

Record of Parliamentary Bills  
Passed by the Fifteenth  
National Pensioners' Parliament  
8-10 May 2007  
Winter Gardens, Blackpool

June 2007

# **Record of Parliamentary Bills Passed by the Fifteenth National Pensioners' Parliament**

- 1. Healthy Living Bill (p.3)**
- 2. Housing Bill (p.5)**
- 3. Lifelong Learning Bill (p.8)**
- 4. National Insurance Fund Bill (p.10)**
- 5. Principles of the NHS Bill (p.13)**
- 6. Public Services Bill (p.15)**

A

# BILL

TO

Make provision for national standards, facilities and services to ensure healthy living

To Her Majesty's Government,

**W**E, The members of the Pensioners' Parliament assembled, towards providing for national standards, facilities and services to ensure healthy living affecting those residing in England, in Wales, in Scotland, in Northern Ireland and elsewhere, do therefore request that it may be enacted, or that those existing related Acts shall be amended accordingly, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the United Kingdom Parliament assembled, and by the authority of the same, as follows:-

**1** *Provision of health information and services*

- (i) The NHS shall have a responsibility to:
  - (a) provide advice, guidance and educational material regarding the maintenance of a healthy diet, avoiding both obesity and malnutrition, and including the dangers of smoking, drugs and the excessive use of alcohol.
- (ii) Local authorities shall have a responsibility to:
  - (a) provide necessary facilities and services to enable older people to keep healthy, free from abuse, independent and active in their daily lives, and
  - (b) monitor for signs of social isolation and abuse amongst its older citizens and take the necessary steps to prevent further deterioration

**2** *Provision of free annual health check*

- (i) The NHS shall provide a free annual health check for all those who fulfil the qualifying conditions as laid out in item 4 herein.
- (ii) The free annual health check shall include:
  - (a) all general health matters,
  - (b) appropriate screening for:
    - (i) diseases and mental health,
    - (ii) signs of malnutrition, and
    - (iii) signs of physical and psychological abuse or neglect
- (iii) Screening shall lead to appropriate treatment

3

*Measures to tackle malnutrition*

- (i) The NHS, local authorities and any provider contracted to act on their behalf shall be responsible for:
  - (a) ensuring all food available to patients in NHS or private hospitals, nursing or residential homes or other care facilities meets national nutritional standards and appropriate cultural needs.
  - (b) guaranteeing that all patients in NHS or private hospitals, nursing or residential homes or other care facilities are assisted to eat their meals where necessary.

4

*Qualifying conditions*

- (i) Entitlement to the provisions as outlined in this Bill shall apply to all individuals who normally reside in the United Kingdom and have:
  - (a) attained 60 years of age, or
  - (b) registered as being disabled.

5

*Funding for minimum standards, facilities and services to ensure healthy living*

- (i) The sums required for the payment of the measures contained within this Bill shall be paid out of monies provided by Parliament.

A

# **B I L L**

TO

Make provision for the adequate availability of housing, heating and property maintenance measures and housing rights

To Her Majesty's Government,

**W**E, The members of the Pensioners' Parliament assembled, towards providing for the adequate availability of housing, heating and property maintenance measures and housing rights affecting those residing in England, in Wales, in Scotland, in Northern Ireland and elsewhere, do therefore request that it may be enacted, or that those existing related Acts shall be amended accordingly, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the United Kingdom Parliament assembled, and by the authority of the same, as follows:-

## *1 Provision of housing options*

- (i) Local authorities shall be responsible for:
  - (a) ensuring there is an adequate level of varied housing provision available to older people living within their area.
  - (b) providing an annual home visit to all older people to assess their housing, care and benefit needs.
  - (c) providing facilities and equipment, without charge or means-testing, to enable individuals to remain independent within their homes.
- (ii) Housing provision shall include:
  - (a) co-housing
  - (b) nursing homes
  - (c) private housing
  - (d) residential care homes
  - (e) sheltered and supported housing
  - (f) smart housing (using new technology to assist independent living)
  - (g) social housing
  - (h) Local authority housing

## *2 Housing rights*

- (i) All residents, regardless of age, housing tenure or type, shall be entitled to existing housing rights as those currently afforded to owner occupiers.
- (ii) All qualifying households as laid out in item 6 herein shall have the right to independent, free housing advice to enable them to consider the best housing options to meet their needs.

**3**

*Housing standards*

- (i) Local authorities shall be responsible for:
  - (a) ensuring all newly built properties from the date of this Bill reach a suitable minimum Lifetime Home Standard, which shall include issues such as energy efficiency and adaptability to meet the needs of occupants as they age.
  - (b) providing every home with a carbon monoxide alarm.
  - (c) guaranteeing that the views of older people are part of the planning, design and management of any new housing developments.
  - (d) consulting with local residents and tenants and securing their agreement before changing designations in relation to housing
  - (e) providing all qualifying households as laid out in item 6 herein with an annual house check to assess the quality of brickwork, guttering, windows, roofs and drainage.

**4**

*Provision of adequate heating measures and property maintenance*

- (i) Central heating systems (including boilers) and installation shall be provided free and without means-testing to all those households who fulfil the qualifying conditions as laid out in item 6 herein who:
  - (a) do not currently have such central heating, or
  - (b) who need their existing system replaced.
- (ii) Insulation and energy efficiency measures shall be provided free and without means-testing to all those households who fulfil the qualifying conditions as laid out in item 6 herein and who do not currently have such measures.
- (iii) Local authorities shall be responsible for compiling a register of approved providers of the services listed in items 4 (i) and (ii) above, who shall be subject to regular checks and inspections.

**5**

*Provision of a Winter Fuel Allowance*

- (i) A Winter Fuel Allowance shall be set at the rate of:
  - (a) £400 per qualifying household as laid out in item 6 herein.
- (ii) The Winter Fuel Allowance shall be indexed annually to rise in line with the average increase in energy prices.

**6**

*Qualifying conditions*

- (i) Entitlement to the provisions as outlined in this Bill shall apply to all households within the United Kingdom where at least one permanent resident is:
  - (a) aged 60 or over as of April 1<sup>st</sup> in the coming year, or
  - (b) registered as being disabled.

*7 Funding for housing, heating and property maintenance measures  
and housing rights*

- (i) The sums required for the payment of the measures contained within this Bill shall be paid out of monies provided by Parliament.

A

# **B I L L**

TO

Make provision for facilities and services to enable lifelong learning

To Her Majesty's Government,

**W**E, The members of the Pensioners' Parliament assembled, towards providing for facilities and services to enable lifelong learning affecting those residing in England, in Wales, in Scotland, in Northern Ireland and elsewhere, do therefore request that it may be enacted, or that those existing related Acts shall be amended accordingly, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the United Kingdom Parliament assembled, and by the authority of the same, as follows:-

## *1 Provision of education services*

- (i) In making the necessary funds available to support lifelong learning, the Government shall take account of the social benefits that result from the well-being and health of older persons through the provision of opportunities for learning and education.
- (ii) Local authorities, colleges, universities and other education providers shall have a responsibility to:
  - (b) provide a range of academic, practical and vocational courses, lessons and studies for individuals of pensionable age, without regard to whether such courses will result in the acquisition of academic or vocational qualifications.
  - (c) ensure where possible that such facilities are accessible by making the point of delivery community based, including care homes, pensioners' clubs and societies, libraries and individual homes.
  - (d) include in such provision training in the use of computers for learning, information, communication and social contact.

## *2 Provision of concessionary education services*

- (i) Local authorities, colleges, universities and other education providers shall have a responsibility to:
  - (a) provide such courses free and without means-testing, to all those who fulfil the qualifying conditions as laid out in item 3 herein.

## *3 Qualifying conditions*

- (i) Entitlement to the provisions as outlined in this Bill shall apply to all individuals who normally reside in the United Kingdom and have:
  - (a) attained 60 years of age, or
  - (b) registered as being disabled.

**4** *Provision of education using technology*

- (i) An educational television channel shall be established and other means of digital and/or electronic communication used to further the educational needs of older people.

**5** *Funding for concessionary education services*

- (i) Funders of educational provision must have regard to the needs and requirements of older people in the allocation of educational finance to local authorities, universities, colleges and other education providers.
- (ii) The sums required for the payment of the measures contained within this Bill shall be paid out of monies ring fenced for the purpose and provided by Parliament.

A

# **B I L L**

TO

Make provision for the collection, use and governance of monies into the National Insurance Fund

To Her Majesty's Government,

**W**E, The members of the Pensioners' Parliament assembled, towards providing for the collection, use and governance of monies into the National Insurance Fund affecting those residing in England, in Wales, in Scotland, in Northern Ireland and elsewhere, do therefore request that it may be enacted, or that those existing related Acts shall be amended accordingly, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the United Kingdom Parliament assembled, and by the authority of the same, as follows:-

## *1 Purpose of the National Insurance Fund*

- (i) The National Insurance Fund shall provide the following:
- (a) Basic state pensions above the official poverty level for all citizens of pensionable age from the 1<sup>st</sup> April 2008 with a substantive increase for pensioners over the age of 80 to rise in line with average earnings
  - (b) A second state pension for all citizens of pensionable age
  - (c) Christmas Bonus equivalent to one week's state pension for all in receipt of a state pension
  - (d) Bereavement Allowance and Payment
  - (e) Guardian's Allowance
  - (f) Incapacity Benefit
  - (g) Jobseekers' Allowance
  - (h) Maternity Allowance
  - (i) War related pensions and benefits

## *2 Rates of Contributions*

- (i) Contributions to the National Insurance Fund shall be made at the following rates:
- (a) Employees at 11% on all earnings over the lower earnings limit
  - (b) Employers at 15.8% on all earnings over the lower earnings limit
- (ii) The lower earnings limit shall be updated annually every April in line with the increase in average earnings for the previous September.

- (iii) The Treasury shall have the power to vary such rates as may be required to enable the basic pension to be paid at a level at least equal to the official poverty level.

**3** *National Health Service*

- (i) A portion of contributions will be allocated to the National Health Service as follows:
  - (a) 2.05% from employees' contributions on income between £94 and £630 a week
  - (b) 1% from employees' contributions on income above £630 a week
  - (c) 1.9% from employers' contributions on all income above £94 a week

**4** *Rebates on Contributions*

- (i) Rebates to those employees and employers who have contracted-out of the state second pension into a defined contribution occupational pension scheme shall continue.

**5** *Management of the National Insurance Fund*

- (i) Details of the accounts of the National Insurance Fund shall be laid before Parliament for approval every April.
- (ii) A balance equal to two months' outgoings or 16.7% (whichever is the greater) shall be retained in the National Insurance Fund as a statutory surplus.
- (iii) Where necessary in order to maintain the statutory surplus, a Treasury Grant shall be paid into the National Insurance Fund.
- (iv) All monies in excess of the statutory surplus shall be used to uprate the pensions and benefits as mentioned in item 1 herein.

***Explanatory Notes***

Item 1 restates the principal objectives and purposes of the National Insurance Fund and improves the basic state pension and Christmas Bonus. It also calls for those over 80 years of age to receive a substantial increase\* to the existing age-addition of 25p a week and for that additional payment to be earnings-related

\* The Pensioners' Manifesto calls for this to be set at £25 a week, which would be considerably more than if the 1971 figure of 25p had been increased in line with earnings over the last 36 years.

Item 1 also raises the issue of the second state pension. Now that the State Earnings Related Pension Scheme has been phased out, the general policy has been to ensure the State Second Pension is earnings related and available to all those of working age who do not have any other guaranteed, decent second tier pension provision

Item 2 (i) raises the amount of money paid in contributions by employers, which the government proposes would instead go towards a new private savings scheme

Item 2 (i) also abolishes the upper earnings limit on contributions

Item 3 restates the existing contributions that pass from the National Insurance Fund towards the NHS

Item 5 (iv) guarantees the balance held in the National Insurance Fund is used for the purpose of the fund, rather than providing a cheap source for government borrowing

A

# **B I L L**

TO

Make provision for national standards of health and social care treatment and greater and equal access to free NHS services

To Her Majesty's Government,

**W**E, The members of the Pensioners' Parliament assembled, towards providing for national standards of health care treatment, greater and equal access to free NHS services affecting those residing in England, in Wales, in Scotland, in Northern Ireland and elsewhere, do therefore request that it may be enacted, or that those existing related Acts shall be amended accordingly, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the United Kingdom Parliament assembled, and by the authority of the same, as follows:-

*1 Application of NHS services*

- (i) All health and social care shall be provided free at the point of delivery and need, without means testing, and publicly owned and controlled.
- (ii) NHS care shall only be provided in publicly owned establishments.

*2 Provision of care, treatment and health-aids*

- (i) All health care, treatment and health-aids shall be provided regardless of postcode address:
  - (a) without unnecessary delay which could lead to further deterioration in health conditions,
  - (b) based on clinical need, and
  - (c) without discrimination on grounds of age, disability, gender, religion, ethnicity or sexual orientation

*3 Standards of health care and treatment*

- (i) All those in receipt of health and social care and treatment shall be treated with dignity and respect for their human rights, personal wishes, privacy and beliefs.

*4 Governance and administration of NHS*

- (i) The NHS shall be nationally planned and managed by the Secretary of State at the Department for Health and accountable to Parliament.
- (ii) At a local level, the Primary Care Trusts and Hospital Trusts shall be governed by elected bodies that are fully accountable to the users of the service.

- (iii) The NHS workforce shall be fully consulted in all proposals to change existing services.

**5** *Local involvement in the provision of NHS services*

- (i) Proposals to close, re-locate or significantly alter existing NHS services shall require a public inquiry and the approval of the majority of residents on the current electoral register served by the health facilities in the area concerned.
- (ii) Members of the public shall have a right to appeal to the Secretary of State against decisions of public inquiries.

**6** *Funding for NHS services*

- (i) The sums required for the payment of the measures contained within this Bill shall be paid out of monies provided by Parliament.
- (ii) Such public monies, either in whole or part, shall not be used to fund the provision of facilities or services provided by the private or independent sector.
- (iii) The Secretary of State at the Department for Health shall have responsibility to ensure the NHS is fully funded and resourced, and that sufficient monies are available to the NHS to prevent closure of necessary services.

***Explanatory Notes***

Items 1 (ii) and 6 (ii) are intended to prevent the involvement of the private sector in providing the services and facilities deemed more suitable to the NHS. In particular, it covers areas such as treatment in private hospitals, residential and nursing homes and the use of Private Finance Initiatives (PFI) to fund hospitals and medical services. In these areas, it is considered that such services should be carried out by the state

Item 3 would cover the indignity of mixed-sex wards and malnutrition in hospital

Item 4 would prevent the NHS from being run by an independent authority, similar to the Bank of England Monetary Policy Committee

A

# **B I L L**

TO

Make provision for the maintenance and control of public services

To Her Majesty's Government,

**W**E, The members of the Pensioners' Parliament assembled, towards providing for the maintenance and control of public services affecting those residing in England, in Wales, in Scotland, in Northern Ireland and elsewhere, do therefore request that it may be enacted, or that those existing related Acts shall be amended accordingly, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the United Kingdom Parliament assembled, and by the authority of the same, as follows:-

*1 Provision of public services*

- (i) The following shall be deemed to be providers of public services:
- (a) civil service,
  - (b) local government,
  - (c) the NHS,
  - (d) post offices and postal services,
  - (e) the railway network and transport industry, and
  - (f) other recognised public utilities

*2 Ownership and management of public services*

- (i) All services deemed to be public services shall be owned, planned and nationally managed by the appropriate government department and responsible minister.
- (ii) All services deemed to be public services shall be accountable to Parliament.
- (iii) Any reductions in staffing numbers within the public services shall not be permitted if they reduce the effectiveness of the service concerned.

*3 Exclusion from public services*

- (i) Charitable, independent, private, third-sector or voluntary organisations shall not be deemed suitable to provide those services deemed to be public services.

*4 Funding for public services*

- (i) The sums required for the payment of the measures contained within this Bill shall be paid out of monies provided by Parliament.

- (ii) Such public monies, either in whole or part, shall not be used to fund the provision of facilities or services provided by those as laid out in item 3 herein.

***Explanatory Notes***

Item 2 would safeguard existing public sector jobs from privatisation, prevent post office closures and bring the railways back into public ownership