



The Draft Legislative Programme 2009/10 – Government’s Response and Summary of Consultation



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Presented to Parliament
By the Lord Privy Seal, Leader of the House of Commons
and Minister for Women and Equality
By Command of Her Majesty
November 2009

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Foreword – Leader of the House of Commons



The Rt Hon Harriet Harman QC MP
Leader of the House of Commons

This is the third year that the Government published its Draft Legislative Programme, looking ahead to the Queen's Speech on 18 November. The Government has built on the consultation last year by combining it with *Building Britain's Future*.

When the consultation was announced in June, the Government undertook to provide a summary of responses to its legislative priorities for the final session of this Parliament. These are set out in this document.

Publication of the Draft Legislative Programme as part of *Building Britain's Future* provided an opportunity for the Government to hear the views from the public on the legislative programme in the context of its priorities for the coming years.

The key themes of this year's consultation were enhancing accountability of the financial sector, improving public services, investing for the future and continuing to ensure a fair society for all.

I and other Government Ministers attended regional events that were once again held in various parts of the United Kingdom. These gatherings offered a chance for individuals and organisations to engage in the discussion of the proposed contents of the legislative programme.

I am grateful to everyone who took part in this important consultation. By doing so, they have helped to shape the programme of legislation being brought forward in 2009-10.

HARRIET HARMAN

Executive Summary

1. The Draft Legislative Programme was published for consultation for the third year on 29 June 2009, in advance of the Queen's Speech on 18 November 2009. The aim of publishing the Programme in draft is to increase transparency, to allow the public to consider the Government's proposed legislation and to feed in their views before finalising the programme. This document summarises the responses received and the Government's response and sets out what has changed since the consultation.
2. This year, the Draft Legislative Programme formed part of *Building Britain's Future*, the Government's plan to build a stronger, fairer and more prosperous country. *Building Britain's Future* set out three priorities for the years ahead: cleaning up politics and reforming our democracy; taking Britain out of recession into recovery to put in place the conditions for future economic success; and further reforming Britain's public services and modernising the national infrastructure.
3. Publishing the Draft Legislative Programme with *Building Britain's Future* opened up the opportunity for wide-ranging discussion on the issues people felt to be most important, whether or not they required legislation. Ministers hosted events around the UK to seek people's views and answer questions. The *Building Britain's Future* events cost £27,400 and around 1,000 people and organisations attended. In addition, the Regional and Territorial Ministers attended a wide range of events and discussions in their respective regions and countries. 261 further responses specifically to the Draft Legislative Programme were received from organisations and individuals by post and by e-mail.
4. Overall, broad support was expressed for many of the aims and priorities of the bills in the Draft Legislative Programme, with some concerns raised. There were also a large number of suggestions for other areas in which people would like to see the Government taking action. These ranged from heritage protection and supporting third sector organisations to sustainable housing and renewable energy.
5. On specific bills, key comments included:
 - Support for tougher financial regulation (Financial Services Bill);
 - Support for cutting red tape for police officers (Policing, Crime and Private Security Bill);

- A positive response to the Universal Service Commitment for broadband, ensuring that UK homes have access to a line capable of delivering 2 megabits per second by 2012 (originally in the Digital Economy Bill but will now be taken forward using existing legislation);
 - Comments in favour of proposals to ban cluster munitions (Cluster Munitions (Prohibitions) Bill);
 - Support for promoting equality, but with some concerns about creating burdens for businesses and other organisations (Equality Bill);
 - Positive comments on Carbon Capture and Storage projects, but some concerns that the Government should also focus on renewable energy or nuclear power in moving to a low carbon economy (Energy Bill); and
 - Support for improving standards in schools, but with some concerns about monitoring of children educated at home (Children, Schools and Families Bill).
6. Following the close of the consultation on 21 September, the summary of responses was considered by the Leader of the House of Commons, who put the summary before the Prime Minister and the Cabinet who then discussed and agreed the final content of the legislative programme.
7. There have been several changes to the final legislative programme since the publication of the Draft Legislative Programme. For example, there will be new bills on fiscal responsibility and free personal care in the home. New provisions have also been added to bills, including regulating to control and increase the transparency of remuneration in financial services, establishing a Council for Financial Stability and providing support for those vulnerable to fuel poverty.

ONE – Introduction and context

8. The Draft Legislative Programme was published in June 2009 as part of *Building Britain’s Future*, the Government’s plan for the future of Britain. The programme set out the Government’s proposed legislation over the next session of Parliament, which began with the Queen’s Speech on 18 November 2009.
9. Legislation is only one of the many ways in which the Government implements its policy proposals. Publishing the Draft Legislative Programme in *Building Britain’s Future* this year helped show how legislation fits in with the Government’s overall plans and priorities. This gave people the opportunity to discuss wider issues that did not necessarily relate specifically to proposed legislation.
10. The aim of publishing the Draft Legislative Programme is to be transparent about planned legislation, to allow people to comment on the proposed bills and to feed in their views before finalising the programme. This is the third year that the Government has published its legislative programme in draft for consultation in advance of the Queen’s Speech.
11. The Government asked people the question: “Do you think the Draft Legislative Programme reflects the right priorities for the United Kingdom and, if not, what other issues do you think the Government should be addressing?” This document summarises the wide-ranging responses and comments which were received. It also responds to comments and explains the changes to the programme which have taken place since the Draft Legislative Programme was published.
12. This session of Parliament will be the final session before a general election. The law requires that the dissolution of Parliament must be on or before 10 May 2010, resulting in a general election on or before 3 June. This means less time will be available for legislation and so the programme is slimmer than normal. This year’s Draft Legislative Programme proposed introducing eleven bills to Parliament.
13. In addition to the consultation on the Draft Legislative Programme, some departments held separate consultations on the detailed proposals in their bills, which are listed in Annex 1. It is important to read this document alongside the more detailed responses to those consultations.

14. Although much of the programme extends UK-wide, certain provisions do not extend to Scotland, Wales or Northern Ireland. The Government continues to work closely with the devolved administrations to ensure the respective devolution settlements are respected and to address jointly any policy implications arising.

TWO – Changes to the Draft Legislative Programme

15. The Draft Legislative Programme consisted of the following bills, all of which were included in the Queen’s Speech (although some have been re-named as indicated):

Re-building trust in a modern, democratic Britain

- Constitutional Renewal Bill (now Constitutional Reform and Governance Bill)
- Bribery Bill

Real help now that builds a stronger Britain

- Financial Services and Business Bill (now Financial Services Bill)

Investing for the future: Building tomorrow’s economy today

- Digital Economy Bill
- Energy Bill
- Flood and Water Management Bill

Fair chances for all: Building the next generation of public services

- Improving Schools and Safeguarding Children Bill (now Children, Schools and Families Bill)
- Equality Bill

Fair rules: Building a strong society

- Policing, Crime and Private Security Bill (now Crime and Security Bill)

Strengthening family and community life

- Child Poverty Bill

Britain in a fairer and safer world

- Cluster Munitions (Prohibitions) Bill

16. The main benefit of publishing the legislative programme in draft is to make the process of planning legislation much more transparent. Responses can then be fed in as the programme is finalised. The consultation also helps to raise greater awareness of the legislative process among the general public, particularly this year with the connection to *Building Britain's Future*. Ministers heard people's views in person and helped to explain how legislation fits in with the Government's broader priorities.
17. Following the close of the consultation on 21 September, the summary of responses was considered by the Leader of the House of Commons, who put the summary before the Prime Minister and the Cabinet who then discussed and agreed the final content of the legislative programme.
18. Since the publication of the Draft Legislative Programme, several changes have been made to the final programme as announced in the Queen's Speech on 18 November.

New bills in the final programme

19. Four new bills have been added to the final legislative programme since the publication of *Building Britain's Future*, to adapt to changing priorities and as new issues have arisen. In particular the Government has decided to legislate to reduce the budget deficit and to enable free personal care in the home to be provided for those in highest need. Both these issues were raised by some respondents to the consultation as important areas for action. The four new bills that have been added to the programme are:
 - **The Fiscal Responsibility Bill** to commit the Government to reducing the budget deficit;
 - **The Personal Care at Home Bill** to enable free personal care in the home to be provided for those in highest need;
 - **The Northern Ireland Assembly Members Bill** to enable the Northern Ireland Assembly to delegate control of its salary and expenses to an independent body;
 - A draft **International Development Spending Bill** to enshrine in legislation a target of spending 0.7% of Gross National Income on development assistance from 2013.

New provisions in the final programme

20. Several new provisions have also been added to bills which were already in the programme. For example, the Walker Review of corporate governance of the banking industry will be implemented through the Financial Services Bill and it has been confirmed that recommendations from the Rose Review of education will be included in the Children, Schools and Families Bill. The Energy Bill will set social tariffs to help those vulnerable to fuel poverty. Provisions that have been added are:

- **The Financial Services Bill** to
 - include provisions to regulate remuneration in financial services, implementing the Walker Review of corporate governance of the banking industry and creating a Council for Financial Stability;
- **The Constitutional Reform and Governance Bill** to
 - create a new corporate structure for the National Audit Office;
 - improve transparency in Government financial reporting to Parliament by including the spending of non-departmental public bodies and other central government bodies in the estimates and accounts of the responsible Government department;
- **The Crime and Security Bill** to
 - introduce a new retention regime for DNA profiles and fingerprints on National Databases (see paragraph 41 for further information);
 - extend gangs injunctions to those under 18 years old;
 - create a new offence of possessing a mobile phone in prison;
 - create an offence of not taking reasonable precautions to prevent air weapons from falling into the hands of children;
- **The Digital Economy Bill** to
 - enable next generation mobile broadband services, through spectrum modernisation;
 - ensure the effective management and distribution of internet domain names;

- **The Energy Bill** to
 - introduce mandatory social price support by energy suppliers to help more of the most vulnerable to fuel poverty;
 - clarify that the regulator, Ofgem, must consider reducing carbon emissions and delivering secure energy supplies as in the interest of consumers;
- **The Children, Schools and Families Bill** to
 - include provisions to make fundamental changes to the national curriculum, including making Personal, Social, Health and Economic Education mandatory, following consultation; and
- **The Flood and Water Management Bill** to
 - include controls on surface water drainage charges.

THREE – The consultation process

21. The consultation on the Draft Legislative Programme began on 29 June 2009 and ran until 21 September 2009. The consultation consisted of:
- Events around the United Kingdom, including the *Building Britain's Future* roadshow, hosted by Ministers;
 - Postcard questionnaires on the Government's priorities for people to complete at a number of events;
 - Information and updates on the *Building Britain's Future* website (www.hmg.gov.uk/buildingbritainsfuture) and the website of the Leader of the House of Commons (www.commonleader.gov.uk);
 - An e-mail address for online responses;
 - A freepost address for postal responses;
 - Members of Parliament were invited to respond; and
 - The website ePolitix, which aims to encourage better communication between politicians and the public, displayed information about the consultation on its website and invited its 16,000 members to take part.
22. The *Building Britain's Future* public engagement events cost £27,400 and around 1,000 organisations and individuals attended. In addition, 261 responses to the Draft Legislative Programme were received from individuals and organisations by e-mail or by post.

English Regions

23. In the English regions, Ministers from across Government, including the Prime Minister and members of the Cabinet, undertook a series of visits to discuss *Building Britain's Future* and the Draft Legislative Programme first hand with local communities. Ministers held question and answer sessions, hosted business breakfasts and stakeholder briefings, visited workplaces, local councils, frontline public service staff and attended community events. This allowed people from around the country to present their ideas, concerns and opinions directly to Ministers.
24. In addition, the nine Regional Ministers discussed *Building Britain's Future* and the Draft Legislative Programme at various meetings throughout their respective regions. Forums such as Regional Economic Councils, local business forums, industry and interest group gatherings and youth parliaments all provided excellent opportunities for Regional Ministers to receive direct feedback on Government policies, programmes and planned legislation. These views have subsequently informed Ministers' participation in key Whitehall meetings like the Council of Regional Ministers.
25. The following significant events attended by senior Ministers demonstrates the breadth of the locations covered:

Date	Location	Minister leading the event
29 June (publication of <i>Building Britain's Future</i>)	London	Prime Minister
30 June	Oxfordshire	Minister for Business, Innovation and Skills
1 July	Derby	Prime Minister
2 July	Brighton	Secretary of State for Justice
2 July	Leeds and Newcastle	Prime Minister
3 July	Manchester	Prime Minister
6 July	Plymouth	Secretary of State for Culture, Media and Sport
9 July	Cambridge	Chancellor of the Exchequer
10 July	Portsmouth	Secretary of State for Communities and Local Government
16 July	Swindon	Secretary of State for International Development
16 July	Leeds	Secretary of State for Environment, Food and Rural Affairs
20 July	Coventry	Secretary of State for Children, Schools and Families
22 July	Ipswich	Secretary of State for Foreign and Commonwealth Affairs
27 July	Hull	Leader of the House of Commons and Minister for Women and Equality
27 July	Liverpool	Secretary of State for Health
28 July	Bristol	Chief Secretary to the Treasury
28 July	Greenwich	Minister for the Cabinet Office and the Olympics
29 July	Nottingham	Secretary of State for the Home Department
29 July	Birmingham	Secretary of State for Energy and Climate Change
26 August	Blackpool	Secretary of State for Defence

Scotland, Wales and Northern Ireland

26. The Secretary of State for Scotland continued conversations with the people of Scotland over the summer. On **investing in young people** he visited Dumfries, met local employers and discussed the Government's help to employers through Backing Young Britain. On a **low carbon future**, in Orkney he discussed Government proposals to connect renewable energy projects to the national grid and visited a district heating scheme in Shetland. On **jobs and skills** he announced around 3,000 Scottish jobs under the Future Jobs Fund. And on a **new economy** he discussed local challenges and responses with businesses and groups such as CBI Scotland and the Scottish Council for Development and Industry.
27. To get specific views on aspects of the Draft Legislative Programme, the Secretary of State visited Longannet power station to discuss the Energy Bill. He also visited the video games business Real Time Worlds in Dundee to discuss the **Digital Economy Bill**. He has pledged an autumn response to the recommendations of the Calman Commission on Scottish Devolution, as part of the Government's commitment to **democratic renewal**.
28. The Secretary of State for Wales wrote to key stakeholders in Wales, including universities, local government representatives, professional bodies, health organisations, religious leaders and third sector organisations, to highlight *Building Britain's Future* and the Draft Legislative Programme and to seek their views and contributions to the debate.

29. The Secretary of State also embarked on a full programme of engagements and visits across Wales during the summer recess. He visited a company that makes wind turbines in Pembrokeshire, the Technium Sustainable Technologies which is helping to grow businesses specialising in renewable energy, and the site of three wind-farms in North Wales. All of these will be important to a **low carbon future** as well as strengthening **jobs and skills**. He spoke to leading businessmen in Wales at a Confederation of British Industry dinner about the Government's ambitious plan for the **future economy** that was set out in *Building Britain's Future*. On Backing Young Britain the Secretary of State visited the Rhyl City Strategy to learn more about their successful Future Jobs Fund bid. He co-hosted an employment and skills breakfast in Cardiff before visiting a jobs fair. He also co-hosted the 8th All Wales Economic Summit and discussed perceived barriers to lending with bank leaders from Wales.
30. The Minister of State for Northern Ireland wrote to a number of key stakeholders to ensure that they were aware of the consultation on the Draft Legislative Programme. The Secretary of State for Northern Ireland has continued to engage in supporting the political parties in Northern Ireland in making progress towards the **devolution of policing and justice**. The completion of devolution will ensure that Northern Ireland's full potential to build a shared future, create opportunities, strengthen the economy and maximise investment is realised. The Secretary of State also devoted significant time to **securing investment** in Northern Ireland, to create new jobs and boost the economy.

FOUR – Consultation responses and Government replies

31. The Government received a wide range of responses to the consultation on the Draft Legislative Programme. Many responses related to the wider themes of *Building Britain’s Future*, rather than commenting directly on planned legislation. Others made specific points on particular bills. One person thought that there were too many priorities, whereas another thought that a ten-year vision for Britain would be a clearer way of setting out the Government’s priorities. Overall, respondents broadly welcomed the priorities and proposals in the programme, with several suggestions for other areas in which the Government could take action.

Comments relating to particular Bills

Child Poverty Bill

32. Some people welcomed the aims of the Child Poverty Bill, which was introduced in June but will largely be considered in the coming session. The teachers’ union NASUWT supported putting **child poverty targets** into legislation and suggested they should be even more ambitious, aiming to reduce both the proportion of children in families with relatively low incomes and the proportion of children living in material deprivation to almost zero.

Government response: *The Child Poverty Bill includes four income targets which must be met by 2020 and maintained beyond that. Taken together, these targets define success in eradicating child poverty. This means the Government will take action to ensure children are not in relative and absolute low income, combined low income and material deprivation, or persistent poverty. Meeting these targets would put the UK’s child poverty rate firmly among the best in Europe and will make a real and lasting difference to the children of the UK.*

33. However, Oxfordshire County Council thought that creating a **Child Poverty Commission** was not the best way of tackling child poverty, as it might not take local knowledge and experience into account. Several people emphasised that there are many forms of poverty and that the Government should not focus only on financial poverty.

Government response: *The Child Poverty Commission is expected to provide expert advice to inform the Government’s child poverty strategy. The Bill requires members of the Commission to have knowledge and experience of child poverty policy and research, as well as work with children and families experiencing poverty.*

Tackling income poverty and material deprivation is at the heart of the Child Poverty Bill; this is because of the evidence of the impact that income poverty has on children’s lives, both now and in the future. The Bill also requires the strategy for meeting the income targets to be multi-faceted and to set out measures to be taken across a range of broad areas, ensuring a focus on both the causes and the consequences of child poverty.

Children, Schools and Families Bill

34. Respondents felt it was important to improve **standards in schools** and promote collaboration between schools, which are key aims of the Children, Schools and Families Bill. There was support for plans to back teachers to enforce good behaviour, as long as it did not lead simply to more pupils being excluded from school.

Government response: *School standards have never been higher, and the new Bill will introduce further steps to encourage collaboration and partnership between schools, through which they can achieve more for their pupils than they ever could by working alone. Our comprehensive programme to back teachers in improving behaviour will provide a range of strategies to track problem behaviour and intervene early to prevent it from escalating to the point of exclusion.*

35. However, people also had concerns about the proposals in the Bill, for example because they thought there had been too many changes to education policy in a short space of time. A few pointed out that it was important to ensure schools and other authorities had the resources to deliver the new guarantees for an **individually tailored education**, rather than expecting more without giving extra support. There were also mixed opinions on giving parents a greater say. Some thought that the involvement of parents would vary between regions, meaning that some areas would benefit more than others. Others thought there should be a ‘workforce guarantee’ for teachers, rather than only strengthening the rights of pupils and parents.

Government response: *The Children, Schools and Families Bill will build on previous reforms and secure a schools system fit for the 21st century. The pupil and parent guarantees cover a wide range of the activities of a school and local area and are a selection of the most important entitlements for pupils and parents, but they are not an exhaustive list and schools will continue to enjoy significant flexibility. Each of the individual guarantees is funded within current spending plans.*

The Government has discussed with parents its intention to introduce a questionnaire asking for feedback about secondary schools, to give them a greater say. The proposal was well received and the majority of parents have told us they would be willing to complete a simple form.

The Bill is also introducing a new License to Practise for teachers, which will be coupled with a contractual entitlement to continuing professional development, thereby ensuring they receive the high quality continuing professional development they need.

36. On **safeguarding children**, the Family Planning Association was concerned that plans for information sharing could deter young people from seeking help from sexual health services. It was also concerned that plans to make Personal, Social, Health and Economic Education a statutory part of the curriculum might not be included in the Children, Schools and Families Bill.

Government response: *Proposals to improve information sharing are for the purposes of Local Safeguarding Children Boards on, for instance, Serious Case Reviews. This will enable a Local Safeguarding Children Board to require information to be disclosed to it where it is not provided voluntarily. The aim is that lessons on improved information sharing during Serious Case Reviews are learned across all the local partners. This provision does not replace or supersede the Data Protection Act.*

The Government is committed to putting Personal, Social, Health and Economic Education on a statutory footing within the national curriculum. This will be included in the Children, Schools and Families Bill.

37. While some local authorities thought improving **monitoring arrangements for children educated at home** was important, over 200 people had concerns. They felt that it was expensive and inappropriate for the Government to intervene and especially to interview children without their parents being present. They also pointed out that the Department for Children, Schools and Families was still consulting on the Review of Home Education in England and were concerned that there would not be sufficient time to take responses into account in the Bill.

Government response: *A public consultation on a proposed system of registration and monitoring of home educated children closed on 19 October after an extended 18 week period.¹ Over 5,000 replies were received and the Government hopes to publish a response by the end of November. The consultation responses and any report from the Children, Schools and Families Parliamentary Select Committee will be used to help set out the detail of regulations and statutory guidance.*

The decision to legislate for a registration and monitoring scheme for home educated children was taken because the Badman Review confirmed that the current system is not working and that the Government cannot be sure that all home educated children are receiving a suitable education and are safe and well.

In framing primary legislation, the Government has taken into account the concerns raised by home educators about interviewing children without their parents being present. Where there is good cooperation between local authorities and parents, it will be rare for a local authority officer to need to see a child without its parents being present. However, the Government also believes it is right that local authorities should be able to seek confirmation direct from a child that he or she is receiving a suitable education, where there are doubts over the evidence provided by parents.

Cluster Munitions (Prohibitions) Bill

38. Several people were in favour of the Cluster Munitions (Prohibitions) Bill, which will put into effect in the UK the international convention **banning cluster munitions**. They were keen for the UK to ratify the Convention.

¹ The consultation document is available at: <http://www.dcsf.gov.uk/consultations>

Constitutional Reform and Governance Bill

39. Some people praised the Constitutional Reform and Governance Bill and the commitment to **rebuilding trust** in democracy, as well as the aim across the bills in the programme to ensure openness, transparency and accountability.

Crime and Security Bill

40. Several respondents supported the aim of **cutting red tape for police officers** so that they can spend more time tackling crime, as part of the Crime and Security Bill. The proposals to **tackle violence against women** and to introduce compulsory licensing for **wheel clamping businesses** were also welcomed. A few people felt that addressing internet security issues such as **file sharing** was important.
41. A small number of people commented on the proposals to add people convicted of serious violent or sexual offences to the **DNA database** retrospectively. While the value of the database was recognised, people thought it important that these powers were used proportionately.

Government response: *The Government agrees that these powers should be used proportionately, which is why the Crime and Security Bill clarifies that the power should only be used where the offender was convicted of a serious violent or sexual offence. In addition, an officer of at least Inspector rank will be required to consider and authorise each retrospective addition. The powers were also consulted upon as part of the document 'Keeping the right people on the DNA database', which was published in May.²*

Since the publication of the consultation the Government has received further research on criminality and revised the proposals for retaining DNA profiles, samples and fingerprints as follows:

- *Adult – Convicted: indefinite retention of fingerprints and DNA profile;*
- *Adult – Arrested but not convicted: retention of fingerprints and DNA profile for 6 years;*
- *Under-18 – Convicted of serious offence or multiple minor offences: indefinite retention of fingerprints and DNA profile;*

² The consultation document can be viewed at: <http://www.homeoffice.gov.uk/documents/cons-2009-dna-database/>

- *Under-18 – Convicted of single minor offence: retention of fingerprints and DNA profile for 5 years;*
 - *16- and 17-year-olds – arrested for but not convicted of a serious offence: retention of fingerprints and DNA profile for 6 years;*
 - *All other under-18s – Arrested but not convicted: retention of fingerprints and DNA profile for 3 years;*
 - *DNA samples: Retained until profile loaded onto database, but for no longer than 6 months.*
 - *Terrorism and National Security: Retention of DNA profile for 6 years. DNA may be retained beyond 6 years on national security grounds, which would be subject to review by a senior police officer every two years.*
42. On **anti-social behaviour**, some people were in favour of providing extra support to struggling parents. However, others thought that parents should not always be held responsible for their children's behaviour, particularly if they were out at work.

Government response: *Parents play the most vital role in preventing their children from offending, re-offending or engaging in anti-social behaviour. Providing support and challenge to parents at an early stage in their child's criminal or anti-social behaviour helps to prevent such behaviour from becoming entrenched. The Crime and Security Bill will ensure that each family's parenting needs are assessed in advance of an Anti Social Behaviour Order being granted against a child aged 10 to 15 years. If a parent is absent because of the need to work, then support can be offered to assist the family to work together to reduce the child's anti-social behaviour.*

Digital Economy Bill

43. There was a positive response to the proposals for the Government's **Universal Service Commitment (USC) for broadband**, ensuring that UK homes have access to a line capable of delivering 2 megabits per second by 2012. People felt this would strengthen communities and help create new jobs, as well as improving delivery of public services. The British Chambers of Commerce welcomed universal high-speed broadband as crucial to the economy, but questioned whether the target will go far enough for future economic needs. Some local authorities felt the Digital Economy Bill would have a positive impact on the UK economy.

Government response: *The Government has always been clear that ensuring access to a line capable of delivering 2 megabits per second is intended to provide a universal basic service, on which the Government will build to ensure that many communities and businesses will be able to make use of a higher bandwidth. In addition, the Government will seek to solve existing 'notspots' by using next generation solutions at much greater bandwidths than 2 megabits per second where that is possible and cost effective. The USC is being taken forward using existing legislation, as part of the Digital Britain Implementation Plan. As such, it is no longer included in the Digital Economy Bill.*

44. One comment expressed the opinion that the Government should not focus on **broadband** or computers when people were lacking more basic necessities.

Government response: *The Digital Britain White Paper set out some of the latest evidence on attitudes towards computers and the internet. This showed that most people with broadband at home already feel they cannot live without it and that people who do not have broadband are expected to be at a serious disadvantage. This indicates the growing link between digital technologies and life chances: ensuring people in the UK have the chance of full inclusion in the digital economy is an important step in ensuring social inclusion and providing opportunities for education, employment and access to public services. The Government therefore feels there is no contradiction between addressing computer and broadband issues and addressing other social issues.*

Energy Bill

45. Several people welcomed the **Carbon Capture and Storage** Demonstration Projects to be enabled by the Energy Bill and the aim to move to a **low carbon economy**. Some also felt that the Bill would create employment and bring more certainty for businesses.
46. However, several people were concerned that there should be a much wider focus on **non-carbon energy sources**, especially renewable energy. A few felt this should include looking again at nuclear power and focusing on cutting the use of carbon rather than capturing carbon emissions. There was both support and disagreement on the plans for a **levy on energy companies** to fund the Carbon Capture and Storage Demonstration Projects.

Government response: *There is an urgent need to reduce carbon emissions from fossil fuels in order to avert dangerous climate change, while enabling countries to maintain their energy security and industrial activity.*

Carbon Capture and Storage (CCS) has the potential to reduce carbon dioxide emissions from power stations by around 90%, enabling fossil fuels to continue to be part of the energy mix in the future. Without CCS, the cost of tackling climate change could be up to 70% greater³. Therefore now is the time to invest in CCS demonstration and develop our industrial and institutional capacity worldwide.

The majority of respondents to a consultation on a framework for the development of clean coal⁴ were supportive of the proposal that CCS demonstration projects should be supported through a levy on electricity suppliers and were of the view that it was particularly suitable for this purpose.

Our plans for CCS are just one element of our approach to decarbonising the power sector. Energy from renewable sources and nuclear power are also part of our low carbon future. (For more on renewable energy, see paragraph 66).

On nuclear power, the Government decided in January 2008 that new nuclear power should have a role alongside other low-carbon sources and therefore it would take action to allow energy companies the option of investing in new nuclear power stations. The Government is clear that there should be no cap on new build and that the question of how much new nuclear and when should be determined by the market, not by the Government. Energy companies have recently invested almost £13 billion into the nuclear industry and have announced plans for over 12 gigawatts of nuclear energy in the UK, more than currently exists.

Equality Bill

47. Respondents who commented on the Equality Bill broadly welcomed its aims and principles. Several local authorities were in favour of its provisions to **strengthen and streamline equality law**. Help the Aged and Age Concern among others believed that effective and timely **implementation** would be crucial.

³ “Energy Technology Perspectives 2008”, International Energy Agency

⁴ “A Framework for the Development of Clean Coal”, Department for Energy and Climate Change, June 2009 (response published November 2009)

Government response: *The Government agrees that effective and timely implementation of the Bill will be crucial, following Royal Assent. The intention is to implement most of the Bill in October 2010, with the public sector equality duty coming into force in 2011 and the ban on unjustifiable age discrimination in goods and services in 2012 – including in the health and social care sector.*

48. Although respondents expressed support for the objectives of the Equality Bill, some thought there was a danger it could impose burdens for businesses. For example, the British Chambers of Commerce was concerned about the Bill **increasing bureaucracy** without achieving its objectives of improving equality. Several local authorities were concerned about the implications of using **positive action** to appoint candidates to jobs, while the charity CARE was concerned about narrowing the rights of faith bodies to treat people differently when recruiting, based on their faith. Help the Aged and Age Concern welcomed the Bill but thought it should go further and remove the default retirement age.

Government response: *There are currently nine major pieces of discrimination legislation and around 100 statutory instruments. The Equality Bill will replace this thicket of legislation with a single Act which will form the basis of straightforward practical guidance for employers and employees. Positive action allows employers to make their workforces more diverse if they want to – it is not mandatory. The Equality and Human Rights Commission will be issuing comprehensive guidance to support and explain how employers who wish to use positive action can do so.*

The Equality Bill maintains the existing balance between the rights of people to hold and manifest their faith and the rights of others to be treated fairly.

To support those who want to continue working longer, the Government has brought forward the review of the Default Retirement Age from 2011 to 2010 to reflect the change in economic circumstances since it was first introduced. The Government is seeking evidence to inform the review by 1 February 2010.

49. Some people felt that introducing more employment legislation was not necessary, especially during a downturn. The Northern Business Forum commented that requiring employers with more than 250 employees to report on the **gender pay gap** would be an unnecessary and unwelcome burden for businesses. While a few respondents supported placing a **duty on public bodies** to consider the needs of diverse groups in the community when delivering and designing public services, others thought that this was unnecessary or would happen anyway.

Government response: *The gender pay gap is a continuing challenge. Nearly forty years after the Equal Pay Act, women still earn, on average, 22% less than men. We cannot tackle pay discrimination if it is hidden. That is why the Equality Bill contains a power to require employers with 250 or more employees to publish their gender pay gap, but the Government will only use this power if sufficient progress is not made voluntarily by 2013. The Equality and Human Rights Commission will report shortly on how employers could measure their pay gap and will be monitoring progress on reporting in the private sector annually.*

The response to the Government’s specific consultation on the Equality Bill⁵ and evidence submitted to the Public Bill Committee was supportive of the creation of a new single public sector equality duty. The duty will build on the existing duties covering race, gender and disability, but be extended to cover all the equality strands. The evidence suggested this could help tackle important problems such as homophobic bullying in schools.

Financial Services Bill

50. Several respondents recognised the need for **tougher financial regulation**, to be pursued through the Financial Services Bill. There was particular emphasis on the need to prevent systemic failure, support the economy and ensure that bank loans are available. Some commented that it was nevertheless important to avoid over-regulation and that the Government should streamline regulators to make them more efficient. The plans for a **national money guidance service** and to protect consumers through tighter regulation were welcomed, although the Trading Standards Institute was keen to see even more protection for consumers.

⁵ For more information, see: <http://www.equalities.gov.uk/PDF/EqBillGovResponse.pdf>

Government response: *The Government agrees that the recent global financial crisis has demonstrated an urgent need for major reform of the way banks are managed and regulated throughout the world. This is why 'Reforming Financial Markets'⁶ set out a broad set of measures, including proposals to deal with large, systemic firms and to bolster competition in financial services. The Government also recognises the importance of continuing to support and protect consumers of financial services. Therefore, in addition to setting out further detail on the national money guidance service, Reforming Financial Markets also announced measures to improve access to simple, transparent products, enable consumers to take group or representative action to obtain collective redress in the case of widespread complaints and improve the arrangements for depositor protection.*

Flood and Water Management Bill

51. The proposals in the Flood and Water Management Bill were welcomed by several organisations, although some would have liked this legislation to have been brought forward sooner.

Government response: *The terrible damage to homes and lives caused by flooding in 2007 has not been and must not be forgotten. The Government does not want to delay changes that will improve protection of lives and property. However, it is important to strike a balance with getting the legislation right. To do this, a public consultation exposed the preliminary analysis to public scrutiny. The exercise generated useful feedback which has informed the development of the final Flood and Water Management Bill.*

52. While several local authorities welcomed the **clarification of their role** in managing flood risks, they also had concerns about **funding** or about how the new **duty to share information** would be enforced. The Royal Institution of Chartered Surveyors thought that the Bill should include **more measures**, for example on rural flooding and the role of individual property owners.

Government response: *The Government has strengthened the analysis for the calculation of new burdens for local authorities, which demonstrates that it is extremely unlikely that additional local authority expenditure will exceed the savings identified for at least seven years after implementation. These savings have been calculated using data from local authorities. The situation will be monitored as implementation proceeds, including local authority take-up of new powers and functions, and the savings will be reviewed.*

⁶ 'Reforming Financial Markets' can be viewed at: http://www.hm-treasury.gov.uk/d/reforming_financial_markets080709.pdf

A key element of our strategy is that local authorities, the Environment Agency, water companies and other organisations will work together to decide the best arrangements for delivery in each area. Environment Agency guidance accompanying the national flood and coastal erosion risk management strategy will cover the exchange of information by private persons and companies, including guidance on when information can reasonably be required. Where a reasonable request is refused, the Environment Agency or Lead Local Flood Authority will be able to use existing powers to either survey or inspect records. A proportionate level of sanctions will be introduced to enforce this.

The measures set out in the Bill to reduce flood risk apply equally to rural and urban areas. The Government agrees that those at risk of flooding need good information about what products and advice are available. The Environment Agency continues to improve the flood prevention and mitigation advice available to householders and businesses as part of its public information campaign.

Suggestions for other priorities

53. Wide-ranging suggestions were made for other areas in which respondents were keen to see the Government taking action. Some of these related specifically to legislation, while others were more general and would not necessarily need to be included in the legislative programme.

The economy and unemployment

The economy and the **need to create new jobs** were particularly common themes. People felt that it was crucial to tackle **long-term unemployment** and **support businesses** to survive the recession and employ more people. This would include ensuring that **loans were available from banks**. Leaders and Chief Executives of Strategic Local Authorities in the North East also asked whether the Government could support the calls from the **credit movement** to provide them with more responsibilities which are traditionally given only to banks.

Government response: *The Government remains committed to supporting businesses and the economy during the economic downturn. The Government has made this clear to the various financial institutions and made clear that it wishes them to ensure that lines of credit are available for both new and existing businesses. This will ensure that businesses and the economy grow, while reducing unemployment levels.*

The Government also welcomes the choice and diversity provided by the mutuals sector. It recognises the important role they play in financial markets and the huge contribution to the wider economy. It supports the benefits that mutuals bring to their members and to the wider community, helping to drive forward Government initiatives such as ISAs and Child Trust Funds.

At Budget 2009 Government announced a further £18.75 million in funding for the Growth Fund. This raises the total funding to almost £100 million. So far this has enabled Community Development Finance Institutions and credit unions to make over 180,000 loans.

54. Several responses drew attention to **unemployment among young people** and the **needs of small businesses** in particular. It was pointed out that not only unemployed people, but also working adults, can be **living in poverty** and that public services can help tackle this. Some comments stressed the need to ensure that people are **not better off on benefits** than they would be in work, as those receiving benefits should be those who need them most.

Government response: *The design of the current tax and benefit system means that most priority groups, including lone parents and disabled people, see a substantial increase in their income when they move into work of 16 hours or more. Very few people are better off on out-of-work benefits than they would be in a job. For example, a lone parent is likely to have an income which is at least £50 a week higher if they are working for at least 16 hours, than if they are not working at all.*

It is important, however, to understand that financial incentives are not always the key constraint on finding a job. Personal issues such as a lack of confidence or relevant experience and other issues such as in-work costs and the availability of acceptable childcare may often overshadow the financial impact of working. This is why benefit conditionality and employment programmes are so important in moving people towards work.

55. Another suggestion was to provide education in schools on **how to manage money**, to help avoid future debts.

Government response: *The programme of study for Personal, Social, Health and Economic Education – which the Children, Schools and Families Bill will make part of the statutory curriculum – includes learning about economic well-being and financial capability. This brings together careers education, work-related learning, enterprise and financial capability.*

56. Several respondents suggested that the Government should focus specifically on **‘green’ jobs** in environmentally-friendly industries. Others thought offering more vocational education and concentrating on the **skills needed by employers** was vital.

Government response: *The Government’s strategy is to target low carbon skills efforts in those sectors where the greatest economic growth is predicted and where Government is already investing. The Government is also brokering coalitions of skills partners to work with coalitions of employers to deliver the skills solutions they need.*

The National Skills Strategy, published on 11 November, sets out how the Government will prioritise low carbon skills more generally, including through the funding methodology, and remitting the UK Commission for Employment and Skills to build the necessary labour market information base. It also sets out how the Government will make sure it meets the skills needs of employers now and in the future.

57. A few comments emphasised the importance of **supporting regional economies**, while some were in favour of redeveloping and **extending Post Office banking**, or legislating to ensure universal access to banking across the UK. For some people, investing in local economies would specifically involve giving **more power to local partnerships** or organisations.

Government response: *Since the publication of this document, the Prime Minister announced that he wanted the Post Office to play a greater role in financial services. The Government will publish a full public consultation on Post Office banking in the next few weeks.*

The prosperity of the UK economy is dependent on strong regional and local economies. If the UK is to compete in the global economy, it is essential that the economic performance of every region improves. Regional Development Agencies and their partners play a critical role in promoting economic growth and supporting businesses. The Government has announced several schemes under the Real Help for Business banner to support businesses during the downturn.

Regional economies now have higher rates of employment, better levels of skills, and are now more diverse than 10 years ago. They are, therefore, in a better position to withstand and recover from the recession.

58. While there was strong emphasis on the support and investment which the Government should provide, people also commented on the need to ensure that **public finances are carefully managed** following the recession. Respondents commented on the need to ensure value for money on behalf of the taxpayer.

Government response: *The Government is committed to supporting investment and growth, increasing prosperity and opportunity for families and businesses. During the global economic downturn, the overriding priority has been to ensure the continued stability of the British economy. Once the economy emerges from the downturn, Government action to ensure sound public finances and reduce borrowing will help to support recovery. This will be achieved with a deficit reduction plan, which will be enshrined in legislation through the Fiscal Responsibility Bill.*

Parliament and democracy

59. Several people commented on the need **to restore trust in politics** and reform democracy, which was a key theme of *Building Britain's Future*. In particular, people felt that there was a need to **reform the system of allowances for MPs** and some suggested **restructuring Parliament** to ensure that it is more diverse and representative. This could help improve people's engagement with Parliament and democracy, encouraging more people to vote. Some people suggested lowering the **voting age** from 18 to 16, but others disagreed or even thought it should be increased to 21.

Government response: *The Government fully recognises the legitimate public concern about the system of allowances for Members of Parliament. That is why it acted decisively to take the Parliamentary Standards Act 2009 through Parliament in July. The Act creates an independent authority to regulate and administer the allowances of Members of Parliament.*

It is important that Parliament and other democratic institutions properly reflect the make up of our society. At the Prime Minister's suggestion, the Speaker of the House of Commons established a year long inquiry into how Parliament can become more representative. The Equality Bill will extend the time available to political parties to use all-women shortlists to 2030, and enable political parties to take positive measures to bring in candidates from under-represented groups, including black and Asian people.

The Government asked the Youth Citizenship Commission to look at whether the voting age should be lowered to 16. The Commission reported in the summer of 2009 and recommended that it was an issue for Parliament to decide. The Government agrees but believes the views of the public should be taken into account in reaching a final decision on this issue, which is currently being considered as part of its wider democratic renewal agenda. The Government will respond shortly to the Commission's reports and recommendations. The Government has also appointed a new Minister for Young Citizens and Youth Engagement, based in the Cabinet Office, to engage with young people and help ensure they have a voice.

60. Some local authorities were disappointed that the Draft Legislative Programme did not include legislation to **transfer more power** from regional bodies to councils and city regions, or to strengthen the powers of local authorities. Birmingham City Council suggested that local government should be able to directly propose legislation for debate in Parliament. One respondent thought that the UK should have a **written constitution**.

Government response: *The new Local Democracy, Economic Development and Construction Act 2009 includes a range of provisions that strengthen the ability of local authorities and regional partners to work together in planning future investment in the region. The Government is also working with two city-region pilots (Manchester and Leeds) to develop proposals for new strategy-making powers over a range of investment programmes.*

A public consultation on Strengthening Local Democracy ended recently.⁷ Following the consultation, powers were included in the Local Democracy, Economic Development and Construction Act to allow local authorities to set up and participate in mutual insurance companies. The consultation also proposed to broaden local authority scrutiny powers and extend them to cover all local public service spending in an area, so that local authorities can influence local decision-making. This proposal was strongly supported in the consultation. In addition, the consultation asked councils to identify any similar arrangements which could be beneficial and which would need legislation. These are complex issues that need careful consideration and the Government will respond to the consultation as soon as possible.

⁷ The consultation document can be viewed at:
<http://www.communities.gov.uk/publications/localgovernment/localdemocracyconsultation>

On a written constitution, the Government committed in Building Britain's Future to wide-ranging public engagement, including on the question of whether the UK needs a written constitution. The Government is exploring the public's views on this question and also on related subjects such as the common or shared values people subscribe to and whether the UK should consider building on existing human rights protections by way of a Bill of Rights and Responsibilities. The Government expects to publish the outcome of this programme of deliberation in the New Year.

Health and social care

61. **Health and social care** was a concern for several respondents. Some were particularly concerned about care for elderly people, while others thought there was a particular need in black and minority ethnic communities. A few people wanted to reform the **National Health Service** and give patients more control over their treatment.

Government response: *The Prime Minister announced the Government's commitment to reforming social care in September, saying that "for those with the highest needs we will now offer in their own homes free personal care." The new Personal Care at Home Bill seeks to fulfil this commitment and takes a step towards the creation of a National Care Service. This will require better joined up working between the NHS and social care, and the new Bill will offer a way forward in this regard while reducing the burden and stress on those with the highest needs and their families now.*

Earlier this year the Government published the NHS Constitution which, for the first time, sets out the rights patients and the public have in relation to the NHS, as well as the NHS's pledges to them. Setting out rights in this way puts power in patients' hands by empowering them to know what they can expect of the NHS and to challenge the NHS if they do not get it.

As part of the preparation for the Equality Bill, a review was undertaken on Achieving Age Equality in Health and Social Care and the report published on 22 October 2009. The Government has indicated its support for the Review's recommendation that the ban on age discrimination is implemented in health and social care at the same time as in other sectors. The Government intends to consult on the Review's recommendations on implementing the legislation in England later this year.

The Government has commenced a programme of equality stakeholder involvement projects to support policy development and evaluation. This will specifically target stakeholders and advocates for both older people and black and minority ethnic communities.

Strengthening communities and the third sector

62. A range of responses centred on creating **stronger, safer and more harmonious communities**, with better facilities. Some felt this should include recognising the contribution that economic migrants make to society, with a view to more successful integration. Several people thought that **Police Community Support Officers** had a positive impact and some believed they should have more power, although they did not specify any details. Improving **relations between the police and young people** was suggested as an important area for improvement. Measures to help **reduce prostitution and increase rape convictions** were also suggested. One respondent wanted to ban police ‘kettling’ of demonstrators and another wanted to prevent members of the British National Party from running public services.

Government response: *The Government continues to empower all members of communities to engage with their public services, with a view to having confidence in their ability to deliver. Police Community Support Officers are an integral part of every local neighbourhood policing team in England and Wales. The forthcoming White Paper on Police Reform will discuss their role in more detail, as well as the police response to peaceful protests. In particular, neighbourhood policing teams and Police Community Support Officers have both the time and the local expertise to better engage with young people. It is also already the case that membership of the British National Party is incompatible with the duties and values of the police service and prison service. On tackling rape and prostitution, the new Policing and Crime Act 2009 contains measures to reduce prostitution and in September the Government announced a review into how rape complaints are handled from when a rape is first disclosed until the court reaches a verdict.*

63. Several people thought it crucial to **encourage civic responsibility and engagement among young people**, for example through promoting volunteering. **Supporting the third sector and social enterprise** was thought to be another key priority, especially providing longer-term funding and avoiding too much bureaucracy.

Government response: *The Government is committed to supporting a thriving third sector (including social enterprises), and to promoting volunteering, particularly among young people. The Office of the Third Sector, in the Cabinet Office, has a number of programmes of work to support these aims, with funding totalling more than £515 million over a three year period to 2011. It is working across Government to improve funding practices and cut red tape for the sector, and it has published an action plan with extra support (up to £42.5 million) to help the sector during the economic downturn⁸. The Government has also appointed a new Minister for Young Citizens and Youth Engagement, based in the Cabinet Office.*

Housing, infrastructure and energy

64. A few people referred to the need to ensure that the housing market recovers following the recession, with some comments on tackling the issue of empty housing. Creating **sustainable, affordable housing** was seen as a key priority for the future, as well as ensuring that house building supports economic development and community regeneration. Birmingham City Council urged the Government to bring forward legislation to reform the **council housing finance system**. The Royal Institute of Chartered Surveyors suggested legislation to introduce more regulation in the **private rented sector**.

Government response: *This Government has taken decisive action to address the challenges raised by the current economic climate and ensure this country's housing needs are met. It has committed to investing £7.5 billion over two years to deliver up to 112,000 affordable homes and around 15,000 private homes. It will also be investing approximately £460 million to support local authorities in delivering new council housing over the next three years.*

A range of major reforms to the social and private rented sector will also be introduced. This includes the consultations recently published on a devolved system of responsibility and funding for council housing, a major review of the private rented sector and changes to social housing allocations to give people confidence that councils allocate housing in their area fairly, and an initiative to clamp down on fraud in the social sector. In addition, the Government will set out further details of plans to support housing recovery and ensure people have access to decent homes later this year.

⁸ Further information is available on the Office of the Third Sector website at: www.cabinetoffice.gov.uk/third_sector

65. Another area which several people thought the Government should prioritise for investment was the UK's **transport infrastructure**, particularly public transport and high-speed rail links. Several comments referred to promoting cycling in particular, including building more cycle lanes.

Government response: *The Government is investing £140 million over three years in a range of measures to support cycling, in addition to the investment made by local councils. It has funded 18 cycling cities and towns, established a new standard for cycle training and is funding infrastructure to ensure that people can cycle in safety. The Cycle to Work Guarantee was launched recently, with major employers to promote cycling as a mainstream, sustainable and healthy mode for getting to work.*

England's bus fleet will be helped to go green due to a new £30 million fund to encourage the purchase of low carbon buses. The fund is part of the Government's wider strategy to encourage a radical shift to low carbon transport and improve air quality in our cities. Bus operators and councils will be able to bid for the money which they can then use towards the additional up front cost of buying low carbon buses. As more low carbon buses are produced and sold, costs will reduce. This will encourage bus technology and will stimulate the market for low carbon buses, an industry in which the UK is a world leader.

The Government is considering the case for a new high-speed rail route between London and the West Midlands and potentially beyond. Such a line would enable faster and enhanced services to be run on new and existing lines to Manchester, Liverpool, Glasgow and other destinations in the north of England and Scotland. The Government will receive a report on this at the end of the year and expects to respond early in 2010, alongside the publication of the report, to form the basis of a public consultation.

66. There was also significant support for investing in **renewable energy**. People thought reducing carbon consumption was crucial and could help relieve fuel poverty. The British Chambers of Commerce, among others, commented that more **advice and assistance on energy efficiency** should be made available to small and medium-sized enterprises. Help the Aged and Age Concern thought that the Energy Bill should include a commitment to reduce the number of people living in **fuel poverty**.

Government response: *The Government is strongly committed to increasing the amount of renewable energy generated and consumed in the UK. It has set out plans to deliver 15% of our energy from renewable sources by 2020 in the recent UK Renewable Energy Strategy⁹. This strategy announced mechanisms to provide financial support for renewable heat and electricity worth around £30 billion between now and 2020. This includes extending and expanding the Renewables Obligation for large-scale renewable generation and providing guaranteed payments to individuals, business and communities for renewable heat and small-scale electricity generation.*

Improving levels of energy efficiency is as important as clean technologies – both for reducing carbon emissions and for tackling fuel poverty. A range of measures are aimed at improving household energy efficiency, including Warm Front, the Community Energy Saving Programme and Decent Homes.

To help small and medium-sized enterprises reduce emissions, the Government is providing interest-free loans for energy efficient investments, with an extra £100 million of available loans announced in the 2009 Budget. The Enhanced Capital Allowance Scheme also encourages investment in energy efficiency through enhanced tax relief and the Carbon Trust provides a range of advice on reducing energy use. Finally, there are voluntary agreements with major energy suppliers to promote energy efficiency to small and medium-sized enterprises.

The Government has a statutory target to, as far as is reasonably practicable, eliminate fuel poverty in households in England by 2016. There are already a number of existing policies in place aimed at tackling fuel poverty, including a Voluntary Agreement with energy suppliers to help some consumers with energy bills, Winter Fuel Payments and Warm Front. Provisions in the Energy Bill will ensure that when the Voluntary Agreement ends in 2011 there will continue to be support to help more of the most vulnerable with their energy bills and that energy suppliers will make more resources available with Government providing greater direction on which types of household should receive support.

⁹ "The UK Renewable Energy Strategy 2009", Department for Energy and Climate Change, July 2009

67. On digital infrastructure, the British Entertainment Industry Radio Group pressed for the Government to pay to replace equipment that can no longer be used as a result of the **digital switchover** of media. The charity CARE called for legislation to **regulate adult content in online motion pictures**, to protect children.

Government response: *Recent proposals to change the structure of the spectrum will mean that some users will need to be relocated and Ofcom is consulting on proposals for a scheme to compensate those users. The Government recognises CARE's concern about adult content in online motion pictures. There are inherent difficulties in seeking to regulate online content at the national level, given the global reach of the internet. However, the Government has taken forward a number of measures especially to help protect children and to that end is implementing the recommendations of Professor Tanya Byron's review "Safer Children in a Digital World". In particular, it is important that people have information about the nature of online content and to this end the British Board of Film Classification (BBFC) has developed BBFC.online. The Government is also introducing regulations to implement the Audiovisual Media Services European Directive, imposing basic requirements on 'video on demand' services. The Government will keep the issue under review.*

Heritage protection

68. Several respondents were disappointed that the **Heritage Protection Bill**, which did not form part of last year's final legislative programme, did not appear in this year's programme either. They saw it as a missed opportunity to modernise the law and **protect cultural heritage**, as well as boosting the tourism industry. The Archaeology Forum warned that it sent a negative message about the Government's priorities in this area. 'Rescue: The British Archaeological Trust' were particularly concerned that proposals to require local authorities to **maintain historic records** should be implemented as soon as possible. The Council for British Archaeology also pointed out that the Heritage Protection Bill would allow the UK to **sign and ratify the UNESCO Convention** on the Protection of Cultural Property in the Event of Armed Conflict.

Government response: *The Government remains committed to heritage protection reform and intends to bring forward legislation as soon as parliamentary time allows. In the meantime work on the heritage protection reform programme continues, as there are a number of opportunities to help the heritage protection system work better even without new legislation. For example, a consultation draft was published of a new Planning Policy Statement for the Historic Environment in July and work is taking place across Government and with stakeholders to produce a clear statement of the Government's vision and priorities for the historic environment.*

Law reform

69. The Trading Standards Institute called for reform of **consumer insurance law**, as did a group of academics in the field. Both thought that the Government should introduce legislation in this area in the next Parliamentary session, which is already being planned by the Law Commission. Macmillan Cancer Support also called for the reform of consumer insurance law, as the current system can have negative effects on cancer patients.

Government response: *The Government is engaged in productive conversations with the Law Commission on proposals for consumer insurance contract law reform and looks forward to the publication of Law Commission proposals later this year.*

70. Resolution, an association of family lawyers, thought that the Government should **review family law**. In particular, they suggested reforms to reduce conflict and uncertainty for separating and divorcing couples, as well as to provide protection for unmarried couples who live together with their children.

Government response: *The Government is considering what more can be done to assist parents reaching their own resolution following separation and to improve confidence in the family justice system. It is committed to raising public awareness of family mediation to reduce conflict and has increased funding. The Government continues to welcome opportunities to work with organisations like Resolution.*

The Scottish Executive recently enacted its own legislation that gave co-habitants the right to apply for financial provision on the termination of the cohabitation and also conferred some rights on intestacy. The Scottish experience is currently being evaluated and the Government will consider whether or not these provisions have been beneficial. In the meantime, information is widely available on how co-habitants can protect themselves, their children and safeguard their positions for future financial security, should they wish to do so.

The Law Commission will be examining the status and enforceability of agreements made between spouses or civil partners concerning their property and finances. A report will be published in 2012.

Creating legislation

71. The question was raised of whether the Government is creating **too much legislation** and whether it is always effective, especially if it places burdens on organisations delivering public services.

Government response: *When developing policy, the Government carefully considers non-legislative options, such as guidance or support, before deciding to introduce new legislation. It is also committed to improving the quality of legislation. This is one of the reasons for publishing the Draft Legislative Programme and for publishing as many bills as possible in draft for consultation (eight draft bills were published in the 2007-08 parliamentary session). There is also now a requirement that all Acts passed since 2005 are examined within three to five years of Royal Assent, to assess whether they have achieved their original objectives. The first such assessments have recently been published.¹⁰*

¹⁰ The assessments on the Railways Act 2005 and the Northern Ireland Act 2005 can be viewed at: <http://www.official-documents.gov.uk/document/cm76/7660/7660.asp> and <http://www.official-documents.gov.uk/document/cm75/7504/7504.pdf>

Annex 1 – Departmental consultations on specific bills

In addition to the consultation on the Draft Legislative Programme, some departments held separate consultations on the detailed proposals in the Bills. It is important to read this document in conjunction with these consultations.

Details of the relevant consultations can be found below:

Bribery Bill

The Bill was subject to pre-legislative scrutiny between May and July 2009 by a Joint Committee of both Houses of Parliament.

The Joint Committee on the Draft Bribery Bill published its report in July 2009:

<http://www.publications.parliament.uk/pa/jt200809/jtselect/jtbribe/115/11502.htm>

Child Poverty Bill

A consultation document was published in January 2009, outlining the Government's proposal to legislate for its commitment to end child poverty. The consultation document *Ending Child Poverty: Making It Happen*, the summary of responses and the Government response can be viewed at:

<http://www.dcsf.gov.uk/everychildmatters/strategy/parents/childpoverty/childpoverty/>

Children, Schools and Families Bill

There are a number of relevant documents and consultations:

Formal 12 week consultation period following publication of *21st Century Schools: A World-Class Education for Every Child* (December 2008):

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-01044-2008&>

This consultation was followed by the White Paper *Your child, your schools, our future: building a 21st century schools system* (June 2009):

<http://www.dcsf.gov.uk/21stcenturyschoolssystem/>

A School Report Card: consultation document (December 2008):

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-01045-2008&>

This was followed by *A School Report Card: Prospectus* (June 2009):

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00664-2009&>

Review of the Primary Curriculum by Sir Jim Rose (April 2009):

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00499-2009&>

Review of Personal, Social, Health and Economic Education by Sir Alasdair Macdonald (April 2009):

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=DCSF-00495-2009&>

This was followed by a full consultation:

<http://publications.dcsf.gov.uk/default.aspx?PageFunction=productdetails&PageMode=publications&ProductId=QCDA%2f09%2f4358&>

Review of Elective Home Education in England by Graham Badman (June 2009):

<http://www.dcsf.gov.uk/everychildmatters/ete/independentreviewofhomeeducation/irhomeeducation/>

Home Education – registration and monitoring proposals. An 18 week consultation with stakeholders (11 June 2009 to 19 October 2009). The Government hopes to publish a response by the end of November:

<http://www.dcsf.gov.uk/consultations>

Constitutional Reform and Governance Bill

There are a number of relevant consultations and publications which are listed below:

Governance of Britain Green Paper:

<http://www.official-documents.gov.uk/document/cm71/7170/7170.pdf>

Analysis of Governance of Britain consultations:

<http://www.justice.gov.uk/consultations/docs/governance-analysis-consultations.pdf>

Governance of Britain – Draft Constitutional Renewal Bill:

http://www.official-documents.gov.uk/document/cm73/7342/7342_ii.pdf

Joint Committee Report on the Draft Constitutional Renewal Bill:

<http://www.publications.parliament.uk/pa/jt/jtconren.htm>

Government response to Joint Committee Report on Draft Constitutional Renewal Bill:

<http://www.justice.gov.uk/publications/docs/CM-7690.pdf>

Justice Committee Report on the Draft Constitutional Renewal Bill:

<http://www.publications.parliament.uk/pa/cm200708/cmselect/cmjust/698/69802.htm>

Government response to Justice Committee Report on the Draft Constitutional Renewal Bill (provisions relating to the Attorney General):

<http://www.justice.gov.uk/publications/docs/CM-7689.pdf>

Public Administration Select Committee Report on the Draft Constitutional Renewal Bill:

<http://www.publications.parliament.uk/pa/cm200708/cmselect/cmpubadm/499/49902.htm>

Government Response to the Public Administration Select Committee Report on the Draft Constitutional Renewal Bill:

<http://www.justice.gov.uk/publications/docs/CM-7688.pdf>

Governance of Britain Part 2: War Powers and Treaties: Limiting Executive Powers:

<http://www.justice.gov.uk/consultations/docs/cp2607a.pdf>

Governance of Britain Part 3: An Elected Second Chamber: Further Reform of the House of Lords:

<http://www.justice.gov.uk/publications/docs/elected-second-chamber.pdf>

Governance of Britain Part 4: Managing Protest Around Parliament:

<http://www.homeoffice.gov.uk/documents/cons-2007-managing-protest?view=Binary>

Governance of Britain Part 6: Judicial Appointments:

<http://www.justice.gov.uk/consultations/docs/cp2507.pdf>

Governance of Britain Part 7: (National Audit Office) Public Accounts Commission Report:

<http://www.publications.parliament.uk/pa/cm200708/cmselect/cmpacomm/1027/1027.pdf>

Governance of Britain Part 8 – Alignment Project (Clear Line of Sight)

Project:

www.official-documents.gov.uk/document/cm75/7567/7567.pdf

Crime and Security Bill

The documents that relate to the Bill are listed below:

The *Keeping the Right People on the DNA Database* consultation was published in May 2009. The Crime and Security Bill represents the Government's response to that consultation by seeking to place a new proportionate DNA retention framework in primary legislation. The consultation and summary of responses are available at:

<http://www.homeoffice.gov.uk/documents/cons-2009-dna-database/>

The *Together We Can End Violence Against Women and Girls* consultation was published in March 2009 and the Government's response will be published shortly. The consultation document is available at:

<http://www.homeoffice.gov.uk/documents/cons-2009-vaw/>

The *Licensing of Wheel Clamping Businesses* consultation was published in April 2009. The Crime and Security Bill includes provisions to deliver on the Government's response to the consultation in primary legislation. The consultation document is available at:

<http://www.homeoffice.gov.uk/documents/cons-2009-vehicle-immobilisation/>

Digital Economy Bill

A number of consultation exercises were undertaken as part of preparations for the Digital Britain White Paper, as well as on the proposed policies within the White Paper. The main consultations that relate to the Bill's provisions are listed below. Government responses to the consultations which have closed recently will be published as soon as possible. Consultations and responses are available at:

<http://www.culture.gov.uk/what-we-do/broadcasting/5631.aspx>

Independently Funded News Consortia: consultation was published in July, and closed on 22 September 2009.

Ofcom duties: consultation was published on 14 August, and closed on 25 September 2009.

Unlawful peer-to-peer filesharing: consultation was published alongside the Digital Britain White Paper. The consultation closed on 29 September 2009.

Public Lending Right: consultation was published in July, and closed 16 October 2009.

Video Games Classification was consulted on as part of the Byron Review in autumn 2007.

Energy Bill

There has been a recent Departmental consultation on the Carbon Capture and Storage provisions and a consultation by Ofgem on tackling the exploitation of market power:

A Framework for the Development of Clean Coal (June 2009):
http://www.decc.gov.uk/en/content/cms/consultations/clean_coal/clean_coal.aspx

A Framework for the Development of Clean Coal: consultation response (November 2009):
http://www.decc.gov.uk/en/content/cms/consultations/clean_coal/clean_coal.aspx

Addressing Market Power Concerns in the Electricity Wholesale Sector – Initial Policy Proposals, Ofgem (March 2009):
<http://www.ofgem.gov.uk/Pages/MoreInformation.aspx?docid=42&refer=Markets/WhIMkts/CompandEff>

Equality Bill

The consultations relating to the Bill are listed below:

A Framework for Fairness: Proposals for a Single Equality Bill for Great Britain:
<http://www.communities.gov.uk/publications/communities/frameworkforfairnessconsultation>

Equality Bill: Making it work – policy proposals for specific duties:
http://www.equalities.gov.uk/news/equality_duties.aspx

Equality Bill: Making it work – ending age discrimination in services and public functions:
http://www.equalities.gov.uk/news/age_consultation.aspx

The Equality Bill: the Government response to the consultation:

<http://www.equalities.gov.uk/PDF/EqBillGovResponse.pdf>

Financial Services Bill

The *Reforming Financial Markets* consultation closed on 30 September 2009 and can be viewed at:

http://www.hm-treasury.gov.uk/d/reforming_financial_markets080709.pdf

The Government response will be published on 19 November and will be available on the Treasury website at: www.hm-treasury.gov.uk

Flood and Water Management Bill

The Draft Flood and Water Management Bill consultation can be viewed at:

<http://www.defra.gov.uk/environment/flooding/policy/fwmb/index.htm>

Annex 2 – Organisations which attended events

The following sample of organisations which attended the events demonstrates the wide range of organisations which were represented:

Abbott Diabetes Care Ltd
Abingdon and Witney College
Acer
Age Concern
Alder Hey Children’s Hospital
Arts in Regeneration
Arup
Ashton Graham Solicitors
Asynt Ltd
Avlar BioVentures
Babergh District Council
Bay Housing Association
Bedfordshire and Luton Learning Partnership
Principal, Blackpool and the Fylde College
Blackpool Borough Council
Blackpool, Fylde and Wyre Trade Union Council
Blackpool Pleasure Beach
Blackpool, Wyre and Fylde LGBT
Blackpool Young People’s Council
Blackpool Young People’s Services
British Racing School
British Trust for Conservation Volunteers
Buckingham and Stanley
Burnley Borough Council
Business Link
Cambridgeshire Community Reuse and Recycling Network
Cambridge Consultants
Cambridgeshire County Council
Cambridgeshire Horizons
Cambridge University
Cheffins Estate Agent

Choose Suffolk
Citizens' Advice Bureau
Coethica
Colchester Borough Council
Community Partnership Executive
Confederation of British Industry
Derbyshire and Nottinghamshire Chamber
Deyton Bell
Didcot First
Didcot Girls' School
Didcot Town Council
DIAL Peterborough
East of England Development Agency
East of England Faiths Council
East of England Regional Assembly
East Midlands Development Agency
East of England Business Group
East of England Regional Assembly
East of England Skills and Competitiveness Partnership
EEF Engineering and Manufacturing
Federation of Small Businesses – Merseyside, West Cheshire and Wigan
Friends of Little Marton Windmill
Grand Arcade, Cambridge
Halton Voluntary Action
Haverhill Association of Voluntary Organisations
Help the Aged
Highways Agency
Huntingdon Olympic Gym
Huntingdon Regional College
Hutchinson Ports
Institute of Directors
Ipswich Borough Council
J L Bragg
Jobcentre Plus
Kier
Knowsley Metropolitan Borough Council
Lancashire Police
Learning and Skills Council

Linx
Liverpool City Council
Liverpool Chamber of Commerce
Liverpool Charity and Voluntary Group
Liverpool First
Lola Cars
Marshall of Cambridge
Meadows Partnership Trust
MENTER Minority Ethnic Network
Mersey Partnership
MLM Group
Napp Pharmaceutical Group
National Travellers' Action Group
National Trust
Ngage Solutions Ltd
NHS Blackburn
NHS Central Lancashire
North Huyton New Deal for Communities
Northwest Regional Development Agency
Norwich City Council
Norwich and Norfolk Racial Equality Council
Nottingham City Council
Nottingham Council for Voluntary Services
Nottingham Crime and Disorder Reduction Partnership
One East Midlands
One Nottingham
Optua
Oxford City Council
Oxford Innovation
Oxford and Cherwell Valley College
Oxfordshire Bioscience Network
Oxfordshire County Council
Oxfordshire Economic Partnership
Prince's Trust
Reed in Partnership
Regeneration East Midlands
River Media
Rutland Country Council

St Edmundsbury Borough Council
St Helens Council
St John's Innovation Centre
Savills Estate Agent
Science and Technology Facilities Council
Sefton Metropolitan Borough Council
Self Help Nottinghamshire
Senior Voice Forum
Shelter
Social Employment Care
Social Enterprise East of England
South and Vale Carers' Centre
South East England Chambers of Commerce
South East England Development Agency
South Oxfordshire District Council
Suffolk Chamber
Suffolk County Council
Suffolk Police
Toxteth TV
Trade Recruitment
Unison
University of Central Suffolk
Vale of White Horse District Council
Voluntary Sector North West
Watford Women's Centre
Waveney District Council
Williams Grand Prix Engineering Ltd
Wine Trainers Ltd
Wirral Council
Wirral Primary Care Trust
WPP Architects
Wycombe District Council

Annex 3 – Organisations which responded online or by post

261 responses to the consultation on the Draft Legislative Programme were received online or by post from organisations and members of the public. The following organisations responded:

Age Concern
Archaeology Forum
Birmingham City Council
British Chambers of Commerce
British Entertainment Industry Radio Group
CARE (a Christian social policy charity)
Centre for the Historic Environment
Council for British Archaeology
Education Otherwise
Family Education Trust
Family Planning Association
Friends of Lebanon
Gateshead Council
Help the Aged
Heritage Link
Home Education Advisory Service
Insurance Law Academics
Land Mine Action
Macmillan Cancer Support
Medway Queen Preservation Society
NASUWT, The Teachers' Union
National Historic Ships
North Wilts Home Educators
Otherwise Club (home education group)
Oxfordshire County Council
Rescue: The British Archaeological Trust
Resolution (an association of family lawyers)
Royal Institution of Chartered Surveyors
Royal Town Planning Institute
Sandwell Metropolitan Borough Council

Sheffield City Council
Stop Cluster Munitions
Sunderland City Council
Trading Standards Institute



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