main Chamber and this morning in the Foreign Affairs Committee. With just one minute left, I will say that I stand by those remarks.

I want to say a bit about some of the lifesaving assistance that my right hon. Friend the Member for Oxford East was responsible for when she was the Minister for Development. The assistance, which continues, included an announcement at the end of January for a further £17 million in funding to ensure that healthcare, food and shelter reaches tens of thousands of civilians across the Occupied Palestinian Territories. As my hon. Friend the Member for Mansfield said, it is absolutely right that we think about the route out of this conflict, but we will not forget those in desperate need at this moment, and our support will continue. I was asked by colleagues about the possible impact of the reduction in ODA. I reiterate what the Prime Minister has already said: we are focused on the needs in Gaza and we will seek to preserve our efforts through any changes.

UK support has meant that over half a million people have received essential healthcare. Some 647,000 people have received food, and 284,000 have had improved access to water, sanitation and hygiene services. Humanitarian needs, however, cannot be solved by short-term solutions. I will conclude by saying that we reaffirm our support for a credible pathway towards peace, leading to a two-state solution where Israelis and Palestinians live side by side in peace, dignity and security, and we agree on the merits of an international fund for Israeli-Palestinian peace.

5.28 pm

Steve Yemm: I thank all hon. and right hon. Members who have contributed meaningfully in the spirit of today's discussion, with a genuine commitment to peace at heart. Very few conflicts inspire stronger opinions and more polarised views than the ones we have discussed today, and I am pleased that so many Members have moved beyond talking points and shared their sincere views on how an international fund could improve the lives of everyone in Israel and the Palestinian territories. I hope that the Minister will meet again with MPs to discuss our future commitment to the fund. I hope that he will encourage the Foreign Secretary to raise the matter at the G7, building on the commitment made last year, with the aim of co-ordinating and institutionalising the UK Government's support for this work.

Question put and agreed to.

Resolved,

That this House has considered the potential merits of an international fund for Israeli-Palestinian peace.

5.30 pm

Sitting adjourned.

Written Statements

Tuesday 11 March 2025

HEALTH AND SOCIAL CARE

Dental Patient Charges Uplift

The Minister for Care (Stephen Kinnock): The Government ambition is to make sure that everyone who needs a dentist can get one. On Friday 21 February 2025, we launched the roll-out of the extra 700,000 urgent dental appointments promised by the Government in their election manifesto. Integrated care boards have been asked to start making these extra appointments available from April 2025, and they will be available to NHS patients experiencing painful oral health issues, such as infections, abscesses, or cracked or broken teeth. Appointments will be available across the country, with specific targets for each region. These targets are more heavily weighted towards those areas where extra appointments are needed the most.

Through the golden hello scheme, integrated care boards are supporting practices across England in recruiting NHS dentists to posts that they have previously struggled to fill. This recruitment incentive will see up to 240 dentists receiving payments of £20,000 to work in those areas that need them most for three years. As of 10 February 2025, in England, 35 dentists have commenced in post and a further 33 dentists have been recruited but are yet to start in post. A further 249 posts are currently advertised.

To rebuild dentistry in the long term, we will reform the dental contract with the sector, with a shift to focusing on prevention and the retention of NHS dentists. On 7 March 2025, we announced investment of £11.4 million to implement the manifesto commitment of a national, targeted supervised toothbrushing scheme for 3 to 5-year-olds. The investment will be focused on around 505,000 children living in the 20% most deprived communities across England. Following public consultation, we also announced the expansion of community water fluoridation across the north-east of England, reaching an additional 1.6 million people. At the same time, we will not wait to make improvements to the current system where these can increase access and incentivise the workforce to deliver more NHS care. We are continuing to meet the British Dental Association and other representatives of the dental sector to discuss how we can best deliver our shared ambition to improve access for NHS dental patients.

We have launched a 10-year health plan to reform the NHS. A central and core part of the 10-year health plan will be our workforce and how we ensure we train and provide the staff the NHS needs to care for patients across our communities. We have taken necessary decisions to fix the foundations of the public finances at autumn budget. This enabled the spending review settlement of £22.6 billion extra investment in resource spending for the Department of Health and Social Care from 2023-24 out-turn to 2025-26.

On 10 March 2025, the National Health Service (Dental Charges) (Amendment) Regulations 2025 were laid before Parliament to increase national health service dental patient charges in England in line with inflation from 1 April 2025.

NHS dental patient charges provide an important revenue source for NHS dentistry and are typically uplifted on 1 April each financial year. The charges will be uplifted by 2.39% in 2025-26, aligning with the forecast GDP deflator value. Dental patients will benefit from the continued provision that this important revenue supports.

From 1 April 2025, the dental charge payable for a band 1 course of treatment will rise by £0.60, from £26.80 to £27.40. For a band 2 course of treatment, there will be an increase of £1.80 from £73.50 to £75.30. A band 3 course of treatment will increase by £7.60 from £319.10 to £326.70.

Details of the revised charges for 2025-26 can be found in the table below:

Band Description	From April 2025 (Proposed)
1: This band includes examination, diagnosis (including radiographs), advice on how to prevent future problems, scale and polish if clinically needed, and £27.40 preventative care (eg applications of fluoride varnish or fissure sealant)	*£27.40*
2: This band covers everything listed in band 1, plus any further treatment such as £75 fillings, root canal work or extractions	*£75.40*
3: This band covers everything in bands 1 and 2, plus course of treatment including crowns, dentures, bridges and other laboratory work	*£326.70*
Urgent: This band covers urgent assessment and specified urgent treatments such as pain relief or a temporary filling or dental appliance repair	*£27.40*

We will continue to provide financial support to those who need it most by offering exemptions to the dental patient charges in a range of circumstances. Patients will continue to be entitled to free NHS dental care if they are under 18, or under 19 and in full-time education; pregnant or have had a baby in the previous 12 months; or are being treated in an NHS hospital and have their treatment carried out by the hospital dentist (patients may have to pay for dentures or bridges). Patients will continue to qualify for help with health costs if, on the date they claim, they either:

> receive universal credit and either had no earnings or had take-home pay of £435 or less in their last universal credit assessment period;
>
> receive universal credit, which includes an element for a child, or they or their partner had limited capability for work or limited capability for work and work-related activity, and either had no earnings or take-home pay of £935 or less in their last universal credit assessment period;
>
> If the patient is part of a couple, the take-home pay threshold applies to their combined take-home pay.

Support is also available through the NHS low income scheme for those patients who are not eligible for exemption or full remission.

[HCWS512]

NHS Screening and GP Registrations

The Parliamentary Under-Secretary of State for Health and Social Care (Ashley Dalton): I would like to inform the House that yesterday, 10 March 2025, the NHS wrote to around 5,261 people who have not been invited for routine screening. This is because their general

practice registration process was not completed correctly, meaning that their details were not passed to NHS screening systems. Those affected have now been added into relevant screening programmes and work is ongoing to ensure that this does not occur in the future.

The letters were posted to affected patients who are still eligible for a screening programme, or who were previously eligible for a screening programme but now exceed the programme's upper age limit. The letter will explain what has happened and next steps, including details of the helpline that has been set up by NHS England.

Records indicate that up to 10 patients have been diagnosed with a relevant cancer and were not invited for certain screening. NHS England is writing to these patients this week. The impact on these patients is not yet known and a clinical harm assessment process will be undertaken, based on expert clinical advice. It is with deep sadness that I must report that records also indicate that around 10 people who were not invited for screening may have died from a relevant cancer. NHS England will take appropriate action in these circumstances, based on expert clinical advice.

In the summer of 2024, a small number of people contacted NHS England to say they had not been invited for screening. NHS England commissioned further investigation, which led to an issue within GP registration being identified in late December. This issue, which has continued since 2008, affected the bowel, breast and cervical cancer screening programmes, as well as abdominal aortic aneurysm screening. It did not affect the diabetic eye screening programme, or any of the antenatal or newborn screening programmes. Since then, work has been undertaken to identify the individuals affected. Where relevant, work is ongoing to assess any clinical implications of their delayed screening.

The specific problem relates to when a patient registers at a new GP practice. GP registrations returned to some GP practices by Primary Care Support England for further information or review had not been completed, or the GP practice had not sent a message to complete the patient's registration. Incomplete registrations were not passed to the NHS screening programme IT systems and, therefore, some people had not been invited to their routine screening. Processes have been put in place to make sure that new GP registrations will be closely monitored and updated on systems as necessary.

I would like to assure the House that we will provide regular updates as we offer support to affected patients, and I would like to thank NHS staff who have worked to understand and deal with this issue.

[HCWS513]

Petition

Tuesday 11 March 2025

OBSERVATIONS

HOUSING, COMMUNITIES AND LOCAL GOVERNMENT

Haddiscoe gravel pit application

The petition of residents of the constituency of South Norfolk,

Declares that the potential for a future gravel pit near Crab Apple Lane in Haddiscoe is a serious concern to residents, that an application for a gravel pit in the same location has previously been rejected due to concerns about harm to Grade 1 listed buildings and the impact of increased noise, dust and traffic, and that these concerns remain.

The petitioners therefore request that the House of Commons urges the Government to ensure that planning and mineral strategies consider issues such as air pollution and local opinion.

And the petitioners remain, etc.—*[Presented by Ben Goldsborough, Official Report,* 21 January 2025; Vol. 760, c. 978*.]*

[P003033]

Observations from the Minister for Housing and Planning (Matthew Pennycook): Due to Ministers' role in the planning system, I am unable to comment on the details of a specific planning application. I am, however, able to provide the following general comments.

The Government's planning policy for minerals is set out in the national planning policy framework, which is supported by planning practice guidance, including details on how planning authorities should assess the environmental impacts of mineral extraction.

Local planning authorities are required to undertake a formal period of public consultation prior to deciding a planning application. Effective consultation allows local planning authorities to identify and consider all relevant planning issues associated with a proposed development. Consultees, particularly those living near to the site in question, may offer particular views or detailed information relevant to the consideration of the application. Where relevant planning considerations are raised by local residents, these must be taken into account by the local authority before they determine an application.

Written Correction

Tuesday 11 March 2025

Ministerial Correction

LEADER OF THE HOUSE

Business of the House

The following extract is from business questions on 13 February 2025.

Joe Morris: The recent news of the loss of three bank branches in my constituency further illustrates the crisis facing communities, including in the Tyne valley, of growing banking deserts. May we have a debate in Government time about the need for access to cash, not only for older people but for those starting businesses, those purchasing houses and those who need to access face-to-face banking services, to promote growth in rural areas?

Lucy Powell: Protecting vital banking services is important for local communities like my hon. Friend's. We are accelerating the roll-out of at least 350 banking hubs, more than 100 of which are already open, and plans were announced at the end of last year to open a banking hub in his constituency.

[*Official Report*, 13 February 2025; Vol. 762, c. 427.]

Written correction submitted by the Leader of the House of Commons, the right hon. Member for Manchester Central (Lucy Powell):

Lucy Powell: Protecting vital banking services is important for local communities like my hon. Friend's. We are accelerating the roll-out of at least 350 banking hubs, more than 100 of which are already open, and plans were announced at the end of last year to open a banking hub in **the county of Northumberland.**

ORAL ANSWERS

Tuesday 11 March 2025

WRITTEN STATEMENTS

Tuesday 11 March 2025

PETITION

Tuesday 11 March 2025

WRITTEN CORRECTION

Tuesday 11 March 2025

No proofs can be supplied. Corrections that Members suggest for the Bound Volume should be clearly marked on a copy of the daily Hansard - not telephoned - and *must be received in the Editor's Room, House of Commons,*

not later than
Tuesday 18 March 2025

STRICT ADHERENCE TO THIS ARRANGEMENT GREATLY FACILITATES THE PROMPT PUBLICATION OF BOUND VOLUMES

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