

# Select Committee on the Armed Forces Bill

Oral evidence: Armed Forces Bill, Session 5, HC 1281

Thursday 18 March 2021

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Members present: James Sunderland (Chair); Stuart Anderson; Tonia Antoniazzi; Dan Carden; Miss Sarah Dines; Leo Docherty; Martin Docherty-Hughes; Mrs Sharon Hodgson; Mr Richard Holden; Mr Kevan Jones; Jack Lopresti; Carol Monaghan; Stephen Morgan.

Questions 216-288

## Witnesses

**I:** Ray Lock CBE, Chief Executive, Forces in Mind Trust, Professor Catherine Kinane, Medical Director, Combat Stress, and Dr Felix Davies, Operations Director, Combat Stress.

**II:** David Brewer, Chief Operating Officer, Defence Infrastructure Organisation, and Tim Redfern, Managing Director, Amey Defence Service.

**III:** Hannah Blythyn MS, Deputy Minister for Housing and Local Government, Welsh Government, and Graeme Dey MSP, Minister for Parliamentary Business and Veterans, Scottish Government.



## Examination of Witnesses

Witnesses: Hannah Blythyn and Graeme Dey

**Chair:** Good afternoon once again. It has just gone 1700 hours, and we are moving on to the third of three panels this afternoon, which is the final panel on day five of evidence gathering for the Select Committee on the Armed Forces Bill.

I welcome our two witnesses. First of all, we have Hannah Blythyn, Deputy Minister for Housing and Local Government in the Welsh Government, and Graeme Dey MSP, Minister for Parliamentary Business and Veterans in the Scottish Government. You are both very welcome. Thank you for your time. Annoyingly, I have managed to leave my glasses at home this afternoon, so I am struggling to read my own writing. We will go straight into questions. I ask Carol Monaghan to kick off.

Q259 **Carol Monaghan:** Ministers, you are both very welcome this afternoon. How well does the Bill match your expectations following the engagement you had with the MoD prior to publication?

**Graeme Dey:** It pretty much matches what we expected, based on the initial approach we had, which outlined where the UK Government wanted to take the Bill. There were no surprises in what has come forward.

**Hannah Blythyn:** From our perspective, it is very similar. We broadly welcome the intention to strengthen the covenant in law through the Armed Forces Bill. We carried out a veterans scoping exercise consultation last year, which represented the Welsh Government's input into the UK veterans strategy, and it stated that the lack of awareness of, and information regarding, the covenant was a key problem for service users. From our perspective, any efforts to improve awareness and understanding would be welcome.

Q260 **Carol Monaghan:** Is the duty to have "due regard" the right approach when we are talking about the covenant?

**Graeme Dey:** It is an approach that is well understood. Would you be suggesting we should go further than that?

Q261 **Carol Monaghan:** I suppose I am just concerned. I asked this question in an earlier panel as well, but is there a concern that local authorities could then be marking their own homework, if all they have to do is to have "due regard"?

**Graeme Dey:** Yes, I get that argument. I guess the question that arises then is how we monitor the success of the covenant, and what redress system is available to anyone who feels they have not been treated satisfactorily. It is interesting that you use the phrase "marking their own homework"; in Scotland we do not do that at Government level, because we have the veterans commissioner, who has a remit across a wide range



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of veteran-related issues, produces regular reports and holds our feet to the fire. This is obviously the UK Government's choice of approach, but if you do have that approach of having to have "due regard", what are the safeguards beyond that?

**Q262 Carol Monaghan:** Could you say a bit more about the veterans commissioner and their role? I think that point might be of some interest and some use when we are considering how we monitor the outcomes with regard to the covenant.

**Graeme Dey:** I have to say, I think it is a very successful approach in Scotland. There are some times when the commissioner—we have had two so far—produces reports that the Government may not entirely agree with or may take issue with. Nevertheless, it is a very good system, and the commissioner is able to choose what areas of veterans' interests he wants to explore. For example, we recently had an employability report carried out, and I have just agreed to extend the current commissioner's term by seven months to allow him to complete another couple of reports, one of which is on access to housing. It is certainly a method that works in terms of allowing the Government or local government—he can take an interest in the work of local government, the health service or whatever it is—to consider what progress we have made in those areas, and then to respond with what we are going to do to pull our socks up, if that is required.

**Q263 Carol Monaghan:** Thank you, Minister. May I just ask a final question on that, and then I will put some of these questions to Minister Blythyn? Who is the commissioner answerable to?

**Graeme Dey:** That is an interesting question. He is appointed by the Scottish Government, but he is a stand-alone position. He has his own resources, and the relationship is such that we, as a Government, are extremely responsive to him. All I can say is that it is an arrangement I inherited, and it is one that works.

**Q264 Carol Monaghan:** Thank you. If I could turn to Minister Blythyn, do you think the duty to have "due regard" is the right approach with the covenant?

**Hannah Blythyn:** The way we would look at it is that the scope of the requirement of "due regard" is probably similar to that of other duties to have "due regard" already. An example we would use is the public sector equality duty. In terms of taking it forward, we believe that guidance is going to be incredibly important in making clear what is going to be needed to satisfy that "due regard" duty, to have those safeguards in place and to be able to demonstrate quite clearly that that duty has been applied. From a Welsh Government perspective, I and my officials are very much committed to working with the MoD to make sure we can provide input into that guidance. I think it would be important to see that detailed consultation also with partners in Wales, including the Welsh Local Government Association, local government and other stakeholders, because it's really, really important to make sure that guidance is as relevant as it possibly can be in the devolved context. I think that



engagement with stakeholders also draws out any lessons that you can learn from similar “due regard” duties that have been applied before.

Q265 **Carol Monaghan:** Is there a veterans commissioner in Wales?

**Hannah Blythyn:** No, we don’t currently have a veterans commissioner in Wales, and I am aware that there is no mention of a role for commissioners in the Bill. From our perspective, we have always wanted to put our resources into support on the ground, as opposed to a veterans commissioner, so we are focusing on things like our armed forces liaison officers, who work in the community with local authorities.

**Carol Monaghan:** Thank you. I’ll pass back to you, Chair.

**Chair:** Thank you. May I please bring in Stephen Morgan?

Q266 **Stephen Morgan:** Thank you, Ministers, for coming before the Committee today. I will ask two questions, if I may. The Bill largely applies to local government and some health and education bodies, but do you think that the Bill should also apply to the UK Government and the devolved Administrations? Who would like to go first?

**Hannah Blythyn:** Shall I pick the question up first this time? It is important to make it clear that—obviously—this is a UK Government Bill and they have determined the scope of the public bodies to be included. The question about expansion of that scope to other Government Departments or devolved Government is definitely an interesting question. I think it’s something that would need ongoing consultation to be explored further, but the point I would probably make here is that, if it is considered in the context of devolved Government, it shouldn’t be something that is done to devolved Government; it should be something that is done with them. It is important to make sure we work in partnership on that, because, from our perspective, as the Welsh Government, we already have well-established procedures in place to ensure scrutiny of our delivery against the covenant. There is our Armed Forces Expert Group, and we have our own Welsh Government covenant annual report and an annual statement to the Senedd. So there are things that can be learned from the devolved nations as well.

**Graeme Dey:** We have similar reporting mechanisms to our Parliament and we have, as I said earlier, the veterans commissioner. I would agree with Hannah’s point that, clearly, if the scope were to be expanded to capture national Government, that would need to be done by agreement, but to be honest, I would be relaxed about it if that were to happen. We should be seen to be accountable for our performance in the veterans space.

Q267 **Stephen Morgan:** The Bill contains specific provision for housing, education and healthcare. Those are the three areas that the Veterans Minister suggests are of greatest concern for the armed forces community. Do you agree with that assessment, and will it mean uneven delivery of services in other areas—social care, for example? Hannah?



**Hannah Blythyn:** First, we recognise that members of the armed forces community and veterans may have issues in other areas. We recognise the challenges there, but realise they might have issues in areas other than health, education and housing. We have previously raised the issue of social care not being included in the scope of the Bill. My understanding is the UK Government have—obviously—determined the policies that are within the scope but say that additional areas can be added to the legislation at a later date, which may be required. Early in the process, when the proposals were being developed, we questioned why the principle of special provision was not originally included in the Bill, rather than just legislating on some of the principles. I know that has been remedied as the Bill has been progressed. I think that really represents a collaborative approach, and it's one that I would urge should be continued as we move forward on this.

**Graeme Dey:** I guess by highlighting three particular aspects you run the risk that the messaging is that they are the most important and others are less so. I guess, if I were to pick out one that one might argue for its importance to veterans and serving personnel, it would be employability, for example, not just for the individual concerned but also spousal employability. That is a workstream that we are very keen on in Scotland.

There are a lot of challenges, clearly, around involving employability in this, but I think moving forward there may come a point where that is something that might have to be returned to. I would obviously want that to be returned to in conjunction with the devolved Administrations. If there was one perhaps that is not there that you might argue should be there, employability is the one that jumps out to me.

**Stephen Morgan:** Ministers, thank you for your time today.

Q268 **Stuart Anderson:** Hello to you both. The Bill makes provision for the Secretary of State to issue statutory guidance. I know that you have touched on some of this, but just to clarify, for the first part of my question, have you seen the draft guidance? That is first to Hannah.

**Hannah Blythyn:** We have not had any sight of draft guidance as yet, and we have actually agreed to contribute to the formulation of guidance for Wales. I know that our policy leads in the Welsh Government are happy to support that work and are working closely with officials. As part of that process, we want to use that opportunity to highlight any existing guidance or relevant work that is already in place. That will need to be referred to as we go forward with the legislation, which is part of what we have done in the process with the MoD. I think we need greater allocated time in terms of the consultation on this as well.

Q269 **Stuart Anderson:** That is an interesting point. Just before I come to you, Graeme, should there be different guidance from your point of view, Hannah, for public bodies in each of the policy areas?

**Hannah Blythyn:** The guidance should be aimed at those bodies subject to the provisions within the Bill. Generally, from what we have learned previously, for guidance to be most effective and of most value, it clearly



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needs to be informed by practitioners working in the sector and across relevant policy areas, along with the Welsh Government and those agencies supporting the armed forces community. The key thing really is to involve those who work in the area to make sure that we have the most effective guidance that we can, so that it works in practice.

Q270 **Stuart Anderson:** Graeme, I saw you shake your head to my first question on whether you had seen any of the guidance. Could you just confirm that that was a no?

**Graeme Dey:** It's a no. We have not seen that, and clearly that is an imperative. I thought that the evidence you took from Laura Pett from RBLs really summarised the situation there. She talked about the imperative of the devolved Administrations having an input to the development of the guidance, and, as Hannah said, practitioners—those who are on the frontline—having a say.

Perhaps one of the shortcomings of the process—it was inevitable to an extent because of covid—is that there has not been as much consultation with local authorities and health boards as one might have wanted there to be up to this point. I would be keen to ensure that, as the guidance is developed, they have an input as well from a practitioner's point of view, because the guidance has to be clear about what the covenant demands of them. We would not want any ambiguity.

It is possible to have a pretty clear and basic set of guidance. That is self-evident. If that is what we are doing, fine, but if we are going beyond that, it may well be that there have to be tweaks made in a number of separate sections—whatever you want to do with the guidance—to guide around the areas that it covers.

Q271 **Mr Jones:** Can I come back to the issue of “due regard”? You both said that it is a legitimate defined system that is used, but one of the issues is about redress for the individual. We have taken evidence from the ombudsman in England saying that an option should be that people are able to take it to the ombudsman service in England. The MoD has said that the only option for people would be to go to judicial review. Would you support the idea that if individuals were not satisfied that they were given the service they needed under the covenant, they could take their cases to such a body? I am not sure what the equivalent is in Scotland or Wales.

**Hannah Blythyn:** Just to come back on the point about “due regard” again, our understanding is that it would include the need to consciously consider the covenant principles when developing policy and procedures. For us, in terms of seeking redress, involvement of the ombudsman will be key, as well as trying to seek local resolution.

**Graeme Dey:** As I said earlier, I think it is important to understand the landscape in Scotland. Each of our local authorities and each of our health boards has a veterans champion, so there is an understanding of the responsibilities across these bodies. I am not going to say that it is perfect in every area, but we have that, and in Scotland we invest a lot of time



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and effort in developing the standards across there. So I would be optimistic that the cases in which there would be a significant problem would be fairly limited.

Judicial review strikes me as a pretty unlikely road to go down for your average person. It is a pretty scary thing to do, and very complex, so there has to be something else by way of fallback, albeit for what I think would be a relatively small number of cases. I would have thought that the Scottish public services ombudsman would be a reasonable route to make available to people, because they should have that opportunity.

**Hannah Blythyn:** If I may come back in, it goes back to the point we have made consistently about the need to engage across the devolved nations as well. If you were looking at the role for guidance in this, you should urge the MoD to engage with the public services ombudsman for Wales as well to ensure that that office is well informed of the plans and what the expectations are going to be.

**Mr Jones:** I agree with you, Graeme, that going down the judicial review route is not for most people, but I do think that there needs to be a fallback position for people—I accept that there might be very small numbers—because otherwise there might be pretty disappointed individuals who have no form of redress.

**Chair:** Thank you, Kevan. We have got Martin Docherty-Hughes now.

Q272 **Martin Docherty-Hughes:** It is good to see that Ministers have been able to join the Committee and, as a member of the Defence Committee, I am glad to see that Ministers from Wales and Scotland have been able to join us. Can I ask you first about whether different guidance will be needed in devolved nations? The Bill as drafted requires the Secretary of State to consult the devolved Administrations and Governments on the guidance, but your Governments cannot issue your own guidance. Hannah, how do you see that position? What is your reaction to the fact that your Government cannot issue their own guidance?

**Hannah Blythyn:** The first point I would make is that if central guidance is not reflective of the devolved position, it is going to lead to confusion. It goes back to the point I keep making about the need to have that devolved input. It would need to be assessed on an ongoing basis, and any UK guidance will need to reflect feedback from Wales. Potentially, there is scope to look to review that and consider the issuing of additional guidance further down the line. I think the most important thing at this point is to ensure that any guidance reflects the situation in each nation. The delivery mechanisms do vary across the UK.

**Martin Docherty-Hughes:** Thank you. Graeme?

**Graeme Dey:** If the guidance did not take account of the specific landscapes in Scotland and Wales, it would be problematic and deeply disappointing, but the indications thus far in our engagement with the UK Government do not suggest that any such probability exists. Now, if we



got to the point where the guidance did not take account of the situation, that is clearly something that we would have to return to.

The whole point here is to lay out very clearly to the bodies that are captured by this exactly what is required of them. We cannot have any confusion; it has to be unambiguous. It is really important—to recapture the essence of your question—that we see this guidance very early on, but also that we have opportunity, if there are things we spot here, to feed into the guidance and make sure it is fit for purpose.

**Q273 Martin Docherty-Hughes:** Maybe I can take that a bit further with you both. How should the statutory guidance take account of the different legislation and delivery bodies in different parts of the UK? As a Scottish constituency MP, I know, for example, that the NHS in Scotland is the oldest element of the NHS across the UK. There is also a different legal system, a different education system and, of course, different health and social care. There are similar issues in Wales. Are those the types of things that Ministers really need to recognise? Should we not only have a separate delivery method, but predate the Scottish Parliament and the Welsh Senedd?

**Graeme Dey:** Yes, and I think that has to take account of the fact that it will be an ever-changing landscape. We in Scotland, for example, have reacted to recognising that there was not a parity of service delivery in the NHS right across Scotland. It was variable if you were a veteran looking for support. We have just established the Scottish Veterans Care Network to address that.

There are other challenges—geographical challenges. For example, if you are the Highland Council, the challenges you face in delivering services for veterans are entirely different from Glasgow City Council's. That would be reflected in England as well. There needs to be a degree of flexibility around the guidance and the expectation about how it will be implemented, but ultimately we have to deliver it in the same way, so that it does not matter where you are as veteran or a transitioning serviceperson, because the services that you require are pretty consistent across Scotland and across the UK. It is the case, Martin, that up to two thirds of the individuals who leave the services and settle in Scotland were not based here at that point, so they are entitled to have an understanding of what it is they would be entitled to if they moved to Scotland, or if they made the reverse journey.

**Q274 Martin Docherty-Hughes:** Hannah, health and social care would probably be exactly the same for Wales.

**Hannah Blythyn:** Absolutely. Any guidance would need to take account of the different legislation of services and to reflect them, and that may require more detailed consultation across the devolved nations. To use an example of health in Wales, we have a priority mental health service for veterans in NHS Wales, a veterans prosthetics policy, and a fast-track referral pathway that prioritises access. Those initiatives will be relevant, at the very least to enhance any guidance by demonstrating what is



already in place in Wales, as will be the case in Scotland and elsewhere, to uphold the covenant.

**Q275 Martin Docherty-Hughes:** I am sorry, but I will be asking the next couple of questions, so forgive me for rolling straight into question 19, Chair. Hannah, what is your assessment of the resource implications of these measures? Is there a danger, for example, of disproportionate implementation and delivery of the covenant between different nations?

**Hannah Blythyn:** Again, that comes back into the need for further consultation and guidance around it, to make sure that we are clear on what the expectations are. Once we have that in place, we can look at how it complements what is already happening and the resources that we already have in place. One of the things that I would encourage is that we continue to have those conversations and work across Government to make sure that there are no resource implications that take any devolved nation by surprise and to ensure that those measures are in place.

**Q276 Martin Docherty-Hughes:** For example, the mental health programme that you were talking about might be delivered in Wales, but not in England, Scotland or Northern Ireland, so who is going to deliver it the other nations?

**Hannah Blythyn:** Yes. There will be different balances to strike and it will not have implications just for Wales.

**Martin Docherty-Hughes:** Indeed. Graeme?

**Graeme Dey:** The approach to government in Scotland for veterans issues is one of mainstreaming. Our First Minister has been very clear that all aspects of government should take account of veterans issues as they shape policy. The mental health strategy has a veterans elements; the social isolation and loneliness strategy recognises veterans issues, and we direct resource to that.

Looking at local government colleagues (in councils), for the most part, they are quite effective at delivering on the covenant requirements. But if it were to emerge that there were disproportionate financial burdens placed on anybody, clearly that is something that will have to be looked at. To pick up Hannah's point, that is where that ongoing consultation and discussion is necessary.

**Q277 Martin Docherty-Hughes:** Can I just say that it is not just in terms of armed forces members or veterans, but it is also about their families? For example, as a Scottish constituency MP, I know that members of the armed forces have their prescriptions paid for through the armed forces. In Scotland, their families get that access as well, but that won't be delivered across the rest of the UK.

**Graeme Dey:** Well, indeed. There is a difference here, as you know.

**Martin Docherty-Hughes:** I don't know if one of my other colleagues wants to come in, Chair?



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**Chair:** Thank you. Sharon Hodgson please.

Q278 **Mrs Hodgson:** Thank you so much, Chair. Welcome and thank you for joining us today Ministers. Are you concerned about the capacity of cash-strapped councils across all the four nations and overstretched public bodies to deliver on these new legal responsibilities without any extra resources? No extra resources have been promised for these new requirements. That is for whoever wants to go first—Graeme or Hannah? *[Interruption.]* Hannah, I think you've frozen. Graeme?

**Graeme Dey:** I know you took evidence from Mike Callaghan of COSLA. He was talking about the situation in Scotland and expressing a degree of concern about possible resource implications. It is difficult to tell, to be honest. Some of our councils are already very active in this space, but others a little bit less so. The councils who have significant bases in their midst tend to be the ones that are better placed to do this, and they cope very well.

I don't want to dodge this question, but it is very difficult to tell what the cost implications of this will be. If you believe, as I do, that, for the most part, our public services are delivering well for veterans, then there shouldn't be a massive cost implication for them, but if it emerges that there is, that clearly has to be looked at.

Q279 **Mrs Hodgson:** I don't think Hannah has made it back on to the call. When I have met with some of the local authority armed forces champions across the country, I have had various answers to the question about resources. Some are resourced really well, but others say, "If we have to go and do more, I have no officer support. I would really need resources to get that officer support." It is not to do the delivery, but the internal support within the council for a person. You are nodding; do you agree with that?

**Graeme Dey:** Absolutely. I totally recognise that. When I came into post, we started to organise roundtables with our local champions. The asks that came out of that were from them. One of the asks was a job description, because in some local authorities, anybody who put their hand up got the role of veterans champion. With some, there was really good officer support, but not so much in other places, with newbies to the post not really understanding what the role was. So, we worked up a job description for them.

We have been in dialogue and so have the champions themselves with COSLA, seeking a more formal recognition of the role of veterans champion, to give them that status and therefore the resource they require to do the job effectively. That is a work in progress. I am not going to pretend we have got there yet, but we are committed to supporting local authority champions, because they are absolutely critical to the delivery of services to the veterans, as you say, and their families, but also the spouses and families of serving personnel who are living in the midst of their communities.



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One of the things that emerged was a lack of understanding of the number of serving personnel and their families living in some of our local authority areas. There is a bit of a naïve perception that if you don't have base or a recognised military presence, then you don't have people living in your midst. That is completely wrong. To take the example of Faslane, many people who work at Faslane live in Glasgow and commute. We have a bit of a mapping exercise to do to raise awareness among some local authorities who have not recognised the numbers that they have and get that developed. To be fair, the services, particularly the Army in Scotland, are assisting us in that and working with the local authorities to better improve our understanding.

Q280 **Mrs Hodgson:** Hannah, did you hear the question before you lost the link?

**Hannah Blythyn:** No.

**Mrs Hodgson:** Basically, it was whether you are concerned about the capacity of cash-strapped local authorities and other public bodies to deliver on these new legal responsibilities without any extra resources, because there are no extra resources promised with these new responsibilities.

**Hannah Blythyn:** Thank you; hopefully I will stay back in now.

The point to make here is probably that we have not seen a cost assessment, or a formal cost analysis, of the Bill. Local government partners have raised the issue of additional resources very early in discussions with the MoD, and I am also aware that some partners in Wales have provided the MoD with impact assessments of the Bill. A very short stakeholder engagement exercise was held in summer 2020 at our request, but these partners have highlighted that there might be additional resource requirements from things like potential increases in complaints and potential increases in office hours to process. That is just an example that has been provided by our partners to us.

Q281 **Mrs Hodgson:** We are running out of time, but do you feel the Bill misses an opportunity to set measurable minimum standards on the delivery of health, housing, social care and all the other areas in the covenant that may not necessarily be covered by this Bill?

**Hannah Blythyn:** It is important that we are able to measure the effectiveness of the legislation, and it is in the interests of those we are all trying to support. In Wales, we have been working to try and improve data collection and metrics, and working with the MoD and other devolved nations. Graeme talked about how, in Scotland, we have the armed forces champions; we have armed forces liaison officers in Wales, and they have been doing some training and testing the awareness of the covenant through this, but that is still developing, so it would not be for them to test the assessment of this legislation. However, I think that you do need a measure to actually look at how effective a piece of legislation is and seek to make that positive impact on the people it is meant for.



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**Mrs Hodgson:** Excellent. Graeme?

**Graeme Dey:** Yes, I think this is the big question: how do you measure implementation of this? The ultimate goal here is to make the covenant redundant because we have reached the point where consideration for veterans, armed forces and their families is so embedded in the fabric of what we do that the covenant becomes unnecessary. Now, we are a very long way away from that, but it is really important that we find methods of measuring success. In small countries like Scotland and, perhaps, Wales, it is easier to get a feel for how well you are doing: there is a lot of anecdote, a lot of information shared, and you can get an understanding. That must be considerably more challenging in a country the size of England, but we need to be able to demonstrate that this has been for a purpose, and we have achieved what we set out to.

Can I add one further point that strikes me and perhaps addresses one of the concerns that local authorities are expressing about possible costs through uptick of demand or complaints? I think it is really important that sitting alongside all this is improving understanding of what the covenant sets out, perhaps among veterans and the serving community, because there is a degree of understanding about what it entitles people to, and that creates a degree of difficulty for service delivery partners. I think we need to be clear about what the covenant actually sets out to deliver, and that might help manage the expectation as well and reduce the resource demand on our delivery partners.

**Mrs Hodgson:** Excellent. Great answers. Thank you, both; thank you, Chair.

**Chair:** Thank you. We have about 10 minutes left, and I am going to bring in Martin Docherty-Hughes and then Carol Monaghan to close, but I will first make an observation on a very interesting point that Minister Dey made about families in Faslane. One of the things that strikes me is the fact that many service families living in the community are often not even identifiable as service families because they are so integrated. The challenge that the devolved nations and all providers have locally is that some of these families may not want to come forward and ask for help. I don't have an answer for you, but I would certainly urge everyone to consider how best we can identify these families, who are service families but who are clearly integrated fully into the community. I'll bring in Martin Docherty-Hughes.

Q282 **Martin Docherty-Hughes:** It is interesting that when youse talked about Faslane, youse talked about Argyll, Bute and Glasgow, but youse both forget that the vast majority of the people who work there live in my constituency of West Dunbartonshire, and there is a lot of work around integration and effective delivery of public services in challenging times. That's just a little reminder.

I have a question for both of you, Ministers—I think I know the answer to this. Does the Bill require a legislative consent motion from your Parliaments? Hannah, can I come to you first?



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**Hannah Blythyn:** The legal advice we were given was that even though it impacts on some devolved areas, it is a non-devolved area, so legally it does not need an LCM. But we took the decision to consider one because of the importance of upholding the covenant.

**Graeme Dey:** Apologies for not mentioning West Dunbartonshire. I know I am going to live to regret that.

**Martin Docherty-Hughes:** I'll let you away with it this time.

**Graeme Dey:** Not typical or untypical of you, I have to say. We took the position from an early stage that we did not believe that an LCM was necessary, and I am pleased to say that yesterday the UK Government confirmed that, having reflected on it, they also held that view. We have common ground there.

**Martin Docherty-Hughes:** Thank you. Chair, back to you.

**Chair:** Thank you very much. Carol Monaghan, please.

Q283 **Carol Monaghan:** I probably should say at this point that, having been the spouse of somebody serving at Faslane and living in Glasgow, a lot of the services that were provided at Faslane were not available for the families of personnel who were living in other places, so that was a real challenge for us when we were trying to raise children. I want to raise the issues experienced by the spouse and the family. First, I have a general question. Is the Bill going to help resolve the practical problems that service personnel and their families encounter as they move around the UK?

**Graeme Dey:** I'm not sure it necessarily will, Carol, because I recognise the point you make. I visited Faslane and met a group of spouses. Particularly in the area of employability, there is a real issue there. I guess the question here is where the responsibility lies for properly supporting families. Does it lie with the MoD and with the service that has required them, because of their partner, to up sticks and move to another part of the UK, where they perhaps will not have family support to assist with childcare or to find employment?

This goes back to the Chair's point a moment ago about the awareness of the number of spouses who perhaps come into an area or a deployment, and the talents and skill set they have. It is much easier—whether it be the local authority or the Scottish Government, by way of example—to assist in finding them meaningful employment if we know who they are, where they are and what their qualifications are, but we don't always have access to that information. I take very seriously the duty of care—

Q284 **Carol Monaghan:** Has there ever been any sort of audit done of the skills of the families when they are coming in?

**Graeme Dey:** I can only point to one case when the large-scale deployment to Faslane was taking place and we had conversations with the Navy. Rather disappointingly, the question was asked, though not in a



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blunt way, "What are you," meaning the Government, "going to do to assist in employing these women?" My question at that point was, "Have you done a skills audit? Are you able to tell us how many qualified teachers or nurses there are? That would really assist in the process of supporting these very welcome incomers to Scotland to find meaningful employment."

That was not available, and I would certainly urge us, as we look at what the covenant delivers, to think a lot more holistically about the families, particularly the partners, whom we ask a very great deal of in supporting serving personnel. I am not sure that the Bill on its own tackles that issue. I am not suggesting we have the answer in Scotland, but there has been some fantastic work done—for example, by Barclays—around spousal employment, and we are extremely keen to support that. I should say that we have poached the former head of HR at Barclays to head up our veterans employability strategic group. She oversaw that approach, and I want to use it as a means of supporting spousal employment far better.

**Q285 Carol Monaghan:** Could I push this a bit further? One of the big issues for spouses is childcare. This assures them of no disadvantage, but the problem is that that is no disadvantage compared with other people in the local authority; it is not no disadvantage compared with your previous circumstance. If somebody is coming from, say, Scotland, where, from this summer, there will be 30 hours' free childcare a week for every 3 and 4-year-old, that is a massive commitment. It is more than 1,100 hours a year, or double what is offered in England. Is there an issue that, if personnel are asked to move to England, that cuts off opportunities for their spouses in terms of employability because of the cut to childcare?

**Graeme Dey:** Self-evidently there is, but that is something the UK Government would have to answer. There is no doubt that childcare is a real issue for spouses, because if you relocate many hundreds of miles away from your family support network, if you make the journey from England to Scotland, the childcare offer we have will help a lot, especially as it is a flexible childcare offer, but even then, finding employment and finding your feet in the community is a challenge. We all need to think a great deal more about how we support the spouses.

**Q286 Carol Monaghan:** Should spouse employability have been part of the Bill, then?

**Graeme Dey:** I would certainly like to see it mentioned. Employability clearly is not in here as a theme, but if we are talking about avoiding disadvantage for serving personnel, veterans, families or whatever, it is certainly something we have to think about, as you have readily highlighted.

**Q287 Carol Monaghan:** Thank you very much. Hannah, could I move to you and ask the same question? Does it resolve the practical problems for personnel and families moving around the UK?

**Hannah Blythyn:** I think it would help; I don't think we could see any piece of legislation as a panacea, and it will take a range of efforts and

support. One thing it might also do is highlight awareness of what is already there. It is possible the Bill could help to enhance existing provision—for example, if a family member of serving personnel is on an NHS waiting list and they are posted to Wales, any waiting time accrued will be carried forward. If all local authority health boards in Wales are aware of that commitment, the due regard duty could help to strengthen that knowledge and awareness.

Touching on the thing you said about childcare in the previous question, we too are acutely aware of the different circumstances in Wales compared with England. I am aware that—

Q288 **Carol Monaghan:** Sorry to interrupt. How much childcare is offered in Wales?

**Hannah Blythyn:** It is 30 hours. Childcare colleagues in the Welsh Government have a meeting with MoD colleagues on precisely this issue next month, so hopefully they will be able to provide further information on it.

**Carol Monaghan:** Thank you. Chair, I think I am finished, unless colleagues want to come in.

**Chair:** Thank you. It is now 17.43 and I think we are all finished for the afternoon, aren't we? It has been a long day.

**Martin Docherty-Hughes:** I could go on, Chair—and on and on and on.

**Chair:** That is what I fear, Martin. Are there any last questions before we bring this to a close? That leaves me to thank our two witnesses. Minister Hannah Blythyn and Minister Graeme Dey, thank you so much indeed for your time. This has been very informative, and we wish you all the best with the challenges in your devolved nations. Good day.

**Hannah Blythyn:** Thank you.

**Graeme Dey:** Thank you.