



# House of Commons

Tuesday 24 May 2011

## PUBLIC BILL COMMITTEE PROCEEDINGS

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### WELFARE REFORM BILL

[TWENTY-FIFTH AND TWENTY-SIXTH SITTINGS]

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Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Withdrawn* 272

Clause 128, page 97, line 16, at end insert—

(3) In section 6 of the Child Maintenance and Other Payments Act 2008, after subsection 2 insert—

“(2A) The Secretary of State shall not levy any fees on a parent with care, except in prescribed circumstances.”.

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* 273

Clause 128, page 97, line 16, at end insert—

(3) In section 6 of the Child Maintenance and Other Payments Act 2008, after subsection 2 insert—

“(2A) The Secretary of State shall not levy any fees until the Commission has achieved prescribed performance targets and standards set by the Secretary of State.”.

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* 274

Clause 128, page 97, line 16, at end insert—

(3) In section 6 of the Child Maintenance and Other Payments Act 2008, after subsection 2 insert—

“(2A) Except in prescribed circumstances, the Secretary of State shall not levy any fees on a parent whose income is below a prescribed level.”.

Welfare Reform Bill, *continued*

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* 275

Clause 128, page 97, line 16, at end insert—

- ‘(3) In section 6, subsection 2(g) of the Child Maintenance and Other Payments Act 2008, after “fees”, insert “including, in particular, waiver of any fee where the applicant has experienced domestic violence from the non-resident parent, which may include physical, sexual, emotional and financial abuse.”.’.

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Negated on division* 277

Clause 128, page 97, line 16, at end insert—

- ‘(3) After section 1 of the Child Support Act 1991 insert—

“(1A) The main objective of the Secretary of State, in applying the provisions of this Act either directly or via the Commission shall be to maximise the number of those children who live apart from one or both parents for whom effective maintenance arrangements are in place.”.’.

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* 278

Clause 128, page 97, line 16, at end insert—

- ‘(3) Nothing in sections 129 to 131 of this Act shall cause the Commission to undermine the objectives outline in section 2 of the Child Maintenance and Other Payments Act 2008.’.

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* 279

Clause 128, page 97, line 16, at end insert—

- ‘(3) In section 9 subsection (3) of the Child Maintenance and Other Payments Act 2008, at end insert—  
 “(e) the extent to which it is fulfilling its objectives as set out in section 2 of this Act.”.’.

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* 289

Clause 128, page 97, line 16, at end add—

- ‘(3) In section 6 of the Child Maintenance and Other Payments Act 2008, after subsection (2) insert—

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**Welfare Reform Bill, *continued***

“(2A) The Secretary of State shall not levy on a parent with care any fee in respect of submitting an application, except in prescribed circumstances.”’.

*Clause agreed to.*

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Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Withdrawn 270*

Clause 129, page 97, leave out lines 25 to 27 and insert—

‘(b) the parent with care wishes to pursue child maintenance through the Commission and states clearly the reasons why.’.

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called 271*

Clause 129, page 97, line 27, at end insert—

‘(c) the parent with care advises the Commission that the collection service is necessary to ensure either that child support maintenance is paid in accordance with the calculation or to protect her or her children from physical, sexual, emotional or financial abuse.’.

*Clause agreed to.*

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Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Withdrawn 280*

Clause 130, page 98, line 13, at end insert—

‘(3A) Where the non-resident parent has the ability to control the amount of income he or she receives from a company or business, including earnings from employment or self-employment, the indicative calculation in subsection (3) shall be made taking into account all the income from that company or business, and on the basis that section 11(7) applies.’.

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called 281*

Clause 130, page 98, line 15, at end insert—

‘(4A) In notifying the applicant for an indicative calculation of the amount of child support that would be fixed, the Commission shall also inform the applicant of

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**Welfare Reform Bill, *continued***

the circumstances when a variation to the standard calculation can be made including where the non-resident parent has the ability to control the amount of income he receives from a company or business, including earnings from employment or self-employment.’

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Withdrawn* 282

Clause 130, page 98, line 16, leave out subsection (5).

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Withdrawn* 283

Clause 130, page 98, line 23, at end insert—

‘(6A) Where a parent with care makes an application to the Commission under section 4 of the Act within three months of receipt of an indicative maintenance calculation under this section, any application fee which would otherwise be charged by the Commission shall be reduced by any amount paid by the parent with care for the said indicative maintenance calculation.’

*Clause agreed to.*

*Clauses 131 to 133 agreed to.*

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Chris Grayling

*Agreed to* 100

Schedule 13, page 146, leave out line 29 and insert—

‘Section 6.  
In section 7—

- (a) in the heading, the words “community charge benefits and other”;
- (b) subsection (2), so far as not otherwise repealed;
- (c) subsection (3)(b) and the preceding “and”.’

Chris Grayling

*Agreed to* 101

Schedule 13, page 152, leave out line 8

Chris Grayling

*Agreed to* 102

Schedule 13, page 154, line 32, at end insert—

‘() in subsection (2)(a), “Part 1 of”.’

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**Welfare Reform Bill, *continued***

- Chris Grayling  
Schedule 13, page 155, line 3, at end insert ‘and (4)’ *Agreed to* 103
- Chris Grayling  
Schedule 13, page 155, line 20, at end insert ‘, so far as not otherwise repealed’ *Agreed to* 104
- Chris Grayling  
Schedule 13, page 157, line 28, leave out ‘8(2A)’ and insert ‘8(2)(ca) and (d), (2A)’ *Agreed to* 105
- Chris Grayling  
Schedule 13, page 158, line 10, at end insert ‘and (7) and (8)’ *Agreed to* 106
- Chris Grayling  
Schedule 13, page 158, line 18, at end insert—  
‘(c) the definition of “training”.’ *Agreed to* 107
- Chris Grayling  
Schedule 13, page 158, line 21, leave out ‘and (b)’ *Agreed to* 108
- Chris Grayling  
Schedule 13, page 158, line 43, leave out from beginning to end of line 44 *Agreed to* 109
- Chris Grayling  
Schedule 13, page 163, line 30, second column, at beginning insert—  
*Agreed to* 110

‘Section 7(2)(a).’

*Schedule, as amended, agreed to.*

*Clauses 134 and 135 agreed to.*

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- Chris Grayling  
Clause 136, page 100, line 3, at end insert—  
‘() section [*Recovery of fines etc by deductions from employment and support allowance*] (recovery of fines etc by deductions from employment and support allowance) (but see section [*Recovery of fines etc by deductions from employment and support allowance*](3));’ *Agreed to* 287

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**Welfare Reform Bill, continued**

Chris Grayling  
Maria Miller

*Agreed to* **290**

Clause **136**, page **100**, line **21**, at end insert—

‘( ) section [*Social Mobility and Child Poverty Commission*] and Schedule [*Social Mobility and Child Poverty Commission*] (Social Mobility and Child Poverty Commission);’.

*Clause, as amended, agreed to.*

*Clause 137 agreed to.*

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*NEW CLAUSES*

*Information-sharing for prevention etc of tax credit fraud*

Chris Grayling

*Added* **NC13**

To move the following Clause:—

- ‘(1) Section 122B of the Social Security Administration Act 1992 (supply of government information for fraud prevention etc) is amended as follows.
- (2) In subsection (2)(a), after “social security” there is inserted “or tax credits”.
- (3) In subsection (3)—
  - (a) in paragraph (b), after “1995” there is inserted “, the Tax Credits Act 2002”,
  - (b) in that paragraph, the final “or” is repealed, and
  - (c) after paragraph (c) there is inserted “or
    - (d) it is supplied under section 121 of the Welfare Reform Act 2011.”

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*Recovery of fines etc by deductions from employment and support allowance*

Chris Grayling

*Added* **NC14**

To move the following Clause:—

- ‘(1) In section 24 of the Criminal Justice Act 1991 (recovery of fines etc by deductions from benefits)—
  - (a) in subsections (1) and (2)(d) the words “income-related” are repealed;
  - (b) in subsection (4) the definition of “income-related employment and support allowance” is repealed.
- (2) In Schedule 3 to the Welfare Reform Act 2007 (consequential amendments relating to Part 1), paragraph 8(b) is repealed.

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**Welfare Reform Bill, *continued***

- (3) The repeals made by this section have effect as if they had come into force on 27 October 2008.’
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*Social Mobility and Child Poverty Commission*

Chris Grayling  
Maria Miller

*Added* NC17

To move the following Clause:—

‘Schedule (*Social Mobility and Child Poverty Commission*) amends the Child Poverty Act 2010 for the purpose of establishing the Social Mobility and Child Poverty Commission.’

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*Matters to be considered before the imposition of a sanction or penalty*

Kate Green

*Withdrawn* NC1

To move the following Clause:—

- ‘(1) In respect of the imposition of a sanction under the Jobseeker’s Act 1995 or any other provision or in the case of a penalty imposed under section 115C of the Social Security Administration Act 1992 the Secretary of State or an authority shall consider—
- (a) evidence of the physical condition of the claimant and his or her state of health;
  - (b) evidence of the psychological state of health of the claimant;
  - (c) evidence relating to the means and income of the claimant;
  - (d) evidence relating to the accommodation occupied by the claimant and the effect that the imposition of a sanction or penalty may have on the right to occupy such accommodation;
  - (e) the family circumstances of the claimant and the impact that it may have on other family members and dependants;
  - (f) evidence of the impact that a sanction or penalty may have on the ability of the claimant to fulfil obligations to third parties including those relating to the fulfilment of benefit entitlement conditions.
- (2) Before deciding whether to impose a sanction or penalty and shall only do so where, having considered all the relevant circumstances, it is reasonable to do so.
- (3) Regarding evidence as to means the Secretary of State must consider—
- (a) the income of the claimant;
  - (b) the capital of the claimant;
  - (c) the expenditure of the claimant.
- (4) In order to facilitate the enquiry into the matters set out in subsection (1) the Secretary of State or authority may—
- (a) arrange for a medical examination of the claimant;

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**Welfare Reform Bill, *continued***

- (b) obtain information from any agency holding relevant information on the income and resources of the claimant;
  - (c) receive evidence from any other person or persons with a knowledge of the circumstances of the claimant.
- (5) A person who is subject to a penalty may appeal to a Tribunal (Lower Tier) against the imposition of such a penalty.?’

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*Sums to be deducted in calculating recoverable overpayments*

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* **NC2**

To move the following Clause:—

‘In calculating the amount of a recoverable overpayment, there shall be deducted any amount of universal credit which should have been payable during the overpayment period on the basis of the claim as presented, or on the basis of the claim had any misrepresentation or non-disclosure been remedied before the decision.’.

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*Procedure for regulation-making powers*

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* **NC3**

To move the following Clause:—

‘In section 26 of the Welfare Reform Act 2007, in subsection (1), at end insert:  
 “(e) regulations made under sections 11D and 11J.”.’.

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*Sure Start Maternity Grant for Multiples*

Tom Greatrex  
 Anas Sawar

*Not called* **NC4**

To move the following Clause:—

‘Regulations shall make provision for the payment of a Sure Start Maternity Grant of £500 for each first born baby and in the case of subsequent multiple



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**Welfare Reform Bill, *continued***

births, a single payment will be made of £500 for twins, £1,000 for triplets and £1,500 for higher multiples.’

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*Citizen financial safety protection payment fund*

Stella Creasy  
Kate Green

*Not called* **NC5**

To move the following Clause:—

- ‘(1) The Government shall make provision for a fund to support the provision of citizen financial safety protection payments to prevent immediate personal destitution and to be administered through the offices of the Department for Work and Pensions. These payments will enable financial support to be given within thirty days to applicants in the following circumstances—
- (a) to ease exceptional circumstances for individuals and families which may lead to homelessness or household financial insolvency,
  - (b) to support pensioners in receipt of financial assistance from public authorities, young people who are about to leave care or recent care leavers, and those with children under the age of 16, to manage personal transitions in lifestyle,
  - (c) to meet other needs in accordance with directions given or guidance issued by the Secretary of State.
- (2) Guidance will be laid before parliament to determine who would be able to apply for a citizen financial safety protection payment and the circumstances under which it can be claimed and funded. This guidance will take in the following factors—
- (a) the ability of the applicant to prevent destitution for them or their dependants without access to such funds,
  - (b) ease of access to alternative affordable sources of credit for the applicant within the locality,
  - (c) the length of time taken by local administering authorities to process claims for alternative means of support, and
  - (d) measures for adjudication of claims made by the Department for Work and Pensions against local administering authorities for the total cost of provision of citizen financial safety protection payments in the absence of provision of appropriate support by such authorities.
- (3) The power to make a payment out of the citizen protection fund such as is mentioned in subsection (1) above may be exercised by making a payment to a third party with a view to the third party providing, or arranging for the provision of, goods or services for the applicant.
- (4) In this section “prescribed” means specified in or determined in accordance with regulation.’
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**Welfare Reform Bill, continued***Social Fund review*

Stella Creasy  
Kate Green

*Withdrawn* NC6

To move the following Clause:—

‘The Government will lay before parliament annually a review of the impact of the abolition of a nationally administered social fund which will cover the following topics—

- (1) The level of applications received by each local area for assistance.
  - (2) The nature and amount of applications and awards made by each administering authority.
  - (3) The cost of administration of the scheme by each administering authority.
  - (4) The criteria used by every administering authority for making awards and all of the guidance they issue to their staff (and their proxies’ staff).
  - (5) Information as to the status of each applicant and their household whether successful or not.’
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*Advice on financial assistance*

Stella Creasy  
Kate Green

*Withdrawn* NC7

To move the following Clause:—

‘The Government will require all those working with applicants for welfare provision who are publicly funded to ensure their clients are informed about the existence of publicly provided financial assistance and where relevant locally available sources of alternative affordable credit provision. This information must be provided in a format which is accessible to the applicant.’

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*Limitation Act 1980*

Kate Green

*Not called* NC8

To move the following Clause:—

‘The Limitation Act 1980 applies as enacted to the recovery of the social security payments as with all other sums that may be recoverable from a person.’

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**Welfare Reform Bill, *continued****Payment of universal credit elements*

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* NC9

To move the following Clause:—

- ‘(1) Any amount of the universal credit award that is paid in respect of rent charges shall by default be paid to the person liable for that charge, except in prescribed circumstances.
- (2) Any amount of the universal credit award that is paid in respect of a disability shall be paid to the disabled person or to that person’s designated carer, except in prescribed circumstances.
- (3) Regulations may provide further circumstances in which a proportion of universal credit may be payable to a particular individual.’.

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*Universal credit payment statement*

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* NC10

To move the following Clause:—

‘The Secretary of State will provide a record to the claimant detailing the amount and composition of the award, including amounts in respect of each of the elements specified in sections 9 to 12 of this Act and of any appropriate sub-elements as specified in regulations.’.

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*Childcare costs*

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* NC11

To move the following Clause:—

- ‘(1) The amount in respect of other particular needs or circumstance, under section 12, shall include a childcare element for claimants who are in work, except in prescribed circumstances.
- (2) The maximum award of the childcare element shall be a prescribed proportion of childcare costs (not less than 80%, or 90% where the element contributes to care

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**Welfare Reform Bill, *continued***

for a disabled child), up to a prescribed maximum value (not less than £175 per week for one child and £300 for two or more children).

- (3) “Childcare charges” are charges of a prescribed description incurred in respect of childcare by the claimant or claimants by whom a universal credit claim is made.
- (4) “Childcare”, in relation to a person or persons, means care provided—
  - (a) for any child up to the last day in the week in which 1 September falls following the child’s 15th birthday or their 16th birthday if they are disabled, for whom the person is responsible, or for whom either or both of the persons is or are responsible; and
  - (b) by a person of a prescribed description.
- (5) Except in prescribed circumstances, the childcare element shall not be paid where a claimant is in work for fewer than a prescribed number of hours a week or, in the case of a couple, where one or both of the claimants are in work for fewer than a prescribed number of hours a week.
- (6) For the purposes of this section, regulations are to provide for a definition of “work”.

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*School meal costs*

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called*    **NC12**

To move the following Clause:—

- ‘(1) The amount in respect of other particular needs or circumstances, under section 12, shall include an amount in respect of school meals for any dependents of the claimant.
- (2) The maximum award of the amount under this section shall be 100 per cent. of the cost that the claimant would expect to incur in respect of school meals, up to a prescribed maximum value per child.
- (3) Regulations shall specify the circumstances under which a claimant shall be entitled to an amount under this section.
- (4) Under no circumstances shall any amount payable under this section be included in the relevant amount specified in section 93(5) of this Act.’

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*Recovery of overpayments due to official error*

Sheila Gilmore  
 Kate Green

*Not called*    **NC15**

To move the following Clause:—

- ‘(1) Where an official error results in the making of an overpayment, a prescribed amount by way of compensation shall be paid by the appropriate authority—

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**Welfare Reform Bill, *continued***

- (a) in any case, to the person;
  - (b) in a case where the person (“A”) is making, or has made, a claim for the benefit for a period jointly with another (“B”), to B instead of A.
- (2) In subsection (1) above, “official error” means an error relating to a relevant social security benefit application, calculation or payment made by—
- (a) an appropriate authority, or
  - (b) a person providing services to an appropriate authority in connection with a relevant benefit,
- to which the person, or (in a case where subsection (1)(b) applies) B, or any person acting for him, or either of them, did not materially contribute.
- (3) Regulations shall provide for—
- (a) the process by which official error should be reported to the appropriate authority or a person providing services to an appropriate authority in connection with a relevant benefit;
  - (b) the process by which official error shall be determined; and
  - (c) the timeframe within which both a decision on compensation and any payment due shall be made.
- (4) Any payments required under this section shall be made automatically and shall not prejudice or preclude any other compensation that may be due to a person as a result of official error in respect of their benefit entitlement e.g. compensation for additional costs incurred as a result of the official error.’.
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*Health costs*

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* **NC16**

To move the following Clause:—

- ‘(1) The amount in respect of other needs or circumstances, under section 12 of this Act, shall include an amount in respect of health costs.
  - (2) The maximum award of the amount under this section shall be 100 per cent. of the cost that the claimant would expect to incur in respect of prescribed health costs such as prescription, dental and optical charges, up to a prescribed maximum value.
  - (3) Regulations shall specify the circumstances under which a claimant shall be entitled to an amount under this section.
  - (4) Under no circumstances shall any amount payable under this section be included in the “relevant amount” specified in section 93(5) of this Act.’.
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**Welfare Reform Bill, *continued***
*Entitlement to contributory employment and support allowance: preparations*

Mr Liam Byrne  
 Stephen Timms  
 Ms Karen Buck  
 Margaret Curran

*Not called* NC18

To move the following Clause:—

- ‘(1) Before implementing sections 51 and 52 of this Act, the Secretary of State shall publish a report about how best to support individuals who are likely to be affected by the time-limiting of contributory employment and support allowance by virtue of those sections.
- (2) The report in subsection (1) shall include—
- (a) the steps the Secretary of State shall take to ensure that all those likely to be affected by sections 51 and/or 52 receive sufficient support to move into employment; and
- (b) the steps the Secretary of State shall take to ensure that those who receive a reduction or termination of their award as a consequence of sections 51 and/or 52 do not as a consequence experience unnecessary hardship or poverty.
- (3) The Secretary of State shall seek to ensure, including for the purposes of subsection (2)(a), that at least 60 per cent. of recipients of contributory employment and support allowance who are in the work related activity group shall leave the benefit before they lose eligibility for contributory employment and support allowance by virtue of sections 51 and/or 52.’

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**NEW SCHEDULE**

Chris Grayling  
 Maria Miller

*Agreed to* NS1

To move the following Schedule:—

**‘SOCIAL MOBILITY AND CHILD POVERTY COMMISSION****PART 1****ESTABLISHMENT OF SOCIAL MOBILITY AND CHILD POVERTY COMMISSION**

- 1           The Child Poverty Act 2010 is amended as follows.
- 5           2           For section 8 (and the preceding italic heading) there is substituted—

*“Social Mobility and Child Poverty Commission***8       Social Mobility and Child Poverty Commission**

- (1) There is to be a body called the Social Mobility and Child Poverty Commission (in this Act referred to as “the Commission”).
- 10          (2) The Commission’s functions are those conferred on it by or under this Act.

**Welfare Reform Bill, *continued***

- (3) Schedule 1 contains further provision about the Commission.
- (4) A Minister of the Crown may by order provide for the Commission to cease to exist on a day—
- 15           (a) specified in or determined in accordance with the order, and
- (b) falling after the target year.
- (5) An order under subsection (4) may contain such transitional or consequential provision as the Minister of the Crown considers necessary or expedient in connection with the abolition of the
- 20           Commission.
- (6) That provision may include provision amending, repealing or revoking—
- (a) the provisions of this Act so far as relating to the Commission;
- (b) any provision of any other Act (whenever passed);
- 25           (c) any provision of any instrument made under an Act (whenever made).

**8A    Advice**

- (1) The Commission must on request give advice to a Minister of the Crown about how to measure socio-economic disadvantage, social
- 30           mobility and child poverty.
- (2) Advice given under this section must be published.

**8B    Annual reports**

- (1) Before each anniversary of the coming into force of this section the Commission must publish a report setting out its views on the progress
- 35           made towards the goals in subsection (2).
- (2) Those goals are—
- (a) improving social mobility in the United Kingdom, and
- (b) reducing child poverty in the United Kingdom, and in particular—
- 40           (i) meeting the targets in sections 3 to 6 in relation to the target year, and
- (ii) implementing the most recent UK strategy, Scottish strategy, Northern Ireland strategy and Welsh strategy.
- (3) A report under subsection (1) may be published as one or more documents as a Minister of the Crown may direct.
- 45           (4) If the Commission so requests, a Minister of the Crown may by order extend the publication deadline for any particular report by not more than nine months.
- (5) A Minister of the Crown must lay a report under this section before Parliament.
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**8C    Other functions**

A Minister of the Crown may direct the Commission to carry out any other activity relating to the goals in section 8B(2).”

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3       For Schedule 1 (Child Poverty Commission) there is substituted—

**Welfare Reform Bill, *continued***

“SCHEDULE 1

SOCIAL MOBILITY AND CHILD POVERTY COMMISSION

*Membership, chair and deputy chair*

- 1 (1) The members of the Commission are to be—
- 60 (a) a chair appointed by a Minister of the Crown,  
 (b) a member appointed by the Scottish Ministers,  
 (c) a member appointed by the Welsh Ministers,  
 (d) a member appointed by the relevant Northern Ireland  
 department, and
- 65 (e) any other members appointed by a Minister of the Crown.
- (2) A Minister of the Crown may appoint one of the members as the  
 deputy chair.

*Term of office*

- 2 Members are to hold and vacate office in accordance with the terms  
 70 of their appointment, subject to the following provisions.
- 3 Members must be appointed for a term of not more than five years.
- 4 A member may resign by giving notice in writing to a Minister of  
 the Crown.
- 5 A Minister of the Crown may remove a member if—
- 75 (a) the person has been absent from three or more consecutive  
 meetings of the Commission without its permission,  
 (b) the person has become bankrupt or has made an  
 arrangement with creditors,  
 80 (c) the person’s estate has been sequestrated in Scotland or the  
 person, under Scots law, has made a composition or  
 arrangement with, or granted a trust deed for, creditors, or  
 (d) the Minister is satisfied that the person is otherwise unable  
 or unfit to perform the duties of the office.
- 6 A person ceases to be the chair or the deputy chair if the person—
- 85 (a) resigns that office by giving notice in writing to a Minister  
 of the Crown, or  
 (b) ceases to be a member.
- 7 A person who holds or has held office as the chair, or as the deputy  
 chair or other member, may be reappointed, whether or not to the  
 90 same office.

*Staff and facilities*

- 8 A Minister of the Crown may provide the Commission with—
- (a) such staff,  
 (b) such accommodation, equipment and other facilities, and  
 95 (c) such sums,  
 as the Minister may determine are required by the Commission in  
 the exercise of its functions.



**Welfare Reform Bill, continued***Payments*

- 100           9       A Minister of the Crown may pay to or in respect of the members of the Commission such remuneration, allowances and expenses as the Minister may determine.

*Supplementary powers*

- 105           10       The Commission may do anything that appears to it necessary or appropriate for the purpose of, or in connection with, the carrying out of its functions.

*Status*

- 110           11       The Commission is not to be regarded—  
                   (a) as the servant or agent of the Crown, or  
                   (b) as enjoying any status, privilege or immunity of the Crown.

*Sub-committees*

- 110           12       The Commission may establish sub-committees.

*Validity of proceedings*

- 115           13       The Commission may regulate—  
                   (a) its own procedure (including quorum),  
                   (b) the procedure of any sub-committee (including quorum).
- 120           14       The validity of anything done by the Commission or any sub-committee is not affected by—  
                   (a) any vacancy in the membership of the Commission or sub-committee, or  
                   (b) any defect in the appointment of any member of the Commission or a sub-committee.

*Discharge of functions*

- 125           15       The Commission may authorise a sub-committee or member to exercise any of the Commission's functions."

## PART 2

## SUPPLEMENTARY AMENDMENTS TO CHILD POVERTY ACT 2010

- 4           The Child Poverty Act 2010 is amended as follows.
- 5           In section 6 (persistent poverty target), subsection (6)(b) and the preceding "and" are repealed.
- 130          6           In section 10 (provision of advice and consultation)—  
                   (a) for the heading, there is substituted "Consultation";  
                   (b) subsections (1) to (3) are repealed.
- 7           In section 13 (advice and consultation: Scotland and Northern Ireland)—  
                   (a) for the heading, there is substituted "Consultation: Scotland and Northern Ireland";  
                   (b) subsections (1) and (2) are repealed.
- 135

**Welfare Reform Bill, *continued***

- 8 (1) In the italic heading preceding section 14, for “Reports” there is substituted  
“Statement”.
- (2) Section 14 is repealed.
- 140 9 (1) Section 15 (statement in relation to target year) is amended as follows.
- (2) In subsection (1), for “The report under section 14(3) must include” there is  
substituted “The Secretary of State must, as soon as reasonably practicable  
after the end of the target year, lay before Parliament”.
- 145 (3) In subsection (4), for “the report under section 14(3)” there is substituted “the  
statement”.
- (4) At the end there is inserted—
- “(5) The Secretary of State must consult the Scottish Ministers, the Welsh  
Ministers and the relevant Northern Ireland department before  
preparing the statement.”
- 150 10 In section 16 (economic and fiscal circumstances), in subsection (1)(b), for the  
words from “to the Secretary of State” to the end there is substituted “under  
section 8A”.
- 11 (1) Section 18 (interpretation) is amended as follows.
- (2) In the definition of “the Commission” in subsection (1), for “Child Poverty  
Commission” there is substituted “Social Mobility and Child Poverty  
Commission”.
- 155 (3) After the definition of “financial year” in that subsection there is inserted—
- ““Minister of the Crown” has the same meaning as in the Ministers of the  
Crown Act 1975;”.
- 160 12 In section 28 (regulations and orders), in subsection (5)(b), after “section”  
there is inserted “8B(4) or”.
- 13 (1) Schedule 2 (continuing effect of targets) is amended as follows.
- (2) In paragraph 1, in paragraph (a) of the definition of “target statement”, for “the  
report required by section 14(3)” there is substituted “the statement required  
by section 15”.
- 165 (3) In paragraph 3(d), for “the Secretary of State”, in the first place, there is  
substituted “the Commission”.
- (4) Paragraphs 6(c) and (d) and 7(1)(b) are repealed.

PART 3

170

SUPPLEMENTARY AMENDMENTS TO OTHER ACTS

- 14 In Schedule 1 to the Public Records Act 1958 (definition of public records), in  
Part 2 of the Table at the end of paragraph 3—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted—
- 175 “Social Mobility and Child Poverty Commission”.
- 15 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc  
subject to investigation)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted—
- 180 “Social Mobility and Child Poverty Commission”.
- 16 (1) In Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975  
(bodies of which all members are disqualified)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted—

**Welfare Reform Bill, continued**

- 185 “The Social Mobility and Child Poverty Commission”.
- (2) In Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted—
- 190 “The Social Mobility and Child Poverty Commission”.
- 17 In Part 6 of Schedule 1 to the Freedom of Information Act 2000 (other public bodies and offices: general)—
- (a) the entry relating to the Child Poverty Commission is repealed;
- (b) at the appropriate place there is inserted—
- 195 “The Social Mobility and Child Poverty Commission”.

As Amendments to Chris Grayling’s proposed New Schedule (Social Mobility and Child Poverty Commission) (NS1):—

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Negatived on division (a)*

Line 42, leave out ‘recent’ and insert ‘effective’.

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called (b)*

Line 67, at end insert—

- ‘(3) A Minister of the Crown must have regard to the desirability of securing that the Commission (taken as a whole) has experience in or knowledge of—
- (a) the formulation, implementation and evaluation of policy relating to child poverty and social mobility;
- (b) research in connection with child poverty and social mobility;
- (c) work with children and families experiencing poverty.’

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called (c)*

Line 67, at end insert—

- ‘(3) Before appointing a member under subsection (1)(e) a Minister of the Crown must consult—
- (a) the chair, the deputy chair, and
- (b) the Scottish Ministers, the Welsh Ministers and the relevant Northern Ireland Department.’

Welfare Reform Bill, *continued*

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* (d)

Line 97, at end insert—

‘8A (1) The Commission may at any time request the Minister of the Crown to carry out, or commission others to carry out, such research on behalf of the Commission for the purpose of the carrying out of the Commission’s functions as the Commission may specify in the request.

(2) If the Minister of the Crown decides not to comply with the request, the Minister of the Crown must notify the Commission of the reasons for the decision.’.

Mr Liam Byrne  
Stephen Timms  
Ms Karen Buck  
Margaret Curran

*Not called* (e)

Line 139, leave out sub-paragraph (2).

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Chris Grayling  
Maria Miller

*Agreed to* 291

Title, line 4, after ‘jobcentres;’ insert ‘to establish the Social Mobility and Child Poverty Commission;’.

*Bill, as amended, to be reported.*

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