



November 2009

Briefing 09-60

Queen's speech 2009

Analysis and the legislative programme

This briefing is provided to APSE contacts in the UK

Key issues;

- This briefing outlines The Queen's speech made to both Houses of Parliament at the opening of the Parliamentary session
- The Queen's speech outlines the legislative programme for key measures to be introduced during the lifetime of the parliamentary session
- In the case of this particular speech it is seen as critical in that it will outline some of the policy measures that will start the general election campaign
- The next general election must be held before the 3 June 2010

1. Introduction

The Queen's speech provides an outline of the legislative programme that Government will prioritise during the course of the next Parliament. It represents the legislative programme that will receive priority over other pieces of legislation by virtue of its reference within the Queen's speech.

2. Transcript of speech

'My Lords and members of the House of Commons.

My Government's overriding priority is to ensure sustained growth to deliver a fair and prosperous economy for families and businesses, as the British economy recovers from the global economic downturn. Through active employment and training programmes, restructuring the financial sector, strengthening the national infrastructure and providing responsible investment, my Government will foster growth and employment.

My Government will also strengthen key public services, ensuring that individual entitlements guarantee good services, and will work to build trust in democratic institutions.

My Government will seek effective global and European collaboration through the G20 and the European Union to sustain economic recovery and to combat climate change, including at the Copenhagen summit next month.

The Duke of Edinburgh and I look forward to our visit to Bermuda and our State Visit to Trinidad and Tobago and to the Commonwealth Heads of Government Meeting in this, the Commonwealth's 60th anniversary year. We also look forward to receiving the President of South Africa next year.

My Government will continue to reform and strengthen regulation of the financial services industry to ensure greater protection for savers and taxpayers. Legislation will be brought forward to enhance the governance of the financial sector and to control the system of rewards.

As the economic recovery is established, my Government will reduce the budget deficit and ensure that national debt is on a sustainable path. Legislation will be brought forward to halve the deficit.

My Government will introduce a Bill to enable the wider provision of free personal care to those in highest care need.

Legislation will be brought forward to introduce guarantees for pupils and parents to raise educational standards.

My Government will legislate to protect communities by ensuring that parents take responsibility for their children's antisocial behaviour and by tackling youth gang crime.

My Government will introduce a Bill to ensure the communications infrastructure is fit for the digital age, supports future economic growth, delivers competitive communications and enhances public service broadcasting.

Legislation will be introduced to support carbon capture and storage and to help more of the most vulnerable households with their energy bills.

My Government will respond to proposals for high-speed rail services between London and Scotland.

Legislation will be introduced to protect communities from flooding and to improve the management of water supplies.

My Government is committed to ensuring everyone has a fair chance in life and will continue to take forward legislation to promote equality, narrow the gap between rich and poor and tackle discrimination. The Bill would also introduce transparency in the workplace to help address the differences in pay between men and women.

My Government will continue to enshrine in law its commitment to abolish child poverty by 2020.

My Government will legislate to provide agency workers with the right to be treated equally with permanent staff on pay, holidays and other basic conditions.

Legislation will continue to be taken forward on constitutional reform. My Government will also publish draft legislation on proposals for a reformed second chamber of Parliament with a democratic mandate.

A Bill will be introduced to strengthen the law against bribery.

My Government will continue to work closely with the devolved administrations in the interests of all the people of the United Kingdom. My Government is committed to the Northern Ireland political process and will continue to work with Northern Ireland's leaders to complete the devolution of policing and justice and to ensure its success.

In Scotland, my Government will take forward proposals in the Final Report of the Commission on Scottish Devolution. My Government will continue to devolve more powers to Wales.

Members of the House of Commons.

Estimates for the public services will be laid before you.

My Lords and members of the House of Commons.

My Government will work for security, stability and prosperity in Afghanistan and Pakistan and for peace in the Middle East.

Legislation will be brought forward to ban cluster munitions.

My Government will work towards creating the conditions for a world without nuclear weapons, including addressing the challenges from Iran and North Korea.

Draft legislation will be published to make binding my Government's commitment to spend nought point seven per cent of national income on international development from 2013. Other measures will be laid before you.

My Lords and members of the House of Commons I pray that the blessing of Almighty God may rest upon your counsels.'

3. Main legislative provisions and short explanation in alphabetical order.

Bribery Bill

This new bill would make it illegal to bribe a foreign official to obtain or retain business. It would also make it an offence if businesses fail to prevent a bribe being

paid by their employees or by other firms on their behalf. It extends to England, Wales and Northern Ireland.

Child Poverty Bill

This puts onto a legislative footing the government's commitment to end child poverty by 2020. Under the Bill the government would be compelled to make annual reports to Parliament on the success of its strategies to end child poverty. The Bill introduces a new duty on all local authorities to deal with the problem. The whole Bill applies to England with some parts applying also to Scotland, Wales and Northern Ireland.

Children, Schools and Families Bill

This Bill offers pupil and parent guarantees for standards of education. Schools will be given "report cards". Home educators will have to be registered and inspected. The Bill also promises for primary schools the flexibility to set their own curriculums. Whole Bill applies to England with some parts covering Wales and extends in part to Northern Ireland.

Cluster Munitions (Prohibitions) Bill

This Bill makes it an offence to 'use, produce, develop, acquire, stockpile, retain or transfer' cluster munitions and will apply to the whole of the UK.

Constitutional Reform and Governance Bill

This Bill will end the by-election of hereditary peers to sit in House of Lords and allows for the disqualification of peers convicted of serious offences or subject to a bankruptcy order as well as allowing peers to resign their peerages. It also repeals legislation limiting protests around Parliament and creates a basis in law for Parliament to scrutinise treaties. Generally extends to the whole of the UK.

Crime and Security Bill

This Bill will introduce considerable new measures on crime and disorder. It introduces 'mandatory assessments' of parenting needs when 10 to 15-year-olds are considered for an ASBO. It will also reduce the amount of information police need to record when carrying out stop and search and provides police with the power to bar suspected domestic violence offenders from their homes for a period, even when not charged. The Bill also makes it an offence to take a mobile phone into a prison, introduced compulsory licensing for all wheel-clamping businesses and provisions to ensure air guns are safely stored. It also clarifies DNA record holding. DNA records of adults who are arrested but not charged will be held on database for six years and it allows police to take DNA samples and fingerprints of sexual and seriously violent offenders returning to UK following conviction overseas. Most aspects of the bill apply to England and Wales only.

Digital Economy Bill

Ofcom will gain a new duty to assess the UK's communications infrastructure every two years. Ratings will be made compulsory on all video games designed for children aged 12 and above and promises to tackle infringement of copyright more effectively. Updates regulations for Channel 4 and digital switchover. The Bill will extend to whole of the UK.

Energy Bill

This Bill is designed to help address fuel poverty issues and boost Ofgem's powers. The Bill will set rules for energy firms to provide support for poorer customers, such as the use of rebates with regulator Ofgem having a duty to "proactively" protect them. The Bill also supports the construction of up to four carbon capture and storage schemes to cut pollution and will apply to England, Wales and Scotland.

Equality Bill

The Bill is particularly relevant for the public sector. It provides for a new duty on the whole public sector to "narrow the gap between rich and poor". The Bill also bans age discrimination outside the workplace - such as when buying goods and services which extends the current age discrimination provision beyond those that are employment related. It will compel businesses (with more than 250 employees) to report on gender differences on pay and strengthens powers of employment tribunals. Public bodies will be expected to use public procurement deals to 'drive equality' in private sector firms. This covers England, Scotland and Wales.

Financial Services Bill

The Bill establishes a Council for Financial Stability, which will be chaired by the chancellor, and which will comprise of the Treasury, Bank of England and Financial Services Authority (FSA). The FSA will have a strengthened role take "action" on pay of those in financial services. This is designed to address the recent furore over banking bonuses. The Bill also makes banks and other financial firms set up a "living will" to make them easier to wind down in the event of a crisis. The Bill will also ban unsolicited credit card cheques, which can encourage unaffordable borrowing and enables the setting up of national money guidance service. The Bill will allow for groups of consumers to bring court actions against financial institutions and it will apply to the whole of the UK.

Fiscal Responsibility Bill

This provides a "firm and binding statutory basis" for the government's promise to halve its budget deficit within four years and gives Parliament the power to approve medium-term fiscal plans. Promises that businesses and investors will have "certainty" about the government's fiscal plans. It applies to the whole of the UK.

Flood and Water Management Bill

Local authorities are given the responsibility to deal with surface water flooding. This is in response to the recent flooding incidents. The Bill also provides for sustainable drainage systems to be considered for new building developments and the safety of communities near reservoirs must be improved. The Bill also gives water companies more power to control or limit water usage by customers during droughts. It applies to England and Wales.

Personal Care at Home Bill

This Bill will guarantee free personal care for the 280,000 people with the "highest needs", such as those with serious dementia or Parkinson's disease. The Bill will also protect the savings of around 166,000 people who currently get free care, saving them from having to pay future charges. The Bill also offers help to around 130,000 people needing to enter care homes for the first time to "regain their independence". The Bill also offers adaptations to the neediest people's homes to increase their independence. The Bill applies to England only.

4. APSE comment

The Queen's speech in terms of this Parliamentary session provides an insight into the main thrust of policy in the lead up to a general election. Many of the new provisions will impact upon local authorities, police and fire authorities. The Bills that have an impact on local authorities, police and fire authorities include; the Child Poverty Bill, the Children Schools and Families Bill, Flood and Water Management Bill, Personal Care at Home Bill and the Equalities Bill.

Many of the Bills have already been through part of the legislative process but by their inclusion within the Queens speech effectively ensure priority in the passage through Parliament – though some may not become law at all. Of particular interest in terms of the new Bills will be how local authorities, police and fire authorities utilise their procurement and purchasing powers to ensure the new equalities measures set out in the equalities Bill. APSE has already established detailed research on this area due to be published in the New Year which sets out lawful measures for public bodies to take into account social, employment and environmental considerations during the procurement process.

In addition issues of fuel poverty are often dealt with by local councillors and provisions under the Energy Bill may allow for a more direct intervention into issues of fuel poverty for the poorest within communities.

In the case of the Personal Care at Home Bill there is much detail yet to be worked through. Within Scotland a system of free personal care already exists however 'hotel costs' associated with residential care can still mean expensive charges need to be paid – which is often a difficult concept for those being cared for and their families to understand. Moreover the issue of who will be defined as having the 'highest needs' will be a subjective test and one which again may lead to controversy.

The public sector already faces the prospect of billions of pounds of efficiency cuts to public sector budgets. The new Fiscal Responsibility Bill will make statutory the requirements to reduce public debt by half over the next four years. This will leave little flexibility in the context of the public sector budget setting processes. APSE has already raised concerns that the public sector, and particularly in the case of local government, would be hardest hit as all political parties have intimated that health and education budgets would in effect be protected or 'ringfenced' from public sector spending reductions.

APSE is concerned that in the case of local authorities, having already demonstrated efficiencies through effective budget control and through service improvement and efficiency mechanisms, they will nevertheless be expected to cope with large scale public sector spending cuts. APSE's recent research 'Creating resilient local economies' explored the value of public spending by local councils and found that for every £1 spent by a local council a return of £1.64 was possible within the local economy. If public sector spending is therefore reduced it will not be a painless exercise and could have a serious and detrimental effect on the local economy removing from within it economic resilience needed to sustain it, particularly during an economic downturn.

More details on the proposals within relevant areas to APSE member authorities will be the subject of further briefings and discussions through APSE's networks. If you would like to comment on any of the proposals announced as part of the Queen's Speech please email Mo Baines mbaines@apse.org.uk

Mo Baines

Principal Advisor