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Report Stage: Monday 24 March 2025

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# Public Authorities (Fraud, Error and Recovery) Bill, As Amended (Amendment Paper)

This document lists all amendments tabled to the Public Authorities (Fraud, Error and Recovery) Bill. Any withdrawn amendments are listed at the end of the document. The amendments are arranged in the order in which it is expected they will be decided.

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Steve Darling

NC1

John Milne  
Daisy Cooper

To move the following Clause—

**“Recovery of overpayments of Carer’s Allowance**

The Secretary of State may not exercise any of the powers of recovery under this Act in relation to a person who has received an overpayment of Carer’s Allowance until such time as—

- (a) the Secretary of State has commissioned an independent review of the overpayment of Carer’s Allowance;
- (b) the review has concluded its inquiry and submitted a report containing recommendations to the Secretary of State;
- (c) the Secretary of State has laid the report of the independent review before Parliament; and
- (d) the Secretary of State has implemented the recommendations of the independent review.”

**Member’s explanatory statement**

This new clause would delay any payments being taken from people who the Government may think owe repayments on Carer’s Allowance until the independent review into Carer’s Allowance overpayments has been published and fully implemented.

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**Steve Darling**

NC2

John Milne  
Daisy Cooper

To move the following Clause—

**“Impact of Act on people facing financial exclusion**

- (1) The independent person appointed under section 64(1) of this Act must carry out an assessment of the impact of this Act on the number of people facing financial exclusion.
- (2) The independent person must, after 12 months of the passing of the Act—
  - (a) prepare a report on the review, and
  - (b) submit the report to the Minister.
- (3) On receiving a report the Minister must—
  - (a) publish it, and
  - (b) lay a copy before Parliament.”

**Member's explanatory statement**

This new clause would look into the impact of the Act on people facing financial exclusion.

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**Steve Darling**

NC3

John Milne  
Daisy Cooper

To move the following Clause—

**“Audit of algorithmic systems used in relation to Carer's Allowance overpayments**

- (1) An independent audit of algorithmic systems used in the assessment, detection or recovery of Carer's Allowance overpayments must be conducted at least once every six months.
- (2) Any audit under subsection (1) must be conducted by persons with relevant expertise in data science, ethics and social policy who have no direct affiliation with—
  - (a) the Department for Work and Pensions, or
  - (b) any person or body involved in the development or operation of the algorithmic systems under review.
- (3) An audit conducted under this section must consider—
  - (a) the accuracy of the algorithmic systems in identifying overpayments, and
  - (b) the fairness of the systems' design, application and operation, including any disproportionate impact on particular groups.
- (4) After every audit a report on its findings must be—

- (a) published;
  - (b) laid before both Houses of Parliament within 14 days of publication; and
  - (c) made publicly available in an accessible format.
- (5) If any audit identifies significant inaccuracies, unfairness or biases in any algorithmic systems, the Secretary of State must, within 30 days of the publication of the report outlining these findings, present an action plan to Parliament which outlines the steps which the Government intends to take to address the identified issues."

**Member's explanatory statement**

This new clause would provide for an audit of algorithmic systems used in relation to Carer's Allowance overpayments

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**Steve Darling**

**NC4**

John Milne  
Daisy Cooper

To move the following Clause—

**"Inclusion of systems within the Algorithmic Transparency Reporting Standard**

- (1) For the purposes of this section, "system" means—
  - (a) algorithms, algorithmic tools, and systems; and
  - (b) artificial intelligence, including machine learning;provided that they are used in fulfilling the purposes of this Act.
- (2) Where at any time after the passage of this Act, the use of any system is—
  - (a) commenced;
  - (b) amended; or
  - (c) discontinued;the Minister must, as soon as reasonably practicable, accordingly include information about the system in the Algorithmic Transparency Reporting Standard."

**Member's explanatory statement**

This new clause would require the use of algorithms, algorithmic tools, and systems, and artificial intelligence, including machine learning, to be included within the Algorithmic Transparency Reporting Standard.

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**Steve Darling**

**NC5**

John Milne  
Daisy Cooper

To move the following Clause—

**“Duty to consider domestic abuse risk to account holders**

- (1) Before any direct deduction order under Schedule 5 is made, the Secretary of State has a duty to consider its effect on any person who—
  - (a) is a victim of domestic abuse, or
  - (b) the Minister reasonably believes to be at risk of domestic abuse.
- (2) In this section “domestic abuse” has the meaning given by section 1 of the Domestic Abuse Act 2021.”

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Rebecca Smith

NC6

Mike Wood

To move the following Clause—

**“Review of whistle blowing processes in relation to public sector fraud**

- (1) Secretary of State must, within one year of the passing of this Act, conduct a review of whistle blowing processes in relation to fraud in the public sector.
- (2) A review conducted under this section must consider—
  - (a) the appropriateness and efficacy of existing whistle blowing processes;
  - (b) barriers to reporting fraud and reasons for under reporting of fraud; and
  - (c) recommendations for change.
- (3) The Secretary of State must publish a report containing—
  - (a) the findings and conclusions of the review, and
  - (b) a timetable for the delivery of any recommendations for change within six months of the completion of the review.”

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Steve Darling

1

John Milne  
Daisy Cooper

Clause 64, page 34, line 15, at end insert—

- “(1A) Prior to appointing an independent person, the Minister must consult the relevant committee of the House of Commons.
- (1B) For the purposes of subsection (1A), “the relevant committee” means a committee determined by the Speaker of the House of Commons.”

**Member's explanatory statement**

This amendment would provide for Parliamentary oversight of the appointment of the “Independent person”.

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**Steve Darling**

2

John Milne  
Daisy Cooper

Page 40, line 36, leave out Clause 74

**Member's explanatory statement**

This amendment removes the requirement for Banks to look into relevant claimants' bank accounts.

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**Steve Darling**

3

John Milne  
Daisy Cooper

Clause 75, page 41, line 21, at end insert—

“(1A) Prior to appointing an independent person, the Minister must consult the relevant committee of the House of Commons.

(1B) For the purposes of subsection (1A), “the relevant committee” means a committee determined by the Speaker of the House of Commons.”

**Member's explanatory statement**

This amendment would provide for Parliamentary oversight of the appointment of the “Independent person”.

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**Steve Darling**

4

John Milne  
Daisy Cooper

Clause 103, page 63, line 29, leave out from start to “following” in line 32 and insert—

“Subject to subsections (1A) and (2), this Act comes into force on such day as the Secretary of State or the Minister for the Cabinet Office may by regulations appoint.

(1A) No part of this Act may come into force until the recommendations of a report commissioned under section [Recovery of overpayments of Carer's Allowance] have been implemented.

(2) Subject to subsection (1A), the”

**Member's explanatory statement**

This amendment which would delay the implementation of the whole Act until the findings of the independent review into Carer's Allowance overpayments has been published and fully implemented.

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**Steve Darling**

5

John Milne  
Daisy Cooper

Page 73, line 6, leave out Schedule 3

**Member's explanatory statement**

This amendment is related to Amendment 2 and removes the requirement for Banks to look into relevant claimants' bank accounts.

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**Steve Darling**

6

John Milne  
Daisy Cooper

Schedule 3, page 84, leave out line 12

**Member's explanatory statement**

This amendment would remove pension credit from being a "relevant benefit" for the purposes of the Act.

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**Steve Darling**

7

John Milne  
Daisy Cooper

Schedule 3, page 84, leave out lines 13 to 17

**Member's explanatory statement**

This amendment ensure that the bill can only be used in relation to benefits listed in the Bill.

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## Order of the House

[3 February 2025]

That the following provisions shall apply to the Public Authorities (Fraud, Error and Recovery) Bill:

**Committal**

1. The Bill shall be committed to a Public Bill Committee.

**Proceedings in Public Bill Committee**

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Thursday 20 March 2025.

3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

#### **Proceedings on Consideration and Third Reading**

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which proceedings on Consideration are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

#### **Other proceedings**

7. Any other proceedings on the Bill may be programmed.