

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

CHILDREN AND SOCIAL WORK BILL [*LORDS*]

First Sitting

Tuesday 13 December 2016

(Morning)

CONTENTS

Programme motion agreed to.

Written evidence (Reporting to the House) motion agreed to.

CLAUSE 1 agreed to.

CLAUSE 2 under consideration when the Committee adjourned till this day at Two o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor's Room, House of Commons,

not later than

Saturday 17 December 2016

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The Committee consisted of the following Members:

Chairs: MRS ANNE MAIN, † PHIL WILSON

- | | |
|----------------------------------------------------------|----------------------------------------------------------------------------|
| † Caulfield, Maria (<i>Lewes</i>) (Con) | † Siddiq, Tulip (<i>Hampstead and Kilburn</i>) (Lab) |
| † Creasy, Stella (<i>Walthamstow</i>) (Lab/Co-op) | † Syms, Mr Robert (<i>Lord Commissioner of Her Majesty's Treasury</i>) |
| † Debbonaire, Thangam (<i>Bristol West</i>) (Lab) | † Timpson, Edward (<i>Minister for Vulnerable Children and Families</i>) |
| † Fellows, Marion (<i>Motherwell and Wishaw</i>) (SNP) | † Tomlinson, Michael (<i>Mid Dorset and North Poole</i>) (Con) |
| † Fernandes, Suella (<i>Fareham</i>) (Con) | † Whately, Helen (<i>Faversham and Mid Kent</i>) (Con) |
| Green, Kate (<i>Stretford and Urmston</i>) (Lab) | |
| † Hoare, Simon (<i>North Dorset</i>) (Con) | Farrah Bhatti, Katy Stout <i>Committee Clerks</i> |
| † Kennedy, Seema (<i>South Ribble</i>) (Con) | |
| † Lewell-Buck, Mrs Emma (<i>South Shields</i>) (Lab) | |
| † McCabe, Steve (<i>Birmingham, Selly Oak</i>) (Lab) | |
| † Merriman, Huw (<i>Bexhill and Battle</i>) (Con) | |
| Milling, Amanda (<i>Cannock Chase</i>) (Con) | † attended the Committee |

Public Bill Committee

Tuesday 13 December 2016

(Morning)

[PHIL WILSON *in the Chair*]

Children and Social Work Bill [Lords]

9.25 am

The Chair: Before we begin line-by-line consideration, I have a few preliminary announcements. Please switch all electronic devices to silent. Tea and coffee are not allowed during sittings.

We will first consider the programme motion on the amendment paper. We will then consider a motion to enable the recording of written evidence for publication. In view of the time available, I hope that we can take those matters formally, without debate.

Ordered,

That—

(1) the Committee shall (in addition to its first meeting at 8.55 am on Tuesday 13 December) meet—

- (a) at 2.00 pm on Tuesday 13 December;
- (b) at 11.30 am and 2.00 pm on Thursday 15 December;
- (c) at 9.25 am and 2.00 pm on Tuesday 10 January;
- (d) at 11.30 am and 2.00 pm on Thursday 12 January;
- (e) at 9.25 am and 2.00 pm on Tuesday 17 January;

(2) the proceedings shall be taken in the following order: Clauses 1 to 32; Schedule 1; Clause 33; Schedule 2; Clauses 34 to 50; Schedule 3; Clauses 51 and 57; new Clauses; new Schedules; Clauses 58 to 64; and remaining proceedings on the Bill; and

(3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 17 January.—*(Edward Timpson.)*

The Chair: The deadline for amendments to be considered at Thursday's sitting of the Committee was rise of the House yesterday. The next deadline will be 4.30 pm on Thursday 5 January, for the Committee's first sitting after Christmas, on Tuesday 10 January. The Clerks will circulate an email about arrangements for tabling amendments during the recess.

Resolved,

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.—*(Edward Timpson.)*

The Chair: Copies of written evidence that the Committee receives will be made available in the Committee Room.

We now begin line-by-line consideration of the Bill. As a general rule, my fellow Chair and I do not intend to call starred amendments. The required notice period in Public Bill Committees is three working days, so amendments should have been tabled by rise of the House yesterday for consideration on Thursday. The selection list for today's sittings is available in the room and on the website. It shows how the selected amendments have been grouped for debate. Grouped amendments are generally on the same or similar issues. A Member who has put their name to the lead amendment in a

group is called first; other Members are then free to catch my eye to speak on all or any of the amendments in that group. A Member may speak more than once in a single debate.

At the end of the debate on a group of amendments, I shall call again the Member who moved the lead amendment. Before the Member sits down, they need to indicate whether they wish to withdraw the amendment or seek a decision on it. If a Member wishes to press any other amendment or new clause in a group to a vote, they need to let me know. I shall work on the assumption that the Minister wishes the Committee to reach a decision on all Government amendments that are tabled.

Please note that decisions on amendments do not take place in the order in which they are debated but in the order in which they appear on the amendment paper; in other words, debate occurs according to the selection and grouping list. Decisions are taken when we come to the clause affected by the amendment.

In line with the resolution of the Programming Sub-Committee, new clauses will be decided after we have finished with clause 57 and before we move on to clause 58 and subsequent clauses. I shall use my discretion to decide whether to allow a separate stand part debate on individual clauses and schedules following the debate on the relevant amendments. I hope that that explanation is helpful.

Clause 1

CORPORATE PARENTING PRINCIPLES

Mrs Emma Lewell-Buck (South Shields) (Lab): I beg to move amendment 18, in clause 1, page 1, line 8, leave out "have regard to the need".

Amendments 18 to 25 impose a duty on a local authority in respect of how it carries out functions in relation to children and young people.

The Chair: With this it will be convenient to discuss the following:

Amendment 19, in clause 1, page 1, line 10, at beginning leave out "to".

See amendment 18.

Amendment 20, in clause 1, page 1, line 12, at beginning leave out "to".

See amendment 18.

Amendment 21, in clause 1, page 1, line 14, at beginning leave out "to".

See amendment 18.

Amendment 22, in clause 1, page 1, line 16, at beginning leave out "to".

See amendment 18.

Amendment 23, in clause 1, page 1, line 19, at beginning leave out "to".

See amendment 18.

Amendment 24, in clause 1, page 2, line 1, at beginning insert "have regard".

See amendment 18.

Amendment 25, in clause 1, page 2, line 3, at beginning leave out "to".

See amendment 18.

Mrs Lewell-Buck: It is a pleasure to serve under your chairmanship, Mr Wilson. I welcome all Committee members to this sitting. As this is my first time on the Front Bench in a Bill Committee, I ask everyone to bear with me. I am happy to take any guidance from those in the room who are more experienced than I am.

First, I would like briefly to echo some comments made in the other place about the rushed pace and hurried nature of the Bill. Noble Lords expressed concern that the Bill had not been carefully thought out; they were right, of course, because thanks to their diligent work the Bill before us is markedly different from the one that was introduced. The legislation appears not to have been made in response to any particular burning issues or needs—nor, despite its being a Bill about children and social workers, does it appear to be built on extensive consultation with children or social workers.

Steve McCabe (Birmingham, Selly Oak) (Lab): My hon. Friend commented on how extensively the Bill has changed; my understanding is that we are on more or less the fourth version. If there was extensive consultation, how come the Minister brought the Bill before Parliament in a condition so inadequate that it needed to be changed so substantially before it got here?

Mrs Lewell-Buck: That is a question that the Minister might answer. I hope that the Bill will be changed again after our deliberations in Committee—so there may well be a sixth or seventh version.

Michael Tomlinson (Mid Dorset and North Poole) (Con): Does the hon. Lady acknowledge that part of the reason for a Bill Committee, whether in the Lords or the Commons, is scrutiny, and that if that results in change it shows the strength of the system, rather than weakness?

9.30 am

Mrs Lewell-Buck: It shows strength on the part of the Lords who made the amendments, but weakness in the Government who introduced a Bill in need of so many changes.

Since Second Reading last week, I have been inundated with expressions of concern that the Bill has progressed so rapidly to Committee without any sittings to take evidence from the sector or agencies that work closely with vulnerable children. Neither the Opposition nor the sector and the agencies working in the field feel particularly comfortable about the Bill's passage through Parliament. My amendments would strengthen the wording, in expectation of the local authority's having an active duty to make the provision in question, and remove the weaker, passive expression, "have regard to".

Of course, when Labour was last in government, it introduced the first ever statutory framework for care leavers, the Children (Leaving Care) Act 2000, and followed that with the Children and Young Persons Act 2008. It is clear that the party is committed to children who are leaving care. We welcome any measures that make improvements for the thousands of care leavers, whose numbers are due to grow—bearing in mind that the March figures for looked-after children were the highest since 1985, at 70,440. It is more vital than ever to get support for care leavers right.

We also welcome the spirit of the corporate parenting principles, with the clear definition of expectations about how the local authority should fulfil its role in relation to looked-after children and care leavers. We feel, however, that the principles are totally undermined by the fact that the provision will require local authorities only to "have regard" to them rather than have a duty to fulfil them, as is the case in Scotland, for example.

In another place, Lord Nash said the principles are "about changing and spreading good practice, and making sure that the local authorities' task in loco parentis does not burden them with a tick-box approach and extra duties."—[*Official Report, House of Lords*, 29 June 2016; Vol. 773, c. 1558.]

I have sympathy with that approach, but I fear that, as it stands, it is too woolly and open to interpretation. There is a clear need for the emphasis to shift from the reactive to the proactive. Unless the principles are worded more robustly, local authorities, which may strive to do their best as corporate parents, may nevertheless be obliged to cut corners, especially in these times of stretched budgets. We cannot just rely on culture change or assume that, if there is no duty, new principles will be put into practice just because they exist in theory.

There is already far too much variation in levels of care, because different local authorities have different numbers of looked-after children and children leaving care. All too often, because of the Government's disproportionate approach to local government cuts, it is the local authorities in the most deprived areas whose budgets have been cut the most. The Government's misguided idea that they can deliver the outcomes they seek through culture change, without looking at any of the underlying challenges that face councils around the country, is absurd.

Simon Hoare (North Dorset) (Con): Will the hon. Lady take it from me that reductions in local government expenditure have happened across the country? This myth that it is the more deprived, northern towns that have been hit hardest is just that—a myth.

Mrs Lewell-Buck: Unfortunately, I completely disagree with the hon. Gentleman. The most deprived local authorities have received the biggest cuts.

Steve McCabe: If the hon. Member for North Dorset is right, perhaps he can tell us how it is that some Tory-controlled authorities up and down the country have seen an 8% increase in their funding, while other parts of the country have seen an 8% reduction.

Michael Tomlinson: That's not true.

Steve McCabe: It is true.

The Chair: Order.

Mrs Lewell-Buck: The fact is that local authority budgets have faced swingeing cuts since the Tories first took office in 2010. The Bill simply passes more roles on to local authorities without ensuring that they have the necessary resources. That reflects the very worst of this Government's approach to local government: to cut budgets first and to devolve power and responsibility later, without ensuring that the local authorities can properly deliver the services.

I do not wish local authorities to take on their corporate parenting responsibilities as a tick-box exercise. If they did, I fear that that would indicate that they had fallen

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at the very first hurdle in terms of good practice. I do think, however, that it is important to give the principles the weight that they deserve by ensuring that they are as robust as possible.

Flexibility in practice is important, but strengthening the wording in no way prohibits local authorities from carrying out their functions as they see fit. If a new system is to become embedded in a nationally uniform way and not to become another postcode lottery, it is crucial that local authorities know from the outset that the corporate parenting principles are a priority and not an option. Too often, the services that children most in need of state help receive are reduced to a postcode lottery. That can be seen in the funding for children in need of help and protection: the local authority with the highest funding has available more than 13 times the funding per child than the most poorly funded authority.

We are concerned that the corporate parenting principles as drafted will amount to another postcode lottery. Simply requiring local authorities to “have regard to” the principles of corporate parenting, rather than there being a statutory duty, will add to the risk. When local authorities must only have regard to principles, the serious risk is that only those local authorities with the resources that others do not have will be able to deliver. To address that, the Government should guarantee a legal duty to abide by the corporate parenting principles to deal with the underlying challenges facing local government—challenges of the Government’s own making.

Corporate parenting is one of the most important roles that a local authority has. Local councillors take the responsibility extremely seriously. It is important that the role is not diluted and remains closely linked to democratic accountability. However, the principle of corporate parenting cannot simply end with local authorities. All agencies working closely with looked-after children and care leavers, although they are not corporate parents, should co-operate in support.

Children who rely on the corporate parenting principles will often have complex needs. Local authorities alone will not always be able to meet those needs. A full range of agencies, despite not being corporate parents themselves, will need to work in co-operation to support those young people’s complex needs. In particular, health and education have a vital role in ensuring the best possible outcomes for children in care. Once again, however, the Government have not gone far enough with the principles to ensure that young people in the care of the state will get the support that they need.

We welcome and support the principles of corporate parenting, but the Government seem to be simply hoping that new responsibilities for local authorities “to have regard” will be enough. In reality, unless the principles are a duty, they will for some children remain meaningless—empty words in an Act of Parliament, without any real impact on their lives. Those children need actions and not words, and “having regard to” something rarely translates into real action.

The Minister for Vulnerable Children and Families (Edward Timpson): It is a pleasure to serve under your chairmanship, Mr Wilson, both this side of Christmas

and in the new year. In the run-up to Christmas, I am looking forward to a cracker of a Committee, full of joy and, I hope, understanding.

I know the hon. Member for South Shields will be wondering what present I have brought for her this year, but I will wait to hear what she wants first. I apologise in advance if what she asks for is either out of stock or outside my budget range. I will listen carefully to the case she makes and do my best to try and fulfil her wishes.

I am also grateful to the hon. Lady for this opportunity to re-emphasise the importance of clause 1, which in many ways is the beating heart of this Bill. The intention behind amendments 18 to 25 is to ensure that the corporate parenting principles cannot be ignored and are meaningful. I am equally determined to ensure that. That is why the clause states that a local authority “must...have regard to” the needs identified in the clause as the corporate parenting principles, rather than simply “may” have regard to them. A local authority must take account of the needs articulated in subsection (1)(a) to (g) whenever they carry out any local authority function in relation to looked-after children and care leavers.

Framing the duty in terms of “having regard to” is the right approach. Local authorities already have a range of statutory duties in relation to looked-after children and care leavers that derive from the Children Act 1989 and its associated regulation, which set out a long list of statutory duties that underpin our current child protection system and also create a strong and robust system within which the corporate parenting principles may be operated.

Steve McCabe: It is an honour to serve under your chairmanship, Mr Wilson. If the principles are the beating heart of the Bill, will the Minister take some time to explain the major distinction between the seven principles and the duties in the 1989 Act? On the one hand we have clear duties imposed on the local authority, and on the other we have a new piece of legislation setting out new principles that local authorities must only “have regard to”. The implication is that one is an obligation and the other is simply something that they should have regard to. What is the distinction between the duties and the principles that made it necessary for the Minister to bring these principles forward?

Edward Timpson: I am grateful for the hon. Gentleman’s question, because it is important that local authorities understand how this sits within their wider duties as the corporate parent for children in their care.

The principles do not sit in isolation. Clause 1 ensures that existing local authority duties and responsibilities for looked-after children and care leavers are carried out with these principles in mind. It requires local authorities to consider how they carry out all their functions in relation to looked-after children and care leavers. The principles sit above the local authority’s substantial current duties towards looked-after children and care leavers within existing legislation. Those duties remain unchanged; the corporate parenting principles are intended to inform how local authorities fulfil those duties and promote a culture in which all parts of the local authority contribute to their role as corporate parent.

The hon. Gentleman will know as well as I do from his period shadowing me and the time he has spent talking to local authorities and children in care that we are trying to ensure that the responsibility for children in a local authority's care does not just sit at the door of social workers; it should be the responsibility of the whole council under the seven principles we have set out. The principles give lead members for children's services and independent reviewing officers a lever to help to achieve just that, both at a strategic level and for individual young people. It is important that the Committee knows that statutory guidance—we have provided a draft—will underpin the principles to make them as clear as possible.

9.45 am

Local authorities also carry out a range of other provision functions, including housing, council tax and so on, which can have an impact on looked-after children and care leavers. Importantly, the principles do not duplicate or replace those duties; they are there to inform, in a proportionate and flexible way, how the existing duties should be carried out. In other words, when carrying out all existing local authority responsibilities, they must pay attention to the seven key needs in subsection (1)(a) to (g).

Simon Hoare: My hon. Friend mentioned local authorities on a number of occasions in relation to the clause. Subsection (3)(a) to (f) sets out what local authorities are, but are county borough councils, such as Cheltenham Borough Council, also included? It mentions district councils and London borough councils, but there is no reference to shire boroughs.

Edward Timpson: My understanding is that it is relevant to borough councils such as the one my hon. Friend mentions, but I will ensure that I have complete clarity on that point, because it is imperative that this proposal covers the whole of local government where it has responsibility for the children in its care.

Removing “have regard to” would constrain local authority discretion, which is not the outcome we are looking for. Instead, we want to achieve a culture change so that the corporate parenting principles genuinely inform how existing duties are carried out. For example, if the local authority is fulfilling a refuse collection function to a care leaver, the need to promote high aspirations may not be entirely relevant to that function—I think we can all see that. It is something that the authority must have regard to, but it can take the view that it is not possible to do anything towards meeting that need when exercising a particular function, hence the need for local discretion and proportionality. On the other hand, when fulfilling housing functions it may be relevant to have regard to the need to secure the best outcomes for care leavers. To that end, the needs identified in the clause must work in a way that is proportionate, meaningful and pragmatic.

The clause articulates for the first time the guiding principles that will change local authorities' culture and practice when they discharge their responsibilities as corporate parents. That approach is supported by Dave Hill, the president of the Association of Directors of Children's Services. We want to encapsulate in the corporate parenting principles a set of clear and helpful priority

needs for this group of children and young people. We want them to be reference points for the local authority to take into account across the discharge of all its functions. That means that everyone in the authority—not only front-line staff in children's social care and leaving care services, but all local authority services—will have regard to those needs when carrying out functions in relation to care leavers and looked-after children.

Helen Whately (Faversham and Mid Kent) (Con): My hon. Friend is talking about how the whole local authority must take responsibility for care leavers. Does he anticipate that the principles will mean that local authorities are far less likely to place children out of their local area and put them into care in other local authorities, and that they will place children outside their boundaries only in exceptional circumstances?

Edward Timpson: My hon. Friend is right to raise what is still an ongoing issue in many parts of the country. I know that many children, often from central London, are placed out of area in Kent, where her constituency is. Although in a small number of cases there is a clear justification for doing so relating to the young person's needs, we hope that the corporate parenting principles will bind the local authority's decision making together, so that when a final view is taken on where the child is best placed to meet their needs the local authority will look at how it can improve its local provision, set against the corporate parenting principles, which include housing and the wishes and feelings of the young person. I anticipate that the corporate parenting principles will provide a better mechanism for ensuring that those who are charged with the responsibility of finding the right path for those young people do so in a way that enables them to find a placement that is in keeping not just with their wishes but their needs, which more often than not means being much closer to home than in some cases currently.

Steve McCabe: Further to the point made by the hon. Member for Faversham and Mid Kent, would not the receiving authority also be bound by the corporate principles, so that if a child were placed outside the borough, the receiving authority would be subject to all these principles in the way it looked after the young person in exactly the same way as if they were placed in borough?

Edward Timpson: That is a helpful clarification. For any child who is placed in a local authority's area, the corporate parenting principles will apply to that local authority. That duty to act on their behalf in their best interests does not end or not start because the child is moving around the system.

One thing we want to get away from are the artificial boundaries that have been put up by virtue of local government lines that do not always serve children well, although it may be more comfortable for those who are carrying out those function not to think about what happens beyond their borders. That is an issue that is becoming more prevalent, with children being moved around the system, losing track of where they are living and their circumstances. We know that makes them extremely vulnerable. The strong message that comes out of this Committee, having heard both sides, is that

[Edward Timpson]

these principles should be seen as a national cause, not just a local one, so that every local authority and all its officers ensure that they fulfil its responsibilities as a corporate parent.

Steve McCabe: I want to ensure that I have understood this. That was a very helpful contribution from the Minister and I understand exactly what he is trying to achieve, but I am curious about what would happen in a situation where a child is placed out of borough and the child or their advocate argues that one of the authorities is acting in accordance with some of the corporate principles but the other one is not and is therefore obstructing the quality of their care. How would that situation be resolved, given that the object of the exercise is to ensure the best care and to make this a national set of principles?

Edward Timpson: In some respects, in what I hope are very limited cases, that situation already arises, where a child or young person has been moved out of their host local authority and they are not content with the arrangements that have been set up in the new local authority. [Interruption.] Will the hon. Gentleman bear with me? They may want to pursue that through the advocacy that they are entitled to. We are seeking to ensure that when that situation arises, though we hope it does not in the vast majority of cases, if at all, there is whole local authority ownership of that issue and that transcends local authority boundaries. That would ensure greater consistency of approach, not just from social workers but those who are responsible for housing and other functions of that local authority.

If the hon. Gentleman looks at some of the changes that we have already made to the residential care system for children, if a child moves out of area, that has to be signed off by the director of children's services of the host local authority and there has to be a proper level of consultation and agreement between the local authorities as to what the arrangements will be. The aim is to ensure a good and consistent level of service provided by both the local authorities, irrespective of where the child happens to be between the two of them—in some cases it is more than two.

It is important to recognise that these seven principles and the areas they cover are designed to touch every aspect of that child's time in care. By having to have regard to those principles, we will end up in a situation in which local authorities more widely are taking account of their responsibilities more seriously, irrespective of the type of placement that child or young person is in, their age, their background, or the sort of placement that is best suited to their needs. The whole point of having statutory guidance is to try to assist local authorities in coming up with practical ways, as well as engendering the culture change we want to see, to make sure that we get the improvements that we want to be part of.

Tulip Siddiq (Hampstead and Kilburn) (Lab): It is a pleasure to serve under your chairmanship, Mr Wilson; this is my first Bill Committee, so please bear with me if I ask questions that seem obvious. I understand that someone could be moved out of their local host borough.

If they move to another borough, who has the primary responsibility for the child and where is their assigned social worker: in the host borough or the new borough?

Edward Timpson: The original local authority where that child was taken into care continues to have overall responsibility for their care. That is why it is important that they co-ordinate very closely with the receiving local authority to ensure that the child is cared for as well as they possibly can be. When that breaks down, it is often a consequence of the host local authority not having that real sense of responsibility and, in a sense, passing that responsibility on to the receiving local authority. That should never be the case.

In my previous life as a family law barrister, I was involved in cases where local authorities were unaware of where a child was living in the local authority to which they had been transferred. That is unacceptable, and it is exactly the sort of issue that Ofsted would be interested in when inspecting a local authority. What we are really trying to push for with these principles is to ensure that we get that continued level of interest, responsibility and determination, with local authorities still seeing those children as a high priority when fulfilling their role as corporate parent. That should never be diluted because the child happens to be moving around the system geographically.

Having grown up with foster siblings, I also know how important it is to demonstrate consistently that someone cares for and supports these children and young people; that someone worries about their safety, their relationships and their aspirations, and that they will help them realise their ambitions. Most children and young people are fortunate to have families who do that for them, but I want that for looked-after children and care leavers, too. As the local authority stands in place of these children's parents, it is important that they should seek to act as any good parent would, as I said a few moments ago. If we take an examination of Ofsted reports that tell us where that is done well—Trafford, Hackney, Hertfordshire and Lincolnshire—we see that that is where corporate parenting is at its strongest. That is what this clause is designed to do, and what I believe it will achieve.

As was the case in the other place, this group of amendments seeks to ensure that corporate parenting principles are meaningful and practical. I believe that they are. Ofsted already has corporate parenting firmly on its radar. The inspection framework refers to corporate parents nine times, and I have no doubt that inspectors will have these principles clearly in their sights when they assess how well a local authority fulfils its corporate parent role. I have already had the pleasure of discussing this clause with Ofsted's lead on social care, Eleanor Schooling, and I am confident that they will understand and want to test how local authorities are responding to these new principles.

As well as the wording of the clause, local authorities and Ofsted will have the statutory guidance that will be made available under this clause. As I have alluded to, that will include more detail on how the principles will work in practice, and the importance of embedding them within the culture of the organisation, driven by strong leadership from the top, as well as examples of how each principle could be applied on the ground. We plan to consult formally on draft guidance in the new year.

10 am

Looked-after children deserve the best possible start. Local authorities, as their corporate parents, have a responsibility to ensure that they adopt an approach to facilitate that happening. That is why clause 1 is a pivotal clause in the Bill. I hope that all I have said provides the reassurance the hon. Member for South Shields is seeking, and that she will withdraw her amendment.

Steve McCabe: I do not want to take up too much of the Committee's time. Having listened to the Minister, I am in no doubt about his aspirations. I also had the benefit of shadowing his post in the previous Parliament, and I have no doubt that his actions are well intentioned. However, I wonder whether he will be able to achieve his ambitions with this set of proposals, which is why the amendment tabled by my hon. Friend the Member for South Shields is of such significance. The danger here is that we have a set of words but no guarantee that they will translate into action.

I would have liked the Minister to explain to the Committee why there are seven principles in the first place. There were three others suggested in the House of Lords, but they were rejected out of hand. The Minister has made no reference to those whatsoever, and we have been left almost short-changed in terms of the information we have. The danger of not making this a duty is that although the Minister might think that this is the heartbeat of his legislation, to other people it looks like window dressing. The statute books are littered with children's legislation that has been nothing more than window dressing.

That is why we should take advantage of this opportunity to probe exactly what these principles will do. If they are that important, why is the Minister not prepared to insist that local authorities should act on them? It is hard to find fault with their general wording, but I wonder whether in fact they give local authorities a great many opportunities to dance around the issues.

I note that the Minister spoke of his desire not to straitjacket local authorities, which was his reason for saying that they must "have regard to" the principles, rather than imposing them as duties. He took as his example clause 1(1)(e), about having high aspirations. I want to probe that a little further to see what he really has in mind. Are those aspirations governed by the local authority's view of what might be high aspirations?

Once a child comes into care, their health is likely to deteriorate, particularly their mental health, which has a 50% greater chance of resulting in some kind of episode. Their education is likely to deteriorate, which is why we have created the post of virtual school head. That is why there was so much emphasis in what the Minister did in the previous Parliament on trying to raise children's educational aspirations. Whose aspirations are we talking about: the local authority's, the child's, their natural parents' or their advocate's? Who will determine what is a high enough standard for that child? The rest of us would determine for our own children, and we would want the absolute best for them. But when the Minister talks about aspirations, whose decision will be the determining factor?

The Minister talks about not wanting to straitjacket the local authority. He gave an interesting example about refuse collection not necessarily being an area

where one would want to tie the local authority into aspiration. On the surface, I would agree with him. He went on to say that in the case of housing that might be different. What about the quality of housing that a young person is placed in? Does that not affect aspiration? What about the level of the repair service they receive, if the place is in a difficult, high-rise block with mould and water running down the walls? What about the local environment that the young person is placed in? If the local authority deems it all right to put them in a run-down block of flats in a difficult part of town, where the walls are littered with graffiti and there are needles, syringes and broken bottles everywhere, does that not affect a young person's aspiration? Should that not be something the Minister is telling us about?

Actually, clause 1(1)(e) has a huge impact on how that young person is affected. If these principles mean anything at all, should we not be leaving the Committee absolutely certain that the Minister for Children and Families is saying that the principle of aspiration, as defined in clause 1(1)(e), means that no longer will any local authority be allowed to place a child in the appalling environmental conditions that can do nothing but diminish their aspiration and affect their overall wellbeing and health?

I want to check on one other thing. In the other place, Lord Nash referred to the Minister for Vulnerable Children and Families. Has the Minister had a change of role? Has something been slightly altered? If these principles apply specifically to vulnerable young people, I wonder what that distinction is. We all know that many kinds of young people come into care, driven by many different factors, but often those who have suffered the worst neglect and abuse are the most vulnerable. If he is saying that an additional level of consideration should be applied to them, it would be good to know that.

I understand the Minister's point—this was raised by the hon. Member for Faversham and Mid Kent—about a young person received into care by one authority who then lives in another authority. He will know as well as I do the tragedy of that. It is probably best exemplified by events in Rotherham and Rochdale. When these children, often from the south of England, are transferred to authorities in the north of England, they are completely forgotten. That is why it was possible for some of the terrible things that happened there to take place and go unnoticed. The Minister said that both authorities would have responsibility. When I pursued him on the question of conflict between authorities, he assured us that the present system is designed to cater for that. I want to raise that question once more, in relation to the point his hon. Friend the Member for North Dorset made at the outset of the Committee about the different levels of cuts and finance available to local authorities.

If a child is received into care by one local authority and then sent to live in the care of a different local authority, and if there is a set of proposals for their welfare—their education, for example, or perhaps they need counselling because of trauma they have suffered, or particular needs that were identified through an assessment following their placement—and it is deemed that they should receive a particular kind of formal support, what would happen if the local authority that received them then refused on the basis that its budget situation had since changed substantially, to the extent

[*Steve McCabe*]

that it could no longer afford that service? Who would be responsible for ensuring that these principles were applied? Would it be the local authority where the child is now residing, which would undoubtedly argue that the bill had to be picked up by the local authority that had received the child into care?

I raise that point because, as the Minister said at the outset, these principles are the heartbeat of his legislation. The principles are worthless unless we know exactly how they will be applied and how they will directly affect the interests of a particular child. If the Minister cannot give us a graphic description of how that would work, these are empty principles; they are not principles that underpin a better future for children. Otherwise, this is empty legislation and these are empty words on paper that will litter the walls and shelves of social work offices up and down the country and contribute nothing to the welfare of the young people we are concerned about.

The Minister should therefore consider once again whether his principles are so essential to his legislation that they should be applied as a duty to the local authority, which should have no wriggle room from addressing them. That is the only way he will ensure that he gets the outcomes that I am sure he wants to achieve.

Tulip Siddiq: I note what the Minister said about a holistic approach to looking after these children. He mentioned front-line staff and the council working together as a whole, which I agree with. I was a councillor for many years in a council that is rated in the top three boroughs in the country, and I was also a cabinet member. We faced a £80 million shortfall overall and I had to make a 30% cut to the services that I was in charge of. Although I appreciate the sentiment behind these principles and I think they are very timely and needed, will the Minister comment on the fact that councils are stretched? Front-line staff are disappearing because they cannot afford to keep them on, and councils are struggling to provide even the basic services because of the lack of funding.

This is not a political point. Councils across the country are struggling with what I saw first-hand. I appreciate the sentiment that there should be an holistic approach to looking after these children—and I agree that that should happen, because they are the most vulnerable in society—can we carry that out at a time when councils are struggling with their funding because of the cuts to local government budgets from national Government?

Edward Timpson: This debate has been helpful in teasing out a little more understanding of the purpose of the principles. I accept that the principles in themselves are not going to transform the life of every child in care. However, as I have set out, we seek to provide a strong and comprehensive set of principles that will apply to all local authority officers, irrespective of their role, and which will engender a shared sense of responsibility and push to the forefront of their mind the impact of their decisions on children in care and care leavers placed with them.

I want to reassure the hon. Member for Birmingham, Selly Oak, who thinks about these things very deeply and cares about making sure that we come up with an approach that will have a positive impact, that the principles are not set in isolation. All the underlying responsibilities of local authorities remain in place.

10.15 am

As we know, there are myriad clear statutory duties on local authorities. For example, section 22 of the Children Act 1989 sets out local authorities' general duties in respect of looked-after children, such as safeguarding and promoting their welfare and educational achievement, and ascertaining and taking due consideration of their wishes and feelings. Section 10 of the Children Act 2004 places a duty on local authorities to make arrangements to co-operate with the relevant partners in their area to promote the wellbeing of children. Section 11 of the 2004 Act prescribes the bodies and people in England who must make arrangements to safeguard and promote the welfare of children. There are, of course, many more responsibilities, coupled with a raft of guidance and regulations that provide further detail as to exactly what local authorities must do to fulfil those responsibilities.

I do not want the hon. Gentleman to come away with the impression that the corporate parenting principles in themselves are what local authorities must ensure they have regard to. Those principles overlay what is a very clear structure of statutory responsibilities that have served well since they were introduced almost 30 years ago.

Steve McCabe: I am not sure whether I have misunderstood; perhaps the Minister can help me. He is quite right to identify all those duties, but am I not right in thinking that in later clauses that deal with innovation, he plans to allow local authorities to opt out of these very duties and responsibilities? He talks about safeguards being applied to children, but he will later tell us he plans to let local authorities give those responsibilities up.

Edward Timpson: I am afraid the hon. Gentleman is wrong. If he looks at the provisions we have introduced, he will see that the sections I referred to are explicitly removed from that ability in relation to the power to innovate. He will also want to familiarise himself with the guidance, which will set out in a more practical and meaningful way how we want local authorities to behave in relation to the principles. At present, many local authorities are fulfilling those duties in a way that is very much aligned with the principles. We do not want to overlay further legislation that puts additional duties on local authorities, when they are already able to do this within the framework that is in place. This is about a shift in approach, not creating new burdens on local authorities.

The hon. Gentleman talked about aspirations. All of us have the highest possible aspirations for any child growing up in the care system, and local authorities must have those high aspirations too. That is what the clause is all about. He gave an example of a young person being placed in housing in an area of deep deprivation, with syringes lying on the floor of alleyways and so on. That, in anyone's reading, would be wholly

inappropriate. I do not think anyone would dispute that someone placing a child in that area clearly does not have high aspirations for them. There is still, as seen in too many Ofsted reports, an acceptance of an unfulfilled level of aspiration for children and young people in that local authority's care.

We want to put front and centre of the Bill a very clear message, backed up by the statutory guidance, to every local authority: "Whether you are a social worker, a housing officer or working in the finance department, you should have high aspirations for this young person. You shouldn't accept second best for them, because you are fulfilling the role of corporate parent, and that should drive you on to ensure you do your very best."

Steve McCabe: As I said, I have great respect for the Minister. There is nothing personal in what I am saying, but he knows as well as I do that there are young people around the country being put in bed-and-breakfast accommodation by local authorities, alongside alcoholics and junkies—it is happening now. If his aspiration is to put an end to that, why does not he legislate for it, rather than giving us principles that local authorities will be able to opt out of, as it suits them?

Edward Timpson: I am sure that the hon. Gentleman knows that we have already tightened the rules on the use of bed and breakfast—local government welcomed that—to try to get the right placement for each young person, depending on their circumstances. I do not want him to give the impression that the principles are the only thing the Government have introduced to try to improve experiences and outcomes for children in the care system.

I want to challenge the hon. Gentleman on his point about the health and education of children in care deteriorating during their time in care. That is not what the evidence suggests. He will have seen the report from the Rees centre, whose research showed that care has an overall positive impact on children. Those in care do better than children in need, in terms of educational improvement. There is no evidence that their health deteriorates, although of course there are individual cases where that does happen. They are more likely to have health checks while they are in care than when they are not.

I reassure the hon. Gentleman that my job title, Minister for Vulnerable Children and Families, does not affect my other responsibilities; in fact, I have even more responsibilities than I did when the name of my portfolio did not include the word "vulnerable". Part of my mission involves the clear and consistent approach that the Government have set out in the "Putting Children First" policy paper, which the hon. Gentleman will have read. That sets out our ambition to improve services in every way, for children in care and for care leavers. [*Interruption.*] I see that the hon. Gentleman has the paper in front of him—he has made my Christmas.

The paper sets out a clear and comprehensive strategy for the period from now to 2020, across the system, for the people working in children's social care, the practice system that they work in, and the governance and accountability that will ensure we know what works and what does not. As a consequence, we will have the opportunity to see more children, with the principles in place, being looked after by those charged with the responsibility. That is the right approach.

The hon. Member for Hampstead and Kilburn raised the issue of how local authorities will be able to do what we envisage, at a time when local government funding is falling overall. The amount that local authorities have been spending on child protection has risen in recent years. That is partly because the number of children in care has gone up, but also because local authorities are taking the responsibility seriously. I welcome her support for the principles, but as for the impact of funding on the quality of children's social care services, she will have seen that there is no correlation that can be determined between the amount that a local authority spends on services, and their quality and the outcomes for children. Some of the lowest-spending authorities have the highest outcomes for children in their care, and some of the highest-spending have some of the worst outcomes.

I suggest that the hon. Lady look at Hackney, not all that far from her constituency, to see how it turned around children's services to the extent of being able to bear down on the overall cost. The services there work earlier and better with families, reducing the number of children who come into care, which means they can spend the money they have on improving services for the children who are in their care. I challenge the presumption that if we spend more money we get better services. That is clearly not the case. Of course we need to ensure that local authorities have sufficient funding to carry out their functions, but there is also room for them to ensure that they get the best possible value for the children in their care.

Mrs Lewell-Buck: The Minister has said that spend has increased and that is not related to quality in some local authorities. How does he explain that? Does he agree with the National Audit Office conclusion that that indicates that none of his Government's reforms since 2010 have yielded the desired results?

Edward Timpson: The hon. Lady is right to reference the NAO report, because the NAO was the proponent of the suggestion that there was not a correlation between spend and quality of service. We need to understand better why some local authorities are able to deliver better services for less money. As she will appreciate, this is a complex area, and there is still work to do to get under the skin of why the looked-after population is still rising in some local authorities but falling in others. That is partly to do with greater awareness and earlier intervention in families. In the past, particularly in cases of neglect, children were left in the care of their parents for too long.

Mrs Lewell-Buck: Will the Minister give way?

Edward Timpson: I am trying to give the hon. Lady a full explanation. Different circumstances in different local authorities drive decisions about funding and the outcomes that that funding achieves. We have recently signed a formal agreement with Ofsted so that we can more effectively share our data with one another—the NAO report asked for that—and have much more contemporaneous read-outs of how local authorities are performing, help them make better decisions about how to spend money and understand better as a Department what baseline funding local authorities need to carry out an efficient and effective service.

Mrs Lewell-Buck: I thank the Minister for giving way again. He touched briefly on early intervention. Does he accept that one of the reasons why more children are coming into care is perhaps that his Government's cuts have led to a lack of early intervention services, family support work and Sure Start centres? I know from practice that those things can keep families together and prevent children from going into care.

Edward Timpson: It will be no surprise to the hon. Lady that I do not accept that proposition. As I say, this arena is more complex than that. It is worth reminding the Committee that not every child who comes into contact with a children's centre inevitably ends up in the care system. Only a small proportion do so and have some support off the back of that. We want to capture those children as early as possible—I agree with her about that—but we must also provide targeted support for children in need who are on the edge of care so that their families get the support they need to keep them together, as Hackney has done successfully, rather those children slipping into and sometimes bouncing in and out of the care system, which is often the worst of all worlds for them.

I pray in aid the work that we have done through the innovation programme to try to improve local authorities' response to this difficult and complex issue. I accept that there is more work to be done, but the programme that we set out in the "Putting children first" policy paper is a good and strong response to that challenge. On that basis, I ask the hon. Lady to withdraw her amendment.

Mrs Lewell-Buck: I have listened carefully to the Minister's response. The key thing he said, which sticks in my mind, is that these principles should be those of all good parents. Any good parent would therefore see these principles as a duty, not something to "have regard to" or ignore at will. They would not do that, and neither should any of us. I will press the amendment to a vote.

Question put, That the amendment be made.

The Committee divided: Ayes 5, Noes 9.

Division No. 1]

AYES

Creasy, Stella	McCabe, Steve
Debbonaire, Thangam	
Lewell-Buck, Mrs Emma	Siddiq, Tulip

NOES

Caulfield, Maria	Syms, Mr Robert
Fernandes, Suella	Timpson, Edward
Hoare, Simon	Tomlinson, Michael
Kennedy, Seema	Whately, Helen
Merriman, Huw	

Question accordingly negated.

Clause 1 ordered to stand part of the Bill.

Clause 2

LOCAL OFFER FOR CARE LEAVERS

10.30 am

Mrs Lewell-Buck: I beg to move amendment 27, in clause 2, page 3, line 10, at end insert—

'(6A) The Secretary of State must publish a national minimum standard for a "local offer for care leavers".

(6B) When developing a national minimum standard for the purpose of subsection 6A the Secretary of State must consult relevant agencies responsible for the provision of services under subsection (2).'

This amendment would introduce a national minimum standard for a local offer for care leavers, which is to be developed in consultation with relevant parties.

The Chair: With this it will be convenient to discuss the following:

Amendment 26, in clause 2, page 3, line 20, at end insert—

'(e) unaccompanied asylum seeking children up to the point that they leave the United Kingdom.'

This amendment introduces an additional definition for "care leavers".

New clause 13—*Review of access to education for care leavers*—

'(1) The Secretary of State must carry out an annual review on access for care leavers to—

- (a) apprenticeships,
- (b) further education, and
- (c) higher education.

(2) The first review must take place by the end of the period of one year beginning with the day on which this Act is passed.

(3) A report produced following a review under sub-section (1) must include, in particular, an assessment of the impact of—

- (a) fee waivers,
- (b) grants, and
- (c) reduced costs of accommodation.

The report must be made publicly available.'

New clause 16—*National offer for care leavers*—

'(1) The Universal Credit Regulations 2013 are amended as follows—

- (a) in regulation 102(2)—
 - (i) in paragraph (a) after "18 or over" insert "and paragraph (b) does not apply";
 - (ii) in paragraph (b) after "16 or 17" insert "or is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016 and is under the age of 25";
- (b) in regulation 103(2)—
 - (i) in paragraph (a) after "18 or over" insert "and paragraph (b) does not apply";
 - (ii) in paragraph (b) after "16 or 17" insert "or is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016 and is under the age of 25";
- (c) in regulation 104(2) after "18 or over" insert "and section (3) does not apply".
- (d) in regulation 104(3) after "16 or 17" insert "or is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016 and is under the age of 25".

(2) The Working Tax Credit (Entitlement and Maximum Rate) Regulations 2002 are amended as follows—

- (a) in regulation 4(1), Second Condition, after paragraph (b) insert—

"(c) is aged at least 18 and is a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016, and is under the age of 25, and undertakes not less than 30 hours work per week."

(3) The Housing Benefit Regulations 2009 are amended as follows—

- (a) in regulation 2, in the definition of “young individual”, in each of paragraphs (b), (c), (d), (e) and (f), for “22 years” substitute “25 years”.

(4) The Local Government Finance Act 1992 is amended as follows—

- (a) in section 6(4) (persons liable to pay council tax), after “etc)” insert “or 10A (care leavers)”;

- (b) in Schedule 1 (persons disregarded for purposes of discount), after paragraph 10 insert—

“Care leavers

10A (1) A person shall be disregarded for the purposes of discount on a particular day if on the day the person is—

- (a) a care leaver within the meaning given by section 2 of the Children and Social Work Act 2016; and

- (b) under the age of 25.”

(5) The Council Tax (Exempt Dwellings) Order 1992 is amended as follows—

- (a) in Article 3, Class N, after paragraph 1(b) insert—

“(c) occupied only by one or more care leavers within the meaning given by section 2 of the Children and Social Work Act 2016 who are under the age of 25.”

(6) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.’

Mrs Lewell-Buck: Amendment 26 and new clauses 13 and 16, which I shall speak to, also stand in my name.

A child’s transition from being in care to becoming a care leaver is a notoriously difficult process. Supporting care leavers by offering them the relevant information about services they can access is welcome. That, however, will not address the need for proactive support for all care leavers or ensure that they all have the advice and information they need. Without setting a national minimum standard for the local offer, the very real risk is of a patchwork of provision across the country, where children in one area are offered a different level of service from that offered in another.

The Minister knows what happened with his Department’s implementation of a local offer for children with special educational needs and disabilities, introduced under the Children and Families Act 2014; I hope he will tell us why he thinks that the offer for children leaving care will not develop in the same haphazard way. If an idea has failed once and is not working as it should, surely duplicating it is not the best way to proceed.

At the time, we welcomed the principle of the local offer for learners with special educational needs and disabilities. As we recognised, it is important that those learners and their families receive the information necessary to achieve the best possible outcomes. However, two years later we have seen the local offer in practice, and it has not achieved all that it should have. Frankly, because of the lack of a national framework, we have ended up with a postcode lottery—an inconsistent and sadly often inadequate provision has therefore developed across the country.

The fact that the Government have not looked at those issues and taken steps to ensure that the local offer for care leavers operates in a high-quality national framework simply suggests, perhaps, that they are willing to repeat the same old mistakes. I am in full agreement with the noble Lord Watson, who pushed for the amendment in another place. Having no common policy

throughout the country is unacceptable. I argue again that the amendment is necessary. A minimum standard for the offer is needed, to serve as a framework, an undertaking, about the availability of services throughout the country.

The Minister will argue against the amendment, perhaps on the premise that the Government feel that they should not be deciding what is best for care leavers in their local area—that the local authorities and care leavers should decide themselves. That, however, is a straw-man argument. What we are asking for is simply a minimum standard so that whatever else is decided, there is a minimum level of protection for our most vulnerable children who are leaving care.

Stella Creasy (Walthamstow) (Lab/Co-op): I apologise to the Committee; I am afraid the Victoria line was not my friend this morning. I arrived as the shadow Minister was talking about corporate parenting and how the Bill is about what we should want for our own children. Surely my hon. Friend’s argument for a national minimum standard is exactly that; it is about the very basics that we would want for every single child because we would want it for our own child.

The risk of the Government’s approach is that, although there may be examples of good practice, there are also examples of poor practice. A national minimum standard would guard against that and protect every child as we would wish our own child to be protected.

Mrs Lewell-Buck: My hon. Friend is absolutely correct. We have seen that the implementation of the local offer for special educational needs and disabilities is just that: an inconsistent approach and a patchwork model across the country.

A minimum level would be a benchmark that could never be lowered but could always be built on and improved. Surely that is the gold standard that we would want for all our care leavers. There is no evidence that introducing a set of minimum standards limits innovation and creativity; it is simply a failsafe level of care. It would give clarity to both the local authority and the care leaver on what they can and cannot expect.

Care leavers often say that they struggle with what they are or are not entitled to. This would give them absolute clarity and help them plan better for independence. In practice, I lost track of the number of times when I dealt with parents who were themselves former care leavers. I went through everything and told them what they had been entitled to and they did not have a clue. This would be a good way to avoid such situations at the outset. Children should know what they are entitled to. If there is a minimum standard, they will always know what to expect.

A minimum standard would ensure that services offered would not be withdrawn when budgets are further cut by central Government and would let the people we are discussing know that their local authority and other agencies in their area really do care about their future and are committed to it wholeheartedly. Leaving the local offer to each local authority would not achieve that. The Minister must agree that we cannot justify a single child leaving care failing to receive the information that they need.

[Mrs Lewell-Buck]

Will the Minister explain how he will ensure that the local offer will be accessible to all care leavers, whatever their circumstances when they leave care? How will he ensure that every single local authority will provide a local offer that meets the standard necessary to ensure the best possible outcomes for care leavers? Will he be taking any additional steps to ensure that there is not simply another postcode lottery that will leave a vast number of vulnerable young people unable to access the resources and support that they need? We cannot allow discrepancies in the level of care of the scale that I spoke about earlier to continue. There is no other practical way to achieve that in a timely manner.

I move on to amendment 26. As I have said, leaving care is a difficult process. Care leavers are faced with a set of difficulties that other children their age simply do not face. Is that in part why the Government introduced the local offer for care leavers that I referred to?

It is astonishing that the Bill is devoid of any mention of unaccompanied asylum-seeking children. There are more than 3,000 such children in the UK care system. According to analysis of Home Office data, nearly all unaccompanied asylum-seeking children under 16 are fostered at some point. I assume that the Committee and others would think that when those children leave care they are entitled to the same support and assistance with their transition to independence as their peers—but they are not, despite being the most vulnerable of care leavers, having fled conflicts and horrors that most of us can hardly begin to imagine.

Tulip Siddiq: I thank my hon. Friend for her speech. I agree with her: when we talk about unaccompanied asylum seekers and children, we are talking about the most vulnerable in society. My local authorities, Camden and Brent, have taken in asylum seekers and are looking after children. Does she agree that putting a duty on local authorities across the country to do that would send a clear signal to the rest of the world that we are acting as a leading country and taking charge of a situation where we should be doing more?

Mrs Lewell-Buck: I welcome what is happening in my hon. Friend's area. I agree completely with her comments. Once children who are unaccompanied asylum seekers reach 18, they are treated differently from other care leavers.

I recall working with many children who had escaped from conflict. Like children who have suffered abuse, their skin was grey and their eyes were emotionless. There was a look of permanent fear etched on their faces and they had an intense wariness of adults around them, which was reflected in their every movement and word. I have seen children slowly lose that look after being in placement for a while. The terror and sadness lift from their overall demeanour, because that is what feeling safe and being fed, clothed, cared for and away from a traumatic and ever-changing volatile environment can do for a child.

Steve McCabe: My hon. Friend will be aware that the Home Office is conducting some inquiries into what happens to unaccompanied children who enter this country. The system has not been terribly well supervised over recent years. There is a lot of concern.

Topically, there is a lot of concern about what happens with unaccompanied children who enter this country to attend sports schools and sports colleges—whether those arrangements are properly supervised and whether they could lead to abuse. In view of that situation, is it reasonable to assume that we may see further activity to receive some of those children into care as those inquiries reach fruition? In those circumstances, would it not be wise of the Minister to prepare for that eventuality in the Bill?

Mrs Lewell-Buck: I shall come on to the absolute hash that the Home Office has made of the situation later in my comments.

After the children have been settled in placement for however long they have been in the UK, the rug is ripped out from underneath them as they reach 18 years old, when they must apply for extended leave to remain in the UK. The majority are turned down, so the place they understood to be their home is no longer their home. Worse still, the Home Office often does not get its act together and remove them, despite turning them down, so they disappear and are off the radar. The Government do not know how many care leavers are in that situation or where they have disappeared to, but it does not take long to guess that if someone is here illegally and is facing the fear of returning to their country of origin, they will go underground and be susceptible to exploitation, whether emotional, financial or sexual.

Stella Creasy: In our discussions of the Bill, we are going to come on to a number of conversations about how we treat child refugees, but the point my hon. Friend is making is simple: at the stroke of midnight on someone's 18th birthday, they do not stop being a vulnerable young person. These are young people who we have accepted are vulnerable and should be cared for. The idea that we simply cut off all support at 18 simply does not accord with the principles behind much of the Bill. I hope that the Minister will listen to the case and think again about how we treat these young people. Someone's turning 18 does not stop them from being a vulnerable young person.

Mrs Lewell-Buck: That is why a lot of support targeted at care leavers lasts until they are 25 years old. Someone does not stop being vulnerable simply because they have turned 18.

I was a member of the Immigration Bill Committee. I do not recall the experience with much fondness. In the consideration of that Bill, which is now an Act, those on the Labour Benches argued against what I am describing. We argued that the provisions in that Act that limit the support for care leavers subject to immigration control undermined children and leaving care legislation, and gave immigration control greater prominence over young people's welfare.

10.45 am

Treating children in this way creates a two-tier system of support that discriminates against care leavers on the basis of their immigration status. Can the Minister really tell us today that he agrees with the Home Office that all children leaving care deserve to be supported,

except those who are leaving care as former unaccompanied asylum seekers? This Government already have a shameful record, as regards their handling of unaccompanied children. After Lord Dubs's intervention in discussion of the Immigration Bill, he secured a U-turn and a commitment that Britain would give homes to some of the estimated 88,000 child refugees who were at the time believed to be travelling through Europe. We saw a rare glimpse of humanity from the Government but, sadly, they have hummed and hawed since then and, in the words of Lord Dubs,

“done nothing discernible about it.”

The noble Lord withdrew amendments to this Bill after the Government promised to publish a strategy for the safeguarding of children by May 2017, but a few days later the Home Office introduced guidelines that seriously restrict which children would qualify under the Dubs amendment and again changed the goalposts for these children. I will not go into more detail about the Dubs amendment, because we will return to it when we discuss amendments tabled by my hon. Friend the Member for Walthamstow.

Amendment 26 would ensure that unaccompanied asylum-seeking children had to be included in the local offer when leaving care. Currently, a young unaccompanied asylum seeker leaving care will not be entitled to stay put, or qualify for benefits or students loans, and if they go on to higher education, they will be treated as an overseas student and charged fees that are generally three times higher than for others. The amendment would, first and foremost, ensure parity of services, which would reduce prejudice and discrimination in the design and delivery of the offer for care leavers and promote positive outcomes for every care-leaving child. It would show the House at its best, and I hope that the Minister and his colleagues agree.

New clause 13 seeks to ensure that access to education for care leavers improves, and to overcome some of the barriers faced by young people leaving care in accessing apprenticeship opportunities and further and higher education in comparison. For many years, the figures for looked-after children in these areas have remained stubbornly lower than for non-care leavers. We all know that this is a problem; we now need to look at what action can be taken.

In March 2016, of 26,340 former care leavers aged 19, 20 or 21, 40% were not in work, education or training, compared with 14% of all 19 to 21-year-olds. Children who have been in care are just as capable—some are more capable—of achieving as those who have not been in care, but their academic success and the number of them in employment remains stubbornly lower. A recent report by the University of Oxford said that children in care are falling way behind their peers, even in their early years. Only 13.2% of children in care obtain five good GCSEs, compared with just under 60% of all other children. Only 6% of care leavers, compared with 30% of all other young children, go to university.

Steve McCabe: I am listening with interest to the figures that my hon. Friend is quoting. Was she as surprised as I was to hear the Minister tell us that we should not be that concerned about the educational attainment of young people in care, because they are doing quite well?

Mrs Lewell-Buck: I am astonished that I had not picked up on what the Minister said. I hope that he will clarify.

Edward Timpson: Dear oh dear, Mr Wilson; we were all getting on so well. I am afraid that what the hon. Member for Birmingham, Selly Oak, has said is not a fair representation of the point that I made. I ask the hon. Member for South Shields to take in good faith the point that I made, which is that children who are in care do better educationally, in terms of improvement, than children who are on the edge of care with child protection plans. It is wrong to suggest that being in care holds back the child's education. If we compare children in care with the most closely aligned group—those on the edge of care—they do better. That was the point that I made, and I hope that is the point that the hon. Lady will take away.

Mrs Lewell-Buck: I thank the Minister for that clarification. I am sure that *Hansard* will show us all exactly what he said.

Tulip Siddiq: Does the shadow Minister think that the situation that the Minister described in his comparison is one that we should strive for, or should we have different standards?

Mrs Lewell-Buck: I think we should all have the highest possible standards for all our children, whether they are care leavers or not. That is something we should always strive towards.

Michael Tomlinson: I am grateful to the hon. Lady for highlighting the unemployment statistics. I am chairman of the all-party group for youth employment. Each month we look at the statistics; we will have a new set of figures tomorrow. She is right to say that the figures are too high. In fact, they are too high across the board at just under 14%. Does she recognise that, under the clause, the local plan that points towards education and employment will help in that regard?

Mrs Lewell-Buck: I think that only time will tell.

Michael Tomlinson: That is a yes, then.

Mrs Lewell-Buck: No, it is not; it is a “time will tell.”

I will not spend much longer on this new clause; it is quite straightforward. It asks that the Secretary of State carries out an annual review on access to apprenticeships and further and higher education, and takes into account some of the barriers that care leavers face around fees, grants and accommodation. We know that such problems have existed for care leavers for a very long time, so it is about time we got on, looked at that, and made policies around it.

New clause 16 seeks to improve care leavers' transition to independence by proposing various changes to welfare and benefits that would offer much needed financial support at a critical juncture. Without financial support, it is likely that a lot of the Government's intentions towards care leavers will not amount to any real tangible changes for children leaving care. The national offer for

[Mrs Lewell-Buck]

care leavers that I am proposing will ensure that the maximum sanction for care leavers under the age of 25 will be four weeks, in line with the current sanction regime for 16 and 17-year-olds. It will allow working care leavers under the age of 25 to claim working tax credit. It will extend the higher rate of the local housing allowance single room rate to care leavers up to the age of 25, delaying the transition to the lower shared accommodation rate that applies at 22 years. It will also amend the council tax regulations to exempt care leavers from that tax until the age of 25.

The Government's document, "Keep On Caring", which was published in July, states:

"Most care leavers who spoke to us talked about the problems they had making ends meet. Paying rent, Council Tax, household bills and transport costs meant that many care leavers had difficulty managing their finances and they had often experienced debt and arrears."

Research by the Joseph Rowntree Foundation has shown that more than half of young people leaving care have difficulty managing their budgets and avoiding debt. Yet almost half of local authorities in England fail to offer adequate financial support and advice for care leavers. If local authorities are not able to help when a young care leaver needs help, where on earth are they supposed to go? Unlike many of us in this room, they have never had the option of turning to their parents, wider family, or family friends. Often, if the local authority does not help them, nobody does.

The way that the Government have applied sanctions has had a devastating effect on not only the sick and disabled, but care leavers. Between October 2013 and September 2015, 4,000 sanctions were imposed on care leavers. They are more likely to receive sanctions, and less likely to know where to go or how to appeal a decision made against them.

Stella Creasy: It is worth reflecting on that statistic in the context of my hon. Friend's amendment. We are talking about care leavers being three times as likely to be sanctioned. If we go back to the principles she was talking about of corporate parenting and wanting the same—the best—for every child in care as we want for our own children, that suggests that those children are not getting the help that they need, and that they are also not getting financial education. There is clearly a particular issue about care leavers and the benefit system that we must address. The Bill is the ideal opportunity to do that and her amendment would fit into that metric. I hope that Government Members will think about that. Care leavers are three times more likely to be sanctioned, so clearly something is not working. We need to act.

Mrs Lewell-Buck: My hon. Friend is right. When I have spoken to care leavers who have been sanctioned, often they have not known that they have been sanctioned. What they will say is, "My money has been stopped." They do not know where to go and they do not know what to do for help. They will sometimes bury their head in the sand, not realising that they could appeal the decision. It is therefore vital that we get it right for them.

For those who were able to get help, 60% of sanctions were overturned, which means that a high proportion of care leavers are having sanctions misapplied. I note Lord Nash's wish in the other place for sanctions to be reduced, but I was alarmed when he showed concern that a reduction in sanctions towards care leavers might "unintentionally lower our aspirations" for them. When a care leaver has sanctions imposed through no fault of their own—often those sanctions are misapplied—I assure the Minister that their aspirations will not be anything if they cannot afford to heat their home or feed themselves, or if they end up without a roof over their head.

We also wish to make an amendment to extend working tax credit to care leavers under the age of 25. It is right that care leavers should be encouraged to engage in high-quality employment and training opportunities. However, they must be given better support to get into work and to be able to afford to work. Under the current system, only those with children or those who are disabled under the age of 25 can claim working tax credit. An assumption is built into the system that those under 25 on low incomes will be living at home with their family, where they will have access to the extra financial support that they need.

As we are all acutely aware, for care leavers, that is not the situation. It appears that the system penalises—some would even say it discriminates against—care leavers under the age of 25. Currently, care leavers in their first year of an apprenticeship could be earning as little as £3.40 an hour. I am interested to know why the Minister thinks that a young care leaver can manage to pay rent, council tax contributions and utility bills—let alone clothe and feed themselves—on such a meagre income.

For non-care leavers, restricting higher levels of support until 25 has some rationale, as under-25s often have a support network to help them. However, care leavers do not have that support network. It is not right that, when they fall into financial hardship, they suffer a shortfall in support compared with equivalent older workers, especially considering their ineligibility to receive the national living wage until they are 25.

It is estimated that the extension of working tax credit to care leavers under the age of 25 would cost a total of £27.8 million a year. Does the Minister recognise the huge strain of being liable for the full cost of running a household at a young age and the pressure that imposes on the finances of young care leavers? The payment of working tax credit to care leavers under 25 would be a significant step in closing that gap in provision.

11 am

The Opposition wish to make an amendment that would extend the higher rate of local housing allowance single-room rate to care leavers up to the age of 25, which would delay their transition to the lower shared accommodation rate at 22. The Minister will be aware that affordable, single-person accommodation is one of the categories in shortest supply in many constituencies. However, that is the pool from which we often try to find accommodation for care leavers, which is why we end up with situations such as those referred to earlier by my hon. Friend the Member for Birmingham, Selly Oak.

Currently, until the age of 22, care leavers receive the single bedroom rate, which provides them with sufficient support to rent a single-bedroom property, rather than

a room in shared accommodation. That should be extended up to the age of 25. The shared accommodation rate is significantly lower than the single bedroom rate. In 2015, the shared accommodation rate was £287 per month, compared with £423 per month for a single-bedroom property. Those living independently under the more generous system will no doubt find it increasingly difficult to pay their rent, and will become more likely to fall into the trap of debt, following a reduction in their local housing allowance after their 22nd birthday.

I acknowledge that the fact that the Departments for Education and for Work and Pensions have said that they will explore opportunities to extend the qualifying age for the shared accommodation rate of local housing allowance up to the age of 25. However, care leavers need a much stronger commitment. For how long do they have to cope and go on living with the threat of financial insecurity and the fear of losing their home?

As I have often stated, and will continue to do so, care leavers require much better financial support than non-care leavers. When most young people leave home for the very first time they are able to rely on others for support and advice. However, looked-after children have rarely experienced the best of childhoods, and it can be extremely difficult when leaving care to deal with the multiple challenges of living alone, let alone managing financially.

Sadly, we are seeing a growing number of rough sleepers across the country who have previously been in the care system. We should not allow that to continue. As part of the national offer for helping care leavers to avoid financial difficulty, the Opposition are seeking to amend council tax regulations to exempt care leavers from council tax until the age of 25. Council tax poses a particular issue for young care leavers, as recent benefit changes mean that, in most areas of the country, even those on very low incomes are liable for some council tax contribution—and local authorities are deploying a rapid escalation of enforcement methods to reclaim arrears.

I am pleased that several local authorities, such as Birmingham City Council, City of Wolverhampton Council and others have introduced a council tax exemption for care leavers. I hope that other local authorities will follow their lead, but it is no good the Government asking local authorities to consider or explore the possibility of exempting care leavers from council tax when those authorities face further cuts from central Government.

Michael Tomlinson: I have the privilege of serving on the Homelessness Reduction Bill Committee, which meets for the fourth time tomorrow. That measure is a private Member's Bill, as the hon. Lady will know, but it has Government backing. Care leavers are a prescribed group within that Bill, and will be specifically looked after in relation to homelessness advice. The Bill states:

"The service must be designed to meet the needs of persons in the authority's district including...care leavers."

Surely the hon. Lady welcomes that, and the fact that the Government are supporting that Bill?

Mrs Lewell-Buck: I thank the hon. Gentleman for his support for my amendment. I hope that he will vote with us. I am proposing a comprehensive package of support for care leavers, and this Bill is exactly the right measure for that. We should not have piecemeal legislation for care leavers; the package should be in this Bill.

Steve McCabe: I, too, welcome the comments of the hon. Member for Mid Dorset and North Poole. Has my hon. Friend seen the comments of the Birmingham Social Housing Partnership, which warned that very good ambitions of the Homelessness Reduction Bill are likely to be undermined by the wiping out of the supporting people revenue grant, which will mean that we will apply new duties to local authorities and give them fewer resources to manage this issue?

Mrs Lewell-Buck: It is a classic tale of this Government: give with one hand, take with the other, and we still end up in a worse situation.

Simon Hoare: We all have to accept that local government budgets are under pressure, which presents challenges. Does the hon. Lady accept that she is striking at the heart of the Localism Act 2011 and, in particular, the general power of competence? If local authorities such as Birmingham and Wolverhampton decide to set those sorts of priorities, they can do so. That is what localism and local decision making is all about. We do not need the great dead hand of the state and central diktat to allow local authorities to do it.

Mrs Lewell-Buck: Spoken like a true Conservative.

Simon Hoare: The hon. Lady pays me the greatest compliment.

Mrs Lewell-Buck: It is not a compliment where I come from.

Tulip Siddiq: I thank the hon. Member for North Dorset for his contribution and his support for the shadow Minister's amendment. I spoke in the debates on the Homelessness Reduction Bill introduced by the hon. Member for Harrow East (Bob Blackman). I commend many of the suggestions in that Bill. Is the shadow Minister aware of the Barnardo's report, which outlines that young people leaving the care system are particularly vulnerable to homelessness because they cannot find appropriate accommodation when they leave?

Mrs Lewell-Buck: I am aware of that report, which makes heart-breaking reading. There are lots of reports out there about care leavers. Following up on the intervention by the hon. Member for North Dorset, I agree that some local authorities have done good things in this area, but there should not be a piecemeal approach; support should be offered to all care leavers across the board. Why should one care leaver in one authority have a different service from another one? Care leavers do not care about localism; they want their local authority to give them the same thing as their friends and other care leavers next door.

Stella Creasy: Dare I suggest that, if we are going to have a discussion about the core principles of our political movements, one of the core principles for me as a proud socialist is value for money? One of the concerns behind the amendment is exactly that. The hon. Member for North Dorset talks about localism, the cuts to local authorities budgets and the need to be

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parsimonious—some of us might use a different term—but we must recognise that if 60% of sanctions on care leavers are overturned on appeal, the system is not cost-effective. If we are looking at how we might make savings, treating those young people as we wish our own children to be treated, which is a common theme this morning and perhaps for the entire Bill, is not only the right thing to do morally but the most cost effective and therefore—dare I say it?—socialist thing to do.

Mrs Lewell-Buck: I thank my hon. Friend for her excellent intervention. She touches on an important point: elsewhere, if we want to save money, we have to invest. Investing in care leavers prevents them from entering the justice system and from being homeless, which costs more in the long term.

I suspect that the Minister will reiterate what Government peers said in the other place: it is not for the Government to set in statute what local authorities should be doing, and I expect he will get a cheer from the hon. Member for North Dorset—[HON. MEMBERS: “Hear, hear.”] We are not asking the Government to tell our local authorities what they should be doing; we are just asking for a minimum standard for care leavers. These amendments seek that new minimum. Care leavers surely deserve safe, secure, affordable accommodation, but under the current proposals I do not see how they can be expected to make their way in life and deal with the issues of having lived in care with the extra burden of financial difficulty. Does the Minister agree that council tax enforcement undertaken by local authorities completely undermines the principles in this Bill? Does he therefore agree that care leavers should be exempt from council tax until the age of 25?

The Minister is well versed regarding the many challenges that young care leavers face, particularly those of a financial nature. I am sure, deep down, he wants to make sure that the state plays a greater part in supporting care leavers, but the current plans just do not hit it. Last year, almost 11,000 left the care of their local authority and began the difficult process into adulthood. The Government have a duty to those 11,000 vulnerable young people to say that they are not forgotten and that they do not just become another poverty or homelessness statistic on our streets.

Marion Fellows (Motherwell and Wishaw) (SNP): It is a pleasure to serve under your chairmanship, Mr Wilson. I want to speak to new clause 16, which seeks to make provision for care leavers to help them avoid financial difficulty. We are grateful to the shadow Minister for bringing it forward. Although it would apply to Scotland only in part, I wish to put on the record the views of the Scottish National party.

The Children’s Society points out that young people leaving care struggle with their finances and are at an increased risk of falling into financial difficulty. Our First Minister in Scotland has already acknowledged that we have a duty to protect and help our young people most in need and that those who have experienced the care system will be the driving force of the recently announced independent review of how Scotland treats its looked-after children. Our First Minister has committed to listen to 1,000 people with experience of the care

system over the next two years. I hope that some of these concerns will be raised during that review. In making that commitment, our First Minister said:

“If we are to live up to our ambition to be a truly inclusive country, we have a particular duty to those most in need. We have to get it right for every child.”

I think that should apply across the UK.

The part of new clause 16 that would apply to Scotland includes the limit to sanctions, the extension of the working tax credit benefit and the exemption from the shared accommodation rate of housing benefit. Given the barriers to employment for care leavers, providing adequate support and safeguards in the system via these changes would seem to be appropriate. As the Centre for Social Justice outlined in its report, “Survival of the Fittest”:

“Current labour market conditions, such as unreliable hours due to zero hour contracts and low pay for entry level jobs, mean that most 18-25 year olds rely financially, at least to some extent, on either their parents or the benefit system for support. As care leavers are unlikely to have substantial family support, they are much more likely to rely on the benefit system”.

As the shadow Minister outlined, the new clause will apply a limit to sanctions under universal credit, including a higher level, medium level and lower level of sanction. The Children’s Society found that 4,000 benefit sanctions were applied to care leavers between October 2013 and September 2015. As we found out with the National Audit Office report only a few weeks ago, sanctions are not rare and they are not working.

Protecting young care leavers from sanctions is a welcome move, particularly as they would lead to further hardship for those possibly already facing financial difficulty of the kind outlined by the shadow Minister. Although the new clause would not remove sanctioning from care leavers under 25, it would place them in the same regime as 16 and 17-year-olds, meaning that the maximum sanction period under these proposals would be four weeks. The second part of the new clause seeks to extend working tax credit eligibility to all care leavers in full-time work of more than 30 hours per week.

The risk of falling into debt due to the cost of living, which many of these people are unable to cover in full, is a bad and sad reflection on our society. The current system of working tax credit assumes that many of those under 25 and on low incomes live at home and are supported by a family. However, that does not apply to care leavers, so additional support should be given to help these young people face independent lives. Surely the whole purpose of the care system is to enable our most vulnerable young people to go out there and stand on their own two feet equitably with those children who are brought up in caring and loving homes.

11.15 am

The remaining part of the new clause, which would have an impact on Scotland, seeks to exempt people from the shared accommodation rate until they are 25. That would mean that care leavers would not have their housing benefit cut by approximately £31 a week, which is a huge sum for those young people. The Children’s Society advocates for this measure on the grounds that care leavers could be at an increased risk of falling into debt arrears or having to leave a home for a riskier

environment, which means they could disappear completely off our system, as the shadow Minister has already said. That is not right.

Given the provisions that relate to Scotland and the intentions of the shadow Minister, I will support the new clause today, if only to hear the Government's response to a probing amendment designed to see whether they are willing to move to assist care leavers. One of the many appalling intentions of the Tories' welfare reform agenda has been the dismantling of the safety net for young adults, excluding them from the principle of universality that should apply to a welfare system based on dignity and respect. To do so for some of our most vulnerable young adults, who may have no family to support them, was callous and uncalled for. These amendments will go some way towards redressing that balance.

Although I look ahead to the role of the review in Scotland, given that 85% of welfare spending is still reserved, it is important that the UK Government also look at the role they play in the provision of financial support.

Stella Creasy: I support the core principles of the amendments that Labour Members have tabled this morning, and I recognise that some Government Members do share those principles; the difference is in how we achieve those outcomes. Let me be clear about the aspirations that I think we all share. They are, as I have already said: to treat all children in care as we would treat our own children, to do so in a fair and equitable manner, and to do so in a way that is possible to implement. The difference is in recognising how we get implementation right.

As the shadow Minister has said, it is the difference between having a minimum standard—a base below which we will allow nobody to fall—and recognising that there may be variation at a local level. The treatment of particular groups of care leavers, particularly young asylum seekers, is important, as is the recognition that there is a particular challenge when it comes to care leavers and financial management. It is right that we should seek to address those three core principles in a Bill such as this.

The amendments proposing a basic minimum standard are not intended to be restrictive; they are intended to help our young people know their rights. When dealing with care leavers in our casework, I think that we all recognise young people struggling to understand what will happen to them next. A national minimum standard is about being able to answer that question with certainty, without necessarily saying that the outcomes will therefore be the same universally, but recognising that there will be a basic standard and a basic principle about how we treat these young people. That does not mean that things cannot be personalised; it simply means that we can all be confident that every young vulnerable person is helped. As I have said before, just because someone turns 18 does not stop them being vulnerable; it simply means that they are moving into a new phase in their life. We must address that.

If the Minister is not minded to accept the amendments, he must tell us how he can have confidence that, across the country, those young children who we accept responsibility for through corporate parenting will get

those services. I say that because I think that all of us have seen in our surgeries the consequences when there is not that support.

The shadow Minister talked about special educational needs. I think that all of us have dealt with cases of parents trying to argue for their children to have the rights that they should have. Even if there is a statement to that effect, it provides a basic standard for what that child should get. It does not mean that there is not then further work to be done about how things are enacted, but it does mean that the parents can be confident about what the child will receive. We are talking about the same principle here. It is about recognising that these young people need to know what will happen next. Having a national minimum standard would mean that we in this place could be confident that these policies will be implemented on the ground to a level that all of us would want as a starting point for those children.

On the second principle, particularly with regard to children who are asylum seekers, the discussion is a complicated and sensitive one to have in the UK right now. Other amendments, especially those that I have tabled—I am pleased that my hon. Friend the shadow Minister also has two—deal with how we would treat young children, the guidance and the principles to do with basic rights in the UN convention on the rights of the child. Those amendments continue in the same spirit, recognising that when we stand up as a country to support those young people, that support must be consistent with how we treat every young person.

That is the right thing to do morally, and legally internationally. I worry for the Minister—I am interested to hear his take on this—because if he has not included young asylum seekers in the principle, what are the legal ramifications, given that we treat them similarly under the age of 18? What might such a child have seen? Today we are having an emergency debate on Syria, where children will have seen horrors in their lifetime that many of us cannot even begin to contemplate.

How do such children end up here? One of the questions all of us have is about safe and legal routes. When children do end up here, however, and we take responsibility for them, in our hearts are we suggesting that at the age of 18 we stop caring about what happens to their outcomes? If we do not stop caring, we have to recognise that at the age of 18 they again need our help, just as we recognise that children born in the UK who come from troubled backgrounds might need our help past the age of 18. If children are to be excluded from the very provisions that we would like to see apply to other children we recognise as vulnerable, I ask Government Members to think about why they feel it is okay to discriminate on the basis of nationality—in essence, that is what excluding young refugees from the amendment will do.

The third issue is debt. Young people in care are disproportionately more likely to be in debt. Again, all of us recognise the myriad reasons for that, but the outcome is the same: a group of young people in our society for whom we have taken corporate responsibility have a particular problem, and one of the consequent problems manifests itself in how they deal with our benefits system. The amendments are designed to address that. All of us can see at first hand in our constituencies and when we deal with such children that they might

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not have backgrounds that give them the best understanding of budgeting. The hon. Member for a Scottish constituency, the name of which has completely slipped my mind—

Marion Fellows: Motherwell and Wishaw.

Stella Creasy: It was on the tip of my tongue. The hon. Lady put it very well when she argued that our benefits system, especially when dealing with young people, is designed on the principle that even if they do not live at home, they probably have a home relationship on which they are able to draw; that they can draw not only on financial support, but on support to be able to budget and to manage at that point in life when we start to get our own rent and bills. That group of young people do not have such support as a background, so we have to make specific arrangements for them. That is what the amendment would do.

As I said to the hon. Member for North Dorset, in places we do not do that, which costs us more as a result, so again I ask the Minister to do something, even if not in this legislation. I completely take the point of the other hon. Gentleman for—I am doing terribly this morning at remembering constituency names—

Michael Tomlinson: Mid Dorset and North Poole.

Stella Creasy: How could I forget Mid Dorset! What a wonderful community. The hon. Gentleman will have seen even in Mid Dorset, as I see in Walthamstow, young people struggling to make sense of what rights and entitlements they have as they take that first step. They struggle even when they have their mum and dad with them to help, yet we are talking about young

people who do not have that support. He is right to point to the Homelessness Reduction Bill as having such provision, but his case is to marry that with what we do in this Bill—that is exactly what the amendment would do. It simply states that we have to continue thinking about that group of young people needing a particular level of support because we can see their problems. The two are not contradictory; in fact, they are complementary.

I ask the hon. Member for Mid Dorset and North Poole to think about that. Perhaps in the lunch break he will make the case to the Minister that we should be looking at the financial support we give to our young people. The evidence tells us that our benefits system is not working for them, which is costing us money, and it is not joining up with other pieces of legislation. As a result, very vulnerable young people are being left at risk.

There are ways in which we can save money in the system and get a better outcome. The amendments are trying to get us there. I think that Government Members share the same objective. The question is this: if they will not accept the amendments on those three core principles, what would the standards be beyond which we will never let a young person fall? If we accept that a younger person is vulnerable, how do we ensure that we do not discriminate against them on the basis of nationality? How are we addressing the clear and obvious problems that our young people in care have with financial management, which manifests in how they deal with the benefits system, and comes from not having the safety net of mum and dad?

11.25 am

The Chair adjourned the Committee without Question put (Standing Order No. 88).

Adjourned till this day at Two o'clock.