

# Communication Support (Deafness) Bill

## CONTENTS

- 1 Council for Communication Support on Deafness
- 2 Definition of deafness
- 3 Objectives of the Council
- 4 Short title, commencement and extent

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Schedule – Council for Communication Support on Deafness

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**B I L L**

TO

Establish a body to assess provision of communication support for deaf people and to make recommendations; and for connected purposes.

**W**HEREAS deafness does not in itself constitute a learning difficulty;

And whereas communications and language support is essential for social communication for deaf people and their families and for education and employment;

And whereas there is a recognised attainment gap in the education achievements of deaf children and young people;

And whereas there is variation in the level and quality of support provided across the United Kingdom;

And whereas there is need for a minimum standard and promotion of best practice;

And whereas there is a case for independent monitoring of performance and recommendations of best practice within education by schools inspectorates:-

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Council for Communication Support on Deafness**

- (1) There shall be established an independent body known as the Council for Communication Support on Deafness (referred to in this Act as “the Council”).
- (2) The Schedule makes provision about the Council.

**2 Definition of deafness**

- (1) For the purposes of this Act, deafness shall relate to persons with a hearing loss who are classified as—  
having a severe hearing loss,

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profoundly deaf,  
hard of hearing,  
deafened, or  
deafblind.

- (2) The definition under subsection (1) is intended to reflect the social model of disability and cultural model of deafness. 5

### 3 Objectives of the Council

- (1) The Council's main objective is to assess provision of language and communication support for people experiencing deafness and to make recommendations. This assessment of provision should include all forms of language and communications support including but not limited to lip speaking, British Sign Language and other sign languages used both in person and remotely, and deafblind communication including deafblind manual and tactile methods for deafblind people. 10
- (2) The Council's main objective is supported by the following subsidiary objectives – 15
- (a) to establish a British Sign Language Board which shall have the function of promoting and facilitating the use of British Sign Language;
  - (b) to produce Accessible Language and Communications Action Plans with measurable outcomes and deadlines to set out how the Strategy will be implemented; 20
  - (c) to set up an Accessible Language and Communications Stakeholders' Panel, made up of deaf people (covering the whole spectrum of language and communication needs), and engage them fully in the production of the Strategy and Action Plan and its implementation and follow-up. 25
- (3) The members appointed to the Panel established in subsection (2)(c) shall not be paid for their membership of the Panel.
- (4) The Council shall carry out research and make recommendations for legislative, policy and practice improvements, including but not limited to addressing the following issues – 30
- (a) availability of sufficient appropriately qualified and regulated language and communication professionals for deaf and deafblind service users;
  - (b) use of these professionals by public bodies, including private companies contracted to provide a public service, with a view to ensuring language and communication support is provided whenever required, both in person and remotely; 35
  - (c) use of these professionals by all bodies serving the public with a view to ensuring that they provide alternative language and communication support for deaf users whenever required, both in person and remotely; 40
  - (d) recognition of British Sign Language as an indigenous language of the United Kingdom;
  - (e) consideration to the role of other Sign Languages within the United Kingdom; 45
  - (f) provision of adequate language and communication support for deaf children and their families;

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- (g) current overall provision of language and communication support and consider whether it would be more efficient and cost-effective to devolve control of language and communication support budget to individual users.
- (5) The Secretary of State may by regulations provide for the Council to have an additional function if it appears to the Secretary of State that it is necessary or expedient for the Council to have the function in relation to any of its objectives. 5
- (6) Regulations under subsection (5) shall be made by statutory instrument and no regulations shall be made unless a draft has been laid before, and approved by resolution of, each House of Parliament. 10
- (7) The Council shall aim to pursue, and to have regard to, its objectives when exercising a function that is relevant to it.
- (8) The Council must exercise its functions effectively and efficiently.
- 4 Short title, commencement and extent 15**
- (1) This Act may be cited as the Communication Support (Deafness) Act 2013.
- (2) This Act shall come into force on such day as the Secretary of State shall by order appoint.
- (3) This Act extends to England and Wales, Scotland and Northern Ireland.

## SCHEDULE

Section 1

### COUNCIL FOR COMMUNICATION SUPPORT ON DEAFNESS

#### *Membership*

- |   |  |    |
|---|--|----|
| 1 | The Council is to consist of a member to chair it and six other members, appointed by the Secretary of State following a pre-appointment hearing by, and with the consent of, the Work and Pensions Committee of the House of Commons. | 5  |
| 2 | The Council's membership shall consist of a majority of people defined as deaf in section 2(1) of this Act, including at least one deaf person fluent in British Sign Language.  | 10 |

#### *Annual report*

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| 3 | (1) The Council must prepare a report of the performance of its functions annually. |    |
|   | (2) The report must be sent to the Department of Work and Pensions.                 |    |
|   | (3) The Secretary of State must lay the report before Parliament.                   | 15 |

#### *Accountability and reporting*

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| 4 | It will be the responsibility of the Secretary of State to lay before Parliament responses to reports of the Council in Parliament. |  |
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#### *Finance*

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|---|--|----|
| 5 | (1) <i>The budget of the Council will be agreed by the Secretary of State.</i>   | 20 |
|   | (2) <i>The Department of Work and Pensions may make to the Council such payments out of money provided by Parliament as it considers appropriate for the purpose of enabling the Council to meet its expenses.</i> |    |
|   | (3) <i>Payments are to be made at such times, and subject to any such conditions, as the Department of Work and Pensions considers appropriate.</i>  | 25 |

#### *Accounts and audit*

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|---|--|----|
| 6 | (1) The Council must –   |    |
|   | (a) Keep proper accounts and proper records in relation to its accounts, and   |    |
|   | (b) prepare in respect of each financial year a statement of accounts.   | 30 |
|   | (2) Each statement of accounts must comply with any directions given by the Work and Pensions Select Committee as to – |    |
|   | (a) the information to be contained in it and the manner in which it is to be presented;                               |    |

- (b) the methods and principles according to which the statement is to be prepared, and
  - (c) the additional information (if any) which is to be provided for the information of Parliament.
- (3) The Council must send a copy of each statement of accounts to— 5
  - (a) the Secretary of State, and
  - (b) the Comptroller and Auditor General,before the end of the month of June next following the financial year to which the statement relates.

# Communication Support (Deafness) Bill

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## B I L L

To establish a body to assess provision of communication support for deaf people and to make recommendations; and for connected purposes.

*Presented by Sir Malcolm Bruce,  
supported by  
Stephen Lloyd, Rosie Cooper,  
Richard Ottaway, Mr Michael McCann,  
Tim Loughton, Sir Robert Smith,  
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*Ordered, by The House of Commons,  
to be Printed, 19 June 2013.*

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