

# LSIS Brief Guide

## The Queen's Speech



## Introduction

1. The following document summarises key points from the legislative programme presented in the 2008 Queen's Speech<sup>1</sup>, presented on December 3. The bills announced in that speech have not yet been drafted, and the following works from the official summaries of the legislation posted on the website of the Prime Minister's Office.
2. This year's Queen Speech contained a legislative programme of 14 bills, with a focus on economic recovery and management: '*The stability of the British economy in a period of economic downturn was highlighted as a key area for Government action*', said the Prime Minister's Office. One headline bill is a measure to tighten the regulation of the banking sector, which will also allow the Treasury and Bank of England to make more effective interventions in the operations of troubled banks.

## Children, Skills and Learning Bill

3. The Children, Skills and Learning Bill covers the full range of reforms across education and children's services, and enacts the Government's proposals from the machinery of government consultation earlier this year.
4. The bill provides for the creation of the two successor bodies to the LSC from 2010. The Young People's Learning Agency (YPLA), will distribute funds for 16-19 provision to local authorities [LAs], '*will provide support to local authorities to carry out their new duties to 16-19 learners and [will] ensure LAs are working together to ensure that provision is coherent where pupils are travelling across LA boundaries*'.
5. In tandem with the creation of YPLA, the bill also gives local authorities the power to allocate 14-19 education monies, '*which will then be a single point of accountability for all 0-19 Children's Services*'. The reform '*will ensure that Local Authorities (LAs) have all the tools at their disposal to make a reality of our proposals to raise the age at which young people are required to participate in education and training, to 17 in 2013 and 18 in 2015*'. From this point, LAs will be required to provide 16-18 educational entitlements in their jurisdictions, rather than merely promote and support learners in accessing education.
6. The bill places new requirements on local authorities '*to consider taking earlier action where school performance continues to cause concern*'. It also supports Ofsted's plans to introduce a more flexible school-inspection regime, '*by enabling Ofsted to publish a statement about the progress of those schools in-between inspections so that parents and others continue to benefit from up-to-date information*'.

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<sup>1</sup> For summaries of the bills, and the text of the speech, see: <http://www.number10.gov.uk/Page17666>

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7. The Skills Funding Agency (SFA) will oversee post-19 funding and ensure *'that funding is based on the choices of individuals and employers; whilst at local level, self-organised networks of colleges and other learning providers will engage much more directly with learners and employers to ensure that provision is better tailored to their needs'*. The SFA will be an executive agency of DIUS.
8. The bill also provides for the formal division of the Qualifications and Curriculum Authority (QCA) into a qualifications-development agency (the Qualifications and Curriculum Development Authority) and a qualifications regulator (Ofqual). This division has already been established operationally, but has not yet been made in law, so the QCA is currently the sole agency with a legal basis.
9. The bill creates a statutory right for all suitably qualified young people to obtain an apprenticeships place by 2013. It also establishes a statutory right for workers to request leave to undertake training.
10. The bill will reform offenders' learning, requiring that offenders receive education that more closely resembles mainstream provision, *'and also by placing a duty on local authorities with juvenile establishments in their area (the 'Host' local authority) to secure appropriate education provision for young offenders in them'*.
11. *'Children's Trusts, which bring together key agencies in co-operation to improve children's wellbeing through integrated services, will be strengthened by establishing Children's Trusts Boards as statutory bodies responsible for producing the Children and Young People's Plan and making it compulsory for schools and colleges to cooperate within these'*.

## Local Democracy, Economic Development and Construction Bill

12. This bill carries out some of the Government's proposals from the community empowerment White Paper (*Communities in Control*<sup>2</sup>, published in the summer of 2008), and continues a general trend towards federative working between local authorities to achieve economic and social development goals. The Prime Minister's Office describes it as *'the keystone of a wider programme to put people at the heart of local decision-making, giving citizens greater influence over decisions affecting their lives and making public services more transparent and accountable to all'*, and says it *'builds on a continuing programme to devolve decision making to regions and local areas, ensuring that those who best understand local circumstances are those who are able to take decisions affecting the local economy'*.

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<sup>2</sup> See our Brief Guide to this paper at:

<http://www.centreforexcellence.org.uk/UsersDoc/BriefGuidetocommunitiesincontrol2.pdf>

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13. Perhaps the most significant clause contained in the bill is a *'joint duty on Regional Development Agencies and Local Authorities through a new Local Authority Leader's Forum to produce a single regional strategy'*. At the same time, Multi-Area Agreements (MAAs) will be given *'statutory duties'*, or the capacity to receive such duties.
14. Local authorities will be required to assess economic conditions in their areas. The bill also broadens the *'duty to involve'* that rests upon local authorities, *so that local authorities ensure government bodies and agencies involve local people in their decision-making processes'*.
15. Local authorities will be empowered to create Economic Prosperity Boards, *'corporate bodies at sub-regional level to promote economic development'*.
16. Local authorities will be required to *'promote democracy'* and respond to citizen petitions.

## Welfare Reform Bill

17. The new welfare reform bill tightens the rules for the receipt of benefits. Under the proposed law, Income Support will be abolished as a category of benefit. Those well enough to work will be put in the Jobseeker's Allowance scheme. Those not well enough to work will be placed on Employment and Support Allowance. Contribution conditions between the two schemes will be aligned.
18. The Government portrays the reforms as a matter of essential fairness and as a way of helping the unemployed into more fulfilling circumstances. James Purnell, the work and pensions secretary, spoke about the reform programme in a December 10<sup>th</sup> press release, saying, *'We will give people the support they need and in return we will have higher expectations on people to take up that support. We must have a system where the rules are fair for everyone, and everyone knows what the rules are. I believe it is wrong to have a welfare system which doesn't encourage people to prepare for or get back to work. In future virtually everyone will be expected to do something in return for their benefits'*.
19. New rules will try to imbue a *greater sense of rights and responsibilities* 'in welfare recipients *'by applying a regime of benefit sanctions for non-attendance at Jobcentre'*. There will be *'support for those who play by the rules and consequences for those who do not'*.
20. Job-search requirements will be strengthened. The partners of benefit claimants on Jobseeker's Allowance will be required to look for work. Over-60s will have to attend *'work-focussed'* interviews. The law will demand *'work-related activity in return for receipt of Employment & Support Allowance'*.

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21. On December 10<sup>th</sup>, DWP released a White Paper on welfare reform, *Raising expectations and increasing support: reforming welfare for the future*. The paper announces a commitment to increasing private and voluntary sector provision of welfare services. DWP will adopt an 'Invest to Save' approach, which 'involves private and voluntary providers investing up front in getting more people back in to work, and being paid out of the resulting benefit savings'. The department may introduce 'an accelerator payment which rewards providers more per person, the more people they get into work', and also introduce a 'right to bid', allowing services to approach DWP with suggestions on how to improve services.
22. DWP wants to better unite various Government welfare services, and also devolve control for these services to local and regional authorities. It intends to grant 'both funding and accountability for outcomes to local areas who request it and demonstrate their capacity to deliver', give greater flexibility to Jobcentre Plus advisers to personally tailor solutions, and trial local programmes that integrate employment and skills services.
23. The White Paper also expands on the benefits reforms announced in the welfare reform bill. Those on the second of the two welfare schemes, the Employment and Support Allowance, will be divided into three groups:
  - a 'Work-Ready' group for people who are immediately job-ready;
  - a 'Progression to Work' group for people who cannot look for work but where returning to work is a genuine possibility with time, encouragement and support, and;
  - a 'No Conditionality' group where there would be no requirement for any work-related activity, but where support would be available for people who chose to seek it. The Gregg Review proposes that lone parents and partners with very young children, carers, and the most disabled people should be in this group.
24. More generally, those 'claiming the Employment and Support Allowance will be required to attend interviews with Pathways to Work providers and develop a personalised plan to get back to health and back in to work' Those most in need to support and care, who are most distant from being able to work, will receive extra support of £17.60 per week.
25. The paper also goes into more specifics on the Jobseeker's Allowance reforms. Rules will be made more stringent, and DWP will 'bring forward new legislation to make the sanctions regime within Jobseeker's Allowance clearer and more consistent and introduce a new sanction that will affect benefit entitlement after a first benefit fraud offence'. Jobcentre Plus will receive £1.3 billion more in short-term funding.

## Conclusions

26. The Queen's Speech bills translate several existing policy initiatives into a legislative programme. Long-announced reforms, such as the machinery of government changes around pre- and post-19 education, the community empowerment agenda and welfare reform are made concrete here.

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27. The local government bill builds on existing trends in local and regional administration, calling for a collaborative approach towards local economic development and regional planning. The Local Authority Leaders' Forum builds on existing regional and local policy development mechanisms, such as Local Area Agreements (LAAs) and Multi-Area Agreements (MAAs).
28. The welfare reform bill continues the emphasis on the alignment of employment and skills that has been a feature of Government policy at least since the Leitch Review. The accompanying White Paper also expands upon the Freud Report's call for greater devolution of control in the welfare system, and for greater private and third sector involvement in providing welfare services.

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