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House of Lords

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My Lords,

Committee response

During Lords Committee on the Data Protection and Digital Information Bill, I committed to write to address in writing questions raised on the DWP's proposed Third Party Data measure.

I have reflected carefully on the contributions made in the three separate sessions and I have aimed to provide a thorough understanding of the legislation we are seeking and how this will shape the delivery of this important measure. As you might expect, what follows is a lengthy response, covering key points that raised during Committee and elsewhere.

Fraud context

We agree that fraud is a serious and unscrupulous crime and a major challenge for the whole of the UK, accounting for around 40% of all crime reported. It is a challenge that Government is fully committed to tackling, be that in the public sector, the private sector, or against individuals, all of which can have devastating and far-reaching consequences.

The Government's robust, wide ranging Fraud Strategy¹, published by the Home Office in May 2023, is designed to stop fraud at source and to pursue those responsible, with the aim of reducing fraud by 10% on 2019 levels by December 2024. Our bold new campaign, 'Stop! Think Fraud'², now also provides consistent, clear, and robust anti-fraud advice to the public to help them avoid becoming victims of fraud.

Welfare fraud and error

The purpose of our welfare system is to provide a vital safety net for those who genuinely need it, including helping some of the most vulnerable people in the country. Unfortunately, the welfare system is not immune to fraud. It is simply wrong that £6.4 billion was stolen from the benefit system in 2022/23, and a further £2.0 billion was erroneously overpaid, largely due to errors on the part of

¹ www.gov.uk/government/publications/fraud-strategy

² <https://stopthinkfraud.campaign.gov.uk/>

the claimant. In total, this has cost taxpayers over £8bn in each of the last three years - which is money that could have been spent on public services. These losses are largely down to individuals who are deliberately taking money that they are not entitled to.

I was pleased to hear recognition for the challenge that the DWP is facing during Committee, and that there is a broad consensus that tackling welfare fraud and error is an important objective and one that DWP is right to focus energy and resource on.

As the Prime Minister set out, this Government has a zero-tolerance approach to fraud, and we must act to prevent these individuals taking taxpayers' money they are not entitled to. This approach should never be confused with our fundamental purpose to support those people, many of whom can be vulnerable, who have a genuine entitlement and ensure they receive the support they are entitled to. The measure will also help claimants who make genuine mistakes in their claim. Whilst the legal obligation is with our claimants to provide us with accurate information to assess their eligibility for payments, we know mistakes can happen. The Third-Party Data measure will help address this, finding and rectifying errors quickly, ensuring that claimants receive the correct amount of benefit to which they are entitled.

DWP's Fraud Plan

In May 2022, Government published the Fraud Plan, 'Fighting Fraud in the Welfare System'³ which committed additional investment of £900 million to deliver new practical fraud-fighting approaches that will save £2.4 billion by the end of 2024/25. Yesterday, we published a substantive update on this plan, setting out the progress we have made and where we will be doing more to tackle and reduce fraud and error⁴.

A key focus of our plan is to modernise our legislative framework and strengthen the powers that DWP has to ensure benefits are paid correctly, enabling us to better tackle fraud and error. These commitments include securing new data gathering powers (including the Third-Party Data measure) to find fraud and error more proactively; reforms to the penalties we issue for fraud offenses; and pursuing powers of arrest, search, and seizure to support our criminal investigations.

In the Parliamentary time available, Government has prioritised introducing the Third-Party Data measure. In his welfare speech on 19 April 2024, the Prime Minister committed to introducing a fraud Bill in the next Parliament to take forward the wider legislative commitments in the fraud plan.

The Secretary of State and I are clear: we must protect taxpayers' money and introduce this important Third-Party Data measure to support the Department to

³ <https://www.gov.uk/government/publications/fighting-fraud-in-the-welfare-system/fighting-fraud-in-the-welfare-system--2>

⁴ www.gov.uk/government/publications/fighting-fraud-in-the-welfare-system/fighting-fraud-in-the-welfare-system-going-further

stay ahead of the fraudsters and save up to £600m of taxpayers' money by 2028/29.

Why the Third-Party Data measure is needed.

The Government's national statistics⁵ sets out the extent of the fraud and error challenge we face in the welfare system, with the loss of £8.3 billion last year. The Department is already taking robust action to address this challenge, including using data to find and tackle fraud and error. The primary example of where we do this safely and effectively is in our use of HMRC's Pay As You Earn data, in real time, to determine how someone's pay will affect their Universal Credit payment from month to month. With this data, we have virtually eradicated earnings-related fraud and error (for employees) in Universal Credit.

Given this, we know that access to timely, quality data is key to tackling fraud and error and reducing individuals' overpayments. This is something that is acknowledged by the Public Accounts Committee and the National Audit Office⁶ and by external organisations such as the Social Market Foundation⁷.

As is the case for many of the eligibility rules for the payments we make, it is the claimant's legal obligation to provide us accurately and honestly with information to assess their eligibility.

Where we don't have access to data from across Government that can help independently verify what we are being told, we know that third parties, such as the finance industry are key organisations who hold data which, if harnessed, would help identify potential fraud and error. For example, capital and savings rules exist in many of our benefits and payments and this is information banks will have clear access to.

It is this challenge of independent verification that the Third-Party Data measure aims to address, building on our successful experience of using large scale data to tackle key areas of fraud and error.

What the power is

The provision, as drafted in the DPDI Bill, is designed to be a data gathering power. Its premise closely mirrors the existing powers that HMRC have to obtain information in bulk from financial institutions (Schedule 23 of the Finance Act 2011⁸) for use in its compliance activities, for the purpose of risk assessments and in connection with tax checks.

The power is not an investigatory power, nor is it a surveillance power. DWP will not be conducting covert surveillance, it's requests for data will not be covert or for the purposes of a specific investigation. Furthermore, the primary purpose of the data gathering under the Third-Party Data measure is not a criminal investigation or prosecution.

⁵ www.gov.uk/government/statistics/fraud-and-error-in-the-benefit-system-financial-year-2022-to-2023-estimates/fraud-and-error-in-the-benefit-system-financial-year-ending-fye-2023

⁶ www.nao.org.uk/wp-content/uploads/2023/03/tackling-fraud-and-corruption-against-government.pdf (page 57)

⁷ The Big Question; The Times. Saturday 16th December 2023

⁸ www.legislation.gov.uk/ukpga/2011/11/schedule/23

I know some Peers will have outstanding questions on this issue. This may have been fuelled by the legal opinion produced by Matrix Chambers and commissioned by Big Brother Watch.

Now that DWP has fully considered the external legal opinion, it is clear that the opinion from Matrix Chambers is based on a fundamental mischaracterisation of the Third-Party Data measure as a new surveillance and investigatory power that falls within the requirements of the Regulation of Investigatory Powers Act (RIPA) 2000. It is important to reiterate that it is not.

RIPA provides the framework for the conduct of surveillance of suspects by public authorities in the course of criminal investigations. RIPA describes and defines the types of surveillance activity that are covered and subject to the safeguards set out in that Act. Section 26(2) of RIPA defines directed surveillance as surveillance that is covert and for the purposes of a specific investigation or a specific operation.

Intrusive surveillance is carried out in relation to anything taking place on any residential premises or in any private vehicle. None of these requirements apply to the Third-Party Data measure.

Section 26(9) of RIPA describes covert surveillance in the following way: “surveillance is covert if, and only if, it is carried out in a manner that is calculated to ensure that persons who are subject to the surveillance are unaware that it is or may be taking place.” i.e. there should be an intention that it be carried out secretly. Our claimants and the public will be made aware of the Third-Party Data powers and that they are being used. DWP’s Personal Information Charter will clearly set out that the data will be gathered in this manner from third parties (prescribed in secondary legislation).

Furthermore, the information is not gathered for a specific investigation and any formal investigation will not be commenced purely on the strength of the data received. The information gathered by DWP may or may not inform part of a whole picture that feeds into a possible future investigation.

Compliance with ECHR

It was suggested during Committee that this measure may not be compatible with Article 8 of the European Convention on Human Rights (ECHR), perhaps in part because of the legal opinion provided by Matrix Chambers. This is simply not the case. Through the policy development of this measure, and in the drafting of the legislation, we have continually considered compliance with the ECHR, judging the approach to be legitimate and necessary.

The DWP position is supported by the Information Commissioner’s view that recognises the scale of the problem with benefit fraud and error that we are seeking to address and accepts that the measure is in pursuit of a legitimate aim. The Commissioner also stated that they were not aware of any alternative or less intrusive means of achieving the Government’s stated policy intent.

How we have limited the primary powers

I know there has been much debate on the breadth and scope of the power we are seeking, with many claiming the power is too wide. This is simply not the case.

One of the main ways we have sought to limit the power is to restrict its use to only obtain data from third parties that will help us establish whether benefits are being paid or have been paid in accordance with benefit rules. This is defined clearly in paragraph 1(2) of the proposed Schedule 3B to the Social Security Administration Act 1992 (Schedule 3B).

Linking the legislation to the eligibility rules for benefits will help us find potential fraud and error. If somebody does not meet the eligibility criteria for a benefit that is being paid to them and they have no disregards or exemption for this, they will have wrongly received that money either because a genuine error has been made or as a result of a deliberate action to knowingly defraud the benefits system.

Paragraph 1 and 2 of Schedule 3B sets clear limitations on which third parties we can designate. To do this, there must be a three-way relationship between DWP, the claimant and the third party, and any third party must be designated in affirmative regulations before we can issue them with an Account Information Notice. This gives Parliament a clear decision to exercise over which third parties can be required to provide data.

We cannot simply request unlimited data either. As already stated, paragraph 1(2) of Schedule 3B defines the scope of the data the Department can request and the Department must adhere to wider data protection legislation⁹ and in particular the data minimisation principle in the UK GDPR, meaning that we must limit the collection of personal information to what is directly relevant and necessary to accomplish a specified purpose. We have robust Departmental processes in place to ensure our compliance with these obligations and we are subject to audit on this by the Information Commissioners Office.

During Committee, I have been clear that the Department will receive limited information which will include a name and date of birth of an account holder, (allowing the Department to independently identify the person to its records) and then minimal information to demonstrate which eligibility rule might have been impacted.

This will be further limited by the criteria that we set banks (linking to key eligibility rules) as we will only be able to ask for data where it meets our key limitation at paragraph 1(2) of Schedule 3B. This means we could not, nor would we want to, request information on how a claimant spends their money – this doesn't affect eligibility to our payments. We could not ask for special category

⁹ <https://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

data such as a person's political affiliations or their sexuality - again, as these are not linked to benefit eligibility. The scope of the data we can request is rightly limited by UK GDPR and Part 2 of the Data Protection Act 2018¹⁰) to ensure it is proportionate.

Benefits in scope

The legislation has been drafted purposely to cover all benefits, grants and other DWP payments, as set out in paragraph 16 of schedule 3B. This approach has been taken to ensure that where fraud and error arises and is a prevalent issue, the Department has the power to address it.

Fraud and/or error can exist, and does exist, in every benefit DWP administers. This is because every payment has eligibility criteria attached to it which will determine whether someone is paid and how much they should receive. The power, as drafted, does cover a very wide range of benefits, as Baroness Sherlock read out in Committee, as we refer to welfare payments listed under S121DA of the Social Security Administration Act 1992. Whilst this does cover payments such as Child Benefit, we have followed an established approach to ensure this power can be applied to relevant DWP payments and we are clear that the DWP Secretary of State cannot reasonably exercise these powers for payments that DWP is not responsible for. This is true for all non-DWP payments.

As I stated in Committee, our intention is to focus the use of this power in those benefits where fraud and error is most prevalent. In the first instance, these benefits will be Universal Credit, income related Employment and Support Allowance, Pension Credit and Housing Benefit. These four benefits accounted for £7.1 billion of overpayments (fraud and error) in 2022/23.

We do know that the nature of fraud has changed significantly over time, and this power provides the ability for DWP to respond proactively as the prevalence of fraud and error arises in other benefits and payments.

We cannot be complacent though, as overpayments do exist in all areas, including the State Pension, with £100 million being overpaid in 2022/23. The fraud and error challenge also exists in other pension age payments. For example, in 2022/23, 6.7% of pension credit expenditure (£330 million) was overpaid. When compared to a rate of 4.2% in 2019, this demonstrates the changing nature of the challenge and that pension age benefits are not immune to fraud and error.

I would also like to state on the record that the State Pension is described in legislation as a "benefit" in order to root it within the existing social security framework as a statutory scheme paid out of monies in the National Insurance Fund.

It is a benefit payment available to the majority of people when they reach the current State Pension age. It is a universal, non-means tested benefit available to all, so long as they have sufficient National Insurance contributions or credits.

¹⁰ www.legislation.gov.uk/ukpga/2018/12/part/3/chapter/2/enacted

Restrictions on information received

Concerns were raised during Committee that DWP can request unrestricted information under this power. This is simply incorrect, DWP cannot request any information they want from third parties. The legislation is very clear that the proposed power can only be used to identify cases that merit further consideration to establish whether benefits have been paid or are being paid in accordance with benefit rules. Therefore, any data that can be requested under Para 2(1) of Schedule 3(B) including para 2(1)(c) must be relevant to whether payments have been or are being properly made in accordance with the benefit rules. Again, we must also adhere strictly to the data protection legislation on proportionality and data minimisation, as already stated.

There are also misconceptions that para 2(1)(c) will enable DWP to obtain wider sensitive information on benefit recipients outside of the scope of these powers. This is not the case, Para 2(1)(c) was inserted to minimise burdens on third parties to ensure that we do not restrict the type of information they are able to provide, for example, to cover the provision of data for crypto assets and blockchains. This is necessary as the test and learn period cannot commence until legislation is in place and we want to ensure that the data requested by DWP is workable for third parties.

Information received on linked accounts

A number of questions were raised during Committee regarding how the power will work with non-claimants who might receive DWP payments on someone else's behalf. Such examples might be appointees, those who hold joint accounts with benefit recipients, charity or business accounts linked to benefit recipients and landlords who receive Universal Credit housing costs.

In order for this power to work, it is correct to say that third parties could share information on people who aren't directly claiming benefits themselves. The only way to avoid this would be for DWP to pre-emptively share personal information on our claimants with third parties and this is something we are clear we will not do, as it would undermine our crucial safeguards.

We will take every step possible to minimise this through our test and learn, such as seeking to remove charitable accounts from the data that the financial institutions may share.

However, where it is not possible to remove data of this nature, I am very clear that we can only act on information where it would have a direct impact on helping establish whether a payment is being or had been properly made. DWP also has a legal obligation under article 5(1)(e) of the UK GDPR to dispose of personal data that is no longer necessary for the purposes for which it was gathered. Where we receive information that does not directly link to whether a payment is being or has been properly made, we will not use this and we will dispose of it safely.

DWP is a large organisation that deals with millions of pieces of data each and every week from many different sources, and we process only relevant information to deliver our functions. Furthermore, I know there was a concern that the power as drafted might enable a continual process of linking to more and more accounts. Again, I want to be clear that the power would not allow this. Linked accounts are described at paragraphs 2(5) and 2(6). Accounts linked to the "receipt of a particular benefit" are described at paragraph 2(5). This includes accounts into which benefits are being paid, will be paid, or have been paid

(paragraph 2(5)(a) and (b)). It also includes other accounts held by the person with the benefit receiving account (paragraphs 2(5)(c) and 2(6)). This means that DWP can require information about an account that a benefit is not paid into, if the account is held by a person that has a benefit-receiving account.

I also know that there were concerns raised in Committee about the impact the measure might have on benefit take up or on the choices people might make when agreeing to support benefit claimants, such as appointees.

With the safeguards we have in place, I do not believe this measure will have a detrimental impact in this way. The welfare system is designed to support those people who are entitled to and need our help and we are being very transparent about how this measure will work and what data we will and will not use. What I do hope that this measure will do is deter those people who seek to take money knowingly and fraudulently they are not entitled to.

Further safeguards

Beyond the limitations and legislative constraints already covered, we have built in further safeguards to ensure the measure is proportionate and its use is well managed. We have been clear that there will be no automated decisions made on any benefit payments on the sole basis of the data received through this power. We do recognise that no one data source is perfect or infallible, and as a result, DWP will not be making automated decisions off the back of it. A final decision will always involve a human agent and cases will be looked at comprehensively, following our existing, tested business-as-usual processes. Another key safeguard is that DWP will not share any claimant's personal information with third parties in order to receive data. As already set out, DWP will only request the minimum amount of information on accounts that match the criteria provided, to identify a claimant in DWP's own database.

Outside controls will apply here as well. DWP already handles significant amounts of data including personal data, with robust security process in place, and must adhere to the UK GDPR and the Data Protection Act 2018. DWP will draw on that experience in designing the detail of the processes needed to deliver this.

The delivery of this measure will be designed in collaboration with third parties, in particular the banking industry, to ensure it is as secure as possible. We have already established a working group with the industry to do so.

I also want to be clear that this measure does not target a particular group of benefit claimants. Instead, the measure is specifically designed to target fraud and error, to ensure that benefits are being paid in accordance with their eligibility criteria, as agreed by Parliament. For those vulnerable claimants, including those who have an appointee or who may be in care, we have tried and tested safeguarding procedures to protect vulnerable groups and will follow business as usual processes. This can include taking decisions on whether to continue with an investigation, re-routing cases to compliance processes to focus on claim correction or whether to close an investigation entirely. Protecting vulnerable claimants is of paramount importance to DWP.

Affirmative Secondary Legislation

Before DWP will be able to use these powers, we will first need to bring affirmative regulations to:

1. Prescribe relevant data holders that we can issue an Account Information Notice to; and
2. Prescribe a penalty amount for non-compliant third parties/ data holders.

The affirmative regulations would be made in exercise of the powers conferred by paragraphs 1(1) and 9(3)(a) of Schedule 3B. The regulations are required to follow the affirmative procedure because paragraph 5 of Schedule 11 to the DPDI, inserts regulations made under these powers into the list of instruments required to follow the affirmative procedure in s.190(1) (parliamentary controls of orders and regulations) of the Social Security Administration Act 1992.

Setting out data holders in legislation means it is clearly stated who the primary legislation applies to. It also gives Parliament a clear say over who we can exercise this power with as the regulations will be laid before Parliament in draft and can only be made when approved by affirmative resolution in each House.

The Code of Practice

I welcomed the detailed discussion on the Code of Practice during Committee, and I hope I was able to provide strong reassurance that we will issue and consult on a Code of Practice to underpin the delivery of this measure. The Code of Practice is important as it will set out how this power will be used and the expectations around full compliance for DWP and any relevant third parties. A draft Code of Practice will be published for consultation giving stakeholders the opportunity to influence how the power will operate and I expect this consultation to start once the primary powers in the Bill have been commenced (ensuring the consultation can have legal effect).

The Code of Practice is in development, and we are engaging constructively with UK Finance and a number of financial institutions on this, but this will include the following:

- Explanation of the powers, what they require and who they apply to;
- Safeguarding Practices agreed by DWP and the third parties;
- Detail on the practical issuing of Account Information Notices;
- How third parties should respond to an Account Information Notice;
- Details on how to dispute or appeal against an Account Information Notice or a penalty; and
- Detail on the penalties for non-compliant third parties / data holders.

As I have previously committed, the Code of Practice will be consulted on, prior to us bringing affirmative secondary regulations, and it will be presented to Parliament along with regulations. This commitment is captured in the official report of the debate at Lords Committee and underlines our intention to give Parliament robust information on how the power will operate, whilst seeking approval to use the power.

It is also worth noting here that we have chosen to produce and present a Code of Practice for this measure to provide additional safeguards. There is no equivalent Code of Practice for similar information gathering powers held by HMRC under the Finance Act 2011. Instead, the use of a Code of Practice for the third-party data measure will mirror the approach taken with our existing criminal investigation powers (under s109-109C of the Social Security Administration Act 1992).

Therefore, by issuing a Code of Practice for the Third-Party Data measure, we are going beyond safeguards/transparency requirements generally deployed for data gathering powers, and instead applying standards more generally associated with powers of criminal investigation. We will also use the published Code of Practice for the S109A/B¹¹ powers to guide the development of the Code of Practice for the Third-Party Data measure.

The first proposed use of this power from 2025 onwards

As outlined in this letter, DWP intends to designate banks and financial institutions as the first third parties that we would issue Account Information Notices to. The Account Information Notices would be issued periodically and relate specifically to key eligibility rules linked to savings and residency rules that exist in Universal Credit, Employment and Support Allowance, Pension Credit and Housing Benefit.

The data received would help us to tackle both capital and abroad fraud in the defined benefits where fraud and error is most prevalent. Alongside the affirmative regulations and the Code of Practice, the Department will also provide an updated Regulatory Impact Assessment on the impacts of the measure and burdens on third parties (which will be subject to further scrutiny from the Regulatory Policy Committee).

The commitment to test and learn and delivery

During the first use of this power, DWP is committed to taking a “test and learn” approach from 2025 to ensure DWP creates a system that is effective, simple, and secure in how data will be transferred, received, and stored safely. We will not rush this period of test and learn as we recognise the importance of this, testing with relatively small volumes in the first instance, before refining our processes and learning before we scale up the delivery.

Part of this process will be about working with third parties to maximise the effectiveness of the measure and understand how we can minimise any burdens on them. Results and impacts will be monitored closely to inform how we deliver the measure efficiently, and at full scale by 2030/31.

To support this delivery, additional resource will be sought through the Spending Review to ensure we can respond to the increased data coming into the Department and to take appropriate decisions on whether further action is required. DWP will work with HMT through the usual processes to secure the necessary funding to deliver this.

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https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1110308/code-of-practice-on-obtaining-Information-social-security-fraud-act-2001.pdf

The test and learn approach is a key characteristic of the way DWP approaches major change. For example, in May 2022, DWP started a small-scale exercise with 500 claimants, to learn how best to smoothly move those on legacy benefits to Universal Credit. This was referred to as the 'earliest testable service'. We started small, listened to feedback from claimants and iterated the approach as we went, only scaling up activity when we were confident it was safe to do so. In April 2023 we began scaling activity by issuing 5,000 notices to households on legacy benefits and by the end of December 2023 had issued over 500,000 notifications.

Comparisons with other schemes

As I said at Committee, it is unwarranted and unjustified to make comparisons between the Horizon scandal and our proposed Third-Party Data measure for many of the reasons already set out in this letter. It is also wrong to draw comparisons to errors that resulted in welfare payments being automatically stopped without warning as happened in a scheme in Australia.

As I have now set out, we know that no data source is perfect or infallible and that is why a human will always be involved in final decision making and any signals of potential fraud or error will be looked at comprehensively. These reviews are undertaken by trained DWP agents through well-established processes and frequently involve gathering further evidence from a number of different sources using DWPs existing investigation powers to ascertain the cause of any overpayments that have been made. Where fraud and error are found further decisions may then be taken by DWP agents with regard to an individual's benefit entitlement.

If the evidence gathered meets a threshold for prosecution, the DWP must refer this case and associated evidence to the Crown Prosecution Service for consideration before a case could be taken to court. This ensures there is independent consideration of the merits of the case and its evidence.

What impact will the measure have?

At the time of completing the Regulatory Impact Assessment and submitting this to the Regulatory Policy Committee it had been estimated that this measure would result in Annual Managed Expenditure (AME) savings of £500 million over 5 years¹².

As is the usual process at the Autumn Statement (2023) the impact on Government is certified by the Office for Budget Responsibility (OBR).

Adjustments during this process resulted in the total AME savings over the five-year score card being scored as approximately £600 million up to 2028/29. Beyond this, we expect the impact of the measure to continue to grow, providing a net benefit of £1.9 billion over the first 10 years, from 2025-2035.

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https://assets.publishing.service.gov.uk/media/6564bab01524e6000da10168/DWP_third_party_data_impact_assessment_november_2023.pdf (para. 77)

The evidence underpinning this measure

To demonstrate the feasibility and potential impact of using the Third-Party data measure, DWP has tested two Proofs of Concept, working with two separate major high street banks.

As part of these tests, we asked the banks to use their internal data to identify accounts receiving specified types of benefit payments and matching criteria provided by DWP linked to capital and abroad entitlement rules. The first proof of concept sampled over 500 claims and looked for potential breaches of benefit eligibility rules linked to savings and residency rules. This flagged 176 cases that related to capital eligibility and 58 cases that related to abroad eligibility as requiring further investigation. Of those identified for further investigation, around 60% needed action to remedy either fraud or error.

The test run with bank two was a statistical exercise only and did not involve the transfer of any personal data to DWP. From the statistical data provided, the number of accounts in scope was around 700,000; of those, approximately 60,000 accounts were identified as potentially being in risk of breaching the capital rule and 3,000 accounts in risk of breaching the abroad rule. Further detail on the proof of concepts can be found in the published Regulatory Impact Assessment for this measure.

Summary

I know there is a lot of information here to digest and reflect on, but I do hope that this letter responds to the many questions and issues raised during Committee. I also hope I have clearly set a strong case for this power and why we are seeking it, why it is proportionate and necessary and has provided you with assurances that we have designed in meaningful and appropriate safeguards into legislation and in our intended approach to delivery.

I remain willing to discuss any of the issues raised. I have also placed a copy of this letter in the House of Lords Library.

*With best wishes,
James*

**VISCOUNT YOUNGER OF LECKIE
PARLIAMENTARY UNDER SECRETARY OF STATE
(MINISTER FOR LORDS)**